

edited by
Helena E. Myeya
Maciej Ząbek

MIGRATIONS IN THE CONTEMPORARY WORLD:

A case of Africa
Cultural and social issues

Migrations in the contemporary world:
A case of Africa

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Helena E. Myeya
Maciej Ząbek

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Helena E. Myeya & Maciej Ząbek

INTRODUCTION

Nowadays, migrations have become one of the greatest phenomena of strategic importance due to their cultural, social and economic impact nearly all over the world. It also results from the mass nature of this phenomenon, i.e. the fact that more and more people are changing their place of residence in search of work, better life or asylum.

This book is the first of the two volumes of collections of articles, published under the same title: *Migrations in the contemporary world: A case of Africa,* on migrations issues, in the context of widely understood African studies. The first volume, entitled *Cultural and social issues*, is devoted to the socio-cultural contexts of migrations whereas the second one, entitled *Politics, economic and social issues,* to the economic and political matters.

The above-mentioned publications followed the cooperation of the Polish and Tanzanian scientists and practitioners. Within this collaboration for the second time in history the team organised the International Conference entitled Migrations in the Contemporary World which took place on 1st – 2nd October, 2019 in the town of Iringa, Tanzania at Mkwawa University College of Education (MUCE), being the Constituent College of the University of Dar es Salaam (UDSM). The conference was attended by researchers from different universities in Tanzania (University of Dar es salaam, Jordan University and University of Dodoma) and Poland (University of Warsaw, University of Warmia and Mazury in Olsztyn, Cardinal Stefan Wyszyński University in Warsaw, Maria Curie-Skłodowska University in Lublin, University of Łódź and Jagiellonian University in Kraków).

History of the African continent, even in the pre-colonial times, was largely shaped by mass migrations. In East Africa, for centuries the mobility of people was dominated by migrations of pastoral and agricultural Nilotic people and agricultural Bantu people. Moreover, the slave trade had also a great impact on the forced displacement of people, especially in the 19th century. However, over the last three decades, migration patterns and trends in the whole Africa have significantly changed as a result of global flows of labour force, market and socio-political transformations. Climate perturbations, natural disasters, wars, political and economic crises have even further affected African countries in a destabilising way, generating also a significant number of refugees or generally speaking forced migrants within and outside the continent. Furthermore, it should be stressed that in terms of their range and geographical directions, Africa is dominated by poorly recognised migrations within individual countries and the region (south-south), rather than outside the region (south-north), which are usually the focus of the migration studies in Europe. Another characteristic feature of migration in Africa is the fact that many countries on the continent belong both to the countries sending emigrants as well as accepting immigrants. Examples include Guinea, Ghana, Senegal, Nigeria, Sudan or Kenya[1].

Important factors that trigger labour migrations in Sub-Saharan Africa include; the impact of demographic pressure, market forces, contemporary development of transport and communication (flows of information) network, dissemination of youth education, increase in the political and economic stabilisation recorded in many countries of the region and existing transnational ethnic and family ties . Additionally, as indicated by the authors of this volume, the growing number of migrants all over the world reflects the development inequalities between the regions and the more and more common

[1] M. Ząbek (2018), *Uchodźcy w Afryce. Etnografia przemocy i cierpienia* (*Refugees in Africa. An Ethnography of Violence and Suffering*), Warszawa: WUW.

the desire, especially of the young people, to improve their living conditions (cf. C. Mulungu and H. Myeya).

Current knowledge on the issues of migration and refugees in Africa is still insufficient and the existing body of knowledge is often inaccurate, outdated and incomplete. It applies both to the causes, forecasts, as well as the general understanding of the migration phenomena in economic, political-legal and socio-cultural terms. It is sometimes caused by poor coordination between the agencies responsible for data collection, lack of national and regional migration policies, insufficiency of the more sophisticated comparative analyses and constant systematic reflection over facts and policies on migration and asylum. Additionally, there is poor border control and high rate of illegal migration (irregular), which further hinder the collection of reliable data[2].

Thus, one of the objectives of the mentioned Polish-Tanzania cooperation on academic grounds was to undertake work on raising awareness mainly on internal migrations within the region and its numerous effects and contexts. This knowledge is still limited despite efforts made by some international organisations (eg. International Organization for Migration [IOM] and United Nations High Commissioner for Refugees [UNHCR]) and numerous scientific institutions. Thus, the editors and authors of these volumes hope that these publications containing a range of examples of detailed studies on the selected problems and contexts related to them, will contribute to the enlargement of knowledge on human mobility in the world.

The texts in this volume have been divided into two parts. The first one, entitled *Tanzanian issues*, is devoted to the selected migration studies concerning exclusively Tanzania, from where most of the

[2] International Organization for Migration [IOM] (2013), *Migration and development within the South: New evidence from African, Caribbean and Pacific countries*, Geneva: ACP Observatory on Migration and International Organization for Migration.

authors of this publication come from. The second one, entitled *General and African dimensions,* concerns widely understood migration research and cultural contexts from other areas of Africa.

Migrations in the whole sub region of East Africa have had, similarly as on the whole continent, to a great extent a forced character, connected with conflicts, drought, poverty or starvation. Today, countries such as Sudan, Ethiopia, Somalia and Kenya sometimes still have more than million refugees, not to mention other categories of internally displaced persons. Almost all of these countries have accepted hundreds of people from other countries searching for international protection while simultaneously becoming also the source of migration and refugeeism within and outside the continent. Emigration towards the global north embraces only one fourth of the total number of migrants from East Africa, mainly to 27 countries forming the European Union (plus Norway and Switzerland) and to North America[3]. For the sending countries, labour migrations towards the global north started to be the source of considerable financial remittances being among the strategy for poverty reduction. However, at the same time they have started to pose a threat of the "brain drain", i.e. the loss of the best educated and entrepreneurial people from African continent.

The situation in Tanzania, which hosts about 320 thousand refugees and from which few citizens apply for the asylum in other countries, compared to other countries is relatively good although it should be remembered that there are thousands of internal labour migrants moving from rural areas to the cities. The 20th century, associated with the European colonisation, privatisation of municipal lands, protection of nature, competition for water supply and more fertile farmland and enforcement of border controls caused a lot of additional

[3] L. Landau, (2010), *Going Local: Human Mobility and Local Governance in Africa*, „The Forum" fall 2010, pp. 144–148.

tensions in this respect[4]. Conflicts in neighbouring countries (Mozambique, Congo, Rwanda and Burundi, Uganda and Kenya) led to the constant influx of refugees from these countries to the politically stable Tanzania.

Tanzania is known worldwide for its long tradition of hospitable acceptance of refugees coming not only from the above-mentioned countries but in smaller numbers from almost the entire subregion of East Africa. Still, the arrival of a large number of refugees in the 1990s from the Great Lakes region finally led to the limitations in the freedom of movement of refugees and to the decrease of support for their local integration[5]. There occurred real threats to the safety of the country as it is reported by Marius Emmanuel in this volume. Moreover, other international restrictions[6] have changed the national policy towards refugees, gradually tightening it. Tanzania, like all the countries receiving refugees and immigrants *en masse*, has also faced a serious problem of regulating the legal status of some migrants and local integration or repatriation. A well-known fact is that thousands of unregistered Congolese forced migrants have been living in Dar es Salaam for years, although their future remains uncertain. The vast majority of them are not considered refugees and have only temporary legal status. The results of the research conducted so far indicate that many Congolese forced migrants are locally integrated to a great extent, although many of them still grapple with more serious challenges in terms of discrimination,

[4] Mohamed Ibn Chambas ed. (2011), *Human Mobility Report* 2011: Migration and Human Development in African, Caribbean and Pacific Countries, ACP Secretariat.

[5] C.R. Veney (2006), *Forced Migration in Eastern Africa: Democratization, Structural Adjustment, and Refugees*, New York: Palgrave MacMillan.

[6] UNHCR & DANIDA (2010), *Evaluation of the Protracted Refugee Situation* (*PRS*) *for Burundians in Tanzania*, Ministry of Foreign Affairs of Denmark.

economic self-sufficiency, security and education[7]. It is usually recommended to apply diversified forms of regulating the stay or return of immigrants, but not always plausible due to political conditioning.

* * *

The first part of this book, devoted to the internal human mobility in Tanzania itself, commences with the article by Christopher Mulungu and Helena Myeya, two researchers from Mkwawa University College of Education from Iringa, who made an attempt to study the factors spawning the spatial mobility and its effects in Ileje district, situated in the peripheral region of Songwe in Tanzania close to the borders of Zambia and Malawi. Their studies, conducted with the use of both quantitative and qualitative techniques, have shown that poverty caused by land scarcity or poor productivity of local soils and unfavourable climate conditions are the main reasons for changing the place of residence. Young people make a decision to look for improved livelihoods for seasonal work on coffee, tea and sugar plantations or migrate to the cities searching for employment opportunities. The study further reports that, men work as casual labourers in commercial farms and sugar factory workers while girls work as maids or waitresses. Moreover, it is reported that livestock keepers and crop growers migrate to other places in search of farmland and better pastures within or outside district. The authors also argue that the decisions to migrate had, both in the place of origin and abroad, positive effects because as a result of them emigrants and their families improved their living conditions. Some migrants managed to build better quality houses, others bought a piece of land for cultivation or set up small profitable businesses while others paid

[7] Ch. Pangilinan (2015), *Local Integration and Congolese Forced Migrants in Dar es Salaam, Tanzania*, „African Human Mobility Review" 1(1), pp. 54–78.

off their debts and had money for different expenses such as food, clothes, school fees or hospital bills for their family members.

The second chapter in this volume, written by Marius Emmanuel, an employee of the Ministry of Home Affairs, relates to the little-known issues of security connected with the influx of refugees from Burundi and the Democratic Republic of Congo to Tanzania. The author presents there both the general outline of the causes of refugeeism in East Africa, as well as the results of the quantitative and qualitative research on the illegal arms trade in the western part of this country, mainly in the region of the city of Kigoma and areas located near the refugee camps. The aim of this text is to evaluate Tanzanian policy regarding the effects of refugees on the security in the welcoming regions. The author suggests that refugees greatly contributed to the illegal import of arms to Tanzania, the same leading to the decreased level of security in the country and also to such undesirable effects as local ethnic tensions, breakdowns of marriages and crime including human trafficking. Moreover, he pinpoints an interesting correlation between the cause of poverty and hunger of the hosts and the influx of refugees, and related to them consequences of armament.

The third chapter was written by the international team of Swahili language researchers and experts: Fokasa Nchimbi from Mkwawa University College of Education, Sterling Roop from Norway and Jay Boss Rubin and Sarah Delaney from the USA. The chapter is also devoted to unveil refugee problems but from a rare, in this type of studies, linguistic perspective. The authors underline that the command of the language of the host country is for refugees an important tool to satisfy their needs. It is of crucial importance in East Africa where migrants can communicate in Swahili. This particularly applies to Tanzania and Kenya and has implications not only for the refugees in the camps, but also for the administration of these countries. The authors put forward a postulate that the systematic learning process of this language in the camps could improve the skills of refugees in

the area of communication both at school and in contacts with local milieu, and also in the countries of their possible resettlement.

The next chapter, written by Iddy Ramadhani Magoti from the Department of History at the University in Dar es Salaam, is a historical essay developed following the archival research on Kenyan diaspora in Tanzania. It should be noted here that the author uses the term "diaspora" in a slightly different sense than commonly known. It results from the history and character of this diaspora. Kenyans coming from various ethnic groups did not appear in Tanzania as a result of a single mass migration but in a longer period of time in groups of about 600 to 800 people. These migrations date back to the early 1930s and have continued until now. They occurred due to both economic and political reasons, including Mau-Mau uprising and deliberate resettlements within special programmes. Now, arriving in Tanzania, either as contract workers or as refugees, they form communities, on the one hand fully integrated into the Tanzanian society and indistinguishable also within local cultural practices, but on the other hand still perceived as Kenyan. The main indications of their identity in Tanzania are the language and names (mostly from the ethnic group Kikuju), and sometimes the place of residence as they were often assigned places located far away from the indigenous residence. Thus, talking about them as a kind of diaspora is not only justified but can also trigger further research on national identity in the countries of East Africa.

The last two chapters in this part were written by Polish anthropologists conducting ethnographic research in Tanzania. The first of them, written by Elżbieta Wiejaczka from the Institute of Ethnology and Cultural Anthropology of the Jagiellonian University in Kraków, pertains to spatial mobility of the Maasai. Traditional forms of circulation of those famous shepherds from East Africa, connected with the search for pastureland and water for the cattle, currently limited by the development of agriculture and emergence of protected areas, are being replaced by labour migrations mainly

in the tourism branch. In her text, the author presents and analyses the consequences of these types of migrations, their impact on the social relations, especially family relations of the Maasai who are employed as security guards in hotels or in the production and sale of souvenirs in Dar es Salem or Zanzibar. At such work, intercultural meetings take place and often lead to permanent changes in the organisation of the existing social life.

The article by Olga Pawlik, from the Institute of Ethnology and Cultural Anthropology of the Warsaw University, is devoted to the traditional medical doctors (*waganga*), more often moving from rural areas to the largest urban centres in Tanzania. The author presents how the so called rural medicine, the "folk one", migrates along with them to the cities finding there new customers, simultaneously adjusting itself to new conditions generated by the city and the changing needs of the potential patients.

* * *

The second part of this volume contains texts written exclusively by Polish scholars, based mainly on qualitative studies conducted in other African countries, but not only, and sometimes also concerning the very migration processes as well as cultural phenomena accompanying them.

The aim of the first text, written by Piotr Cichocki, an anthropologist from the Institute of Ethnology and Cultural Anthropology of Warsaw University, is the analysis of links between the indigenous African religious practices from the Northern Region of Malawi and the exterritorial migrations of the population. The author refers both to the precolonial migrations and contemporary ones, yet having the roots dating back to the history of colonisation, which shaped the practices related to the worship of *vimbuza*. Based on the ethnographic data that he collected using the tools of anthropological analysis, the researcher attempts to question certain speculative similarity of

corresponding religious practices occurring in other regions of Africa. At the same time, he tries to answer the question in what way the labour migrations from Malawi to South Africa affect contemporary religious life and recreate its previous forms, building a new set of political relations.

The next text is a historical essay written by Zofia Gralak from the Institute of Art History of Łódź University on migrating artists. The author shows the phenomenon of migration in contexts different from those in which it is usually depicted, on the example of several selected biographies of prominent European artists, such as: Paul Gauguin, Marc Chagall and Andy Warhol, but also migration of Makonde artists from Mozambique to Tanzania. She argues that travelling and moving from one country to another is of great importance for artists as a new reality often requires from artists a change of perspective, modification of understanding the environment and themselves. She also notes that artistic activity can be useful in this process as it helps to adapt to a new environment. It seems, according to the author, that this process is of crucial importance for the migrating artists who have to cope with strong emotions outside their home country, and perhaps this is the reason why many of them developed their artistic talents only during their journey and stay abroad.

The author of the third text is Nagmeldin Karamalla-Gaiballa, an independent scholar, an immigrant from Sudan, active in the Polish African Society. His text concerns the role of the Sudanese diaspora in the success of the revolution that overthrew the regime of dictator Omar al-Bashir. Sudanese expatriates formed a strong support for demonstrators in their country of current residence, against the regime of ousted President Omar al-Bashir, throughout the protests that took place on December 19, 2019. Sudanese communities abroad organized demonstrations in many cities and capitals of the world in front of headquarters of Sudanese diplomatic missions in support of the protests. The largest demonstrations of the Sudanese expatriates

began in London, Washington, Brussels and Paris, and they started petitions calling for the support of their families in Sudan to the representatives of those countries. Expatriate groups have formed a continuous support for the protests by publishing posters, videos and news on social media. As for the financial support, the Sudanese expatriates did not spare their money, as they gathered funds in most community places to financially support the protests, to help the wounded in hospitals and to send many young people who were seriously injured to receive treatment abroad.

Another article, for which migrations are only one of the reference points, is the text written by Father Mariusz Boguszewski from the Cardinal Stefan Wyszyński University in Warsaw[8] about the history of freedom and religious tolerance in Poland. He underlines that immigrants (foreigners, i.e. the people without citizenship of a given country) often enjoy fewer rights in a religious sphere than its citizens. In Poland, a country with a particularly long history of religious tolerance, only people of native citizenship can become bishops, similarly as in the case of the right to membership in Jewish religious communities. The author also gives a wide range of other examples of violating religious tolerance. Representing the post-conciliar, "modern" model of Catholicism, the author accesses such facts negatively. He also critically evaluates the theology tradition of the Fathers of the Church, who do not accept tolerance towards heretics, schismatics and apostates, because in their opinion "freedom should appertain only to the truth".

The next text, written by Father Jarosław Różański, also representing the Cardinal Stefan Wyszyński University in Warsaw, refers, however, to a direct analysis of migration processes in Africa, although on the

[8] The Cardinal Stefan Wyszyński University in Warsaw is formally one of the greatest secular state universities in Poland, along with others, under the Ministry of Science and Higher Education, although it is often regarded as catholic because of the special position of the Department of Theology in the structures of this university and its close cooperation with the Catholic Church in Poland.

example of a very local case study. The article is based on both historical and qualitative field studies, concerns migration of members belonging to a small Gidar ethnic group from North Cameroon. The author, on the example of a studied group, shows migration as a permanent element of African communities' lives, from the legendary times, historically undocumented wanderings of peoples through the period of Renaissance of Islam and Jihad of the pastoral Fulbe people in the Bilad as-Sudan zone in the 18th century, up to migrations in the colonial and postcolonial period. Among their causes the author pinpoints both political-religious factors connected with the expansion of Islam, as well as economic economic factors (local over-crowding and search for farmland). In conclusion, he notes that migrations of the Gidar and other peoples of North Cameroon pose a challenge to the creation of a new cultural identity and a new type of society and state.

The article by M. Brzezińska in this volume discusses clandestine migrations of West Africans to Europe, based on research in Guinea-Bissau and the Gambia. The text demonstrates how important the key characteristics of global mobility are for Guineans and Gambians struggling with obstacles, uncertainty and risk. While the desire of migration to Europe, the US and Canada is almost universal among West Africans, it is very rare for them to obtain the documents which enable legal travel. Brzezińska explores the difficulties and uncertainty involved in the European immigration procedures from the perspective of Guineans and Gambians, commonly referred to as the 'documents problem' as well as the illegal journey undertaken by some young men. The text is based on interviews with several Guinean and Gambian young men who had attempted such a dangerous passage – either via the ocean along the Western coast of Africa, known as the 'sea way', or through the Sahara desert and across the Mediterranean sea. It focuses on the metaphysical interpretations of unfavourable, often tragic events, analysing how the idiom of witchcraft, sorcery and other religious notions are deployed by Guineans and Gambians

in dealing with what is perceived as unpredictable, arbitrary and cruel. The author observes how these notions effectively transfer the responsibility for European immigration barriers to the realm of the supernatural and to local kinship structures, while concealing larger legal-political structures of (im)mobility. She concludes that the idiom of witchcraft, with its notions of human rivalry for limited resources, also provides a surprisingly meaningful commentary to global relations, exposing mobility as a scarce good.

The volume ends with two texts, one by Maciej Ząbek and the second one by Wojciech Trojan, anthropologists specialising in refugee studies and anthropology of law, associated with the Institute of Ethnology and Cultural Anthropology of Warsaw University. Both articles, based on field observations in refugee camps in Kenya and Somaliland, are thematically interrelated. They concern the customary law binding upon those refugee camps. The authors note that the camps are located within the countries where applies modern postcolonial law, and they are administered by international organisations representing international law. Meanwhile, the customary law, binding among refugees, undermines the power of both. However, as the latter of the above mentioned authors underlines, it expresses the independence of peoples from whom the refugees (the Somalis and South Sudanese) originate, and who will not let be subject to any external power, proving, as the first author emphasises, that the tribal traditions are effective as an objective, culturally rooted tool to resolve conflicts.

Both volumes we are presenting to readers prove that migration studies are of interdisciplinary nature, the same as the very phenomenon of human migrations which are of multi-contextual and ambiguous character. Hence, there are various approaches to the subject matter and the research methods. It is also worth stressing that the majority of texts presented here have been based on the authors' own fieldwork (quantitative or qualitative ones), although it is undeniable that archival or literary studies have implicit assets.

This publication, by depicting a wide spectre of attitudes and diversified approaches to human migration studies, offers vast opportunities of mutual inspiration among various disciplines and scientific centres all over the world.

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Chapter 1.

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DRIVERS, LIVELIHOOD DYNAMICS AND EFFECTS OF OUT-MIGRATION IN ILEJE DISTRICT, TANZANIA

Introduction

Migration across the globe has become a pertinent issue that many countries are trying to understand and manage. The increasing number of migrants worldwide is a reflection of high desire to improve their livelihoods[1]. Out-migration requires information and experience from friends and relatives who have migrated and managed to change their livelihoods.[2] Through this normal communication, migrants

[1] United Nations (2017), *International Migration Report 2017* (*Highlights*), Department of Economic and Social Affairs, Population Division, (ST/ESA/SER.A/404), New York.

[2] A. White (2010), *Young People and Migration from Contemporary Poland*, "Journal of Youth Studies", 13(5), pp. 565–580; M.A. Salah (2008), *The Impact of Migration and Remittances on Communities, Families and Children in Moldova*, United Nations Children's Fund (UNICEF), New York.

are informed about business and employment opportunities, space for settlement and agricultural production in the expected area of destination. Therefore, the decision to migrate is often influenced by availability of information about the conditions prevailing in the area of destination[3].

Like in other countries, out-migration is also a survival strategy in Tanzania. Both educated and non educated people are moving within and outside the country searching for better life. Within the country, people migrate from one region to another and sometimes within the region and district as well. There is no uniformity on out-migration and immigration status among regions; rather some places act as recipients while others work as givers. Regions which have high number of out-migrations include: Kigoma, Dodoma, Singida, Tabora, Rukwa, Katavi, Mbeya and Songwe[4].

Generally, migration is considered as a mechanism for an individual or a group of people to make adjustments to developmental gaps created by life dynamics. The existence of developmental gaps between one continent with the other, one country and another, as well as one region and the other creates a desire for people to move in search of better life. Faced with hardships in the rural areas, the poor peasants tend to move towards a definite destination which is likely to offer them better conditions. Previous studies observed that prevalence of poverty in peripheral areas increases the demand for livelihoods

[3] B. Fayissa & C. Nsiah (2010), *Can Remittances Spur Economic Growth and Development? Evidence from Latin American Countries*, "Working Papers" 201006, Department of Economics and Finance, Middle Tennessee State University; M.A. Salah (2008), op. cit.

[4] H. Wenban-Smith (2015), *Population Growth, Internal Migration and Urbanisation in Tanzania, 1967–2012*: *Phase 2* (*Final Report*), International Growth Centre, London School of Economic and Political Science, London; M.J. Mbonile (1996), *The Determinants of Migration in Tanzania: The Case of Makete District*, University of Dar es Salaam, Institute of Resource Assessment, New Series Paper 96.

diversification outside agriculture[5]. In fact, people are prompted to consider available options in the face of population pressure whereby non-farm activities take precedence over farming as the basis of rural household livelihoods.

Studies further show that migration is age selective where young people are more highly mobile than adults. A Study by Hagen-Zanker reveals that young people are more highly mobile than older people because they have not much invested as compared with older people[6]. Out-migration for older people tends to be difficult because of social and political status which is influenced by their position and authority in the rural social system. Not only age determines migration, but also studies by Owusu *et al.*, Abrego *et al.*, Horrel *et al.* and Minot indicate that activities undertaken by migrants are determined by sex and education levels.[7] The mentioned variables determine the type of livelihood strategy to be performed by an individual. Males are more mobile in long distances as compared with female[8]. This is

[5] C.A. Mulungu & H.E. Myeya (2018), *Survival Strategies and Livelihood Diversification of Ileje Migrants in Mbozi District, Southern Tanzania*, "Journal of African Studies and Development" 10(4), pp. 43–50; G.W. Kassie, S. Kim, F.P. Fellizar Jr. (2017), *Determinant Factors of Livelihood Diversification: Evidence from Ethiopia*, "Cogent Social Sciences" 3(1), pp. 13–49; M.J. Mbonile (1995), *Structural adjustment and rural development in Tanzania: The case of Makete District*, in D. Simon, W. Van Spengen, C. Dixon & A. Närman (eds.), *Structurally Adjusted Africa: Poverty, Debt and Basic Needs*, London: Pluto Press, pp. 136–158.

[6] J. Hagen-Zanker (2015), *Effects of Remittances and Migration on Migrant Sending Countries, Communities and Households*, "EPS-PEAKS", http://partnerplatform.org/eps-peaks [accessed 2020]; A. White (2010), op. cit., pp. 565–580.

[7] L. Abrego & R. LaRossa (2009), *Economic well-being in Salvadoran transnational families: How gender affects remittance practices,* "Journal of Marriage and Family" 71(4), pp. 1070–1085; R. Horrel et al. (2008), *Migration, Immobility and Displacement Outcome Following Extreme Events*, "Environmental Science & Policy" 27, pp. S32–S43.

[8] A. White (2010), op. cit., pp. 565–580; W. Tobler (1995), Migration: Ravenstein, *Thornthwaite, and Beyond*, "Urban Geography" 16(4), pp. 327–343.

highly connected with African cultural values on social roles of females versus males.

Though age and sex seem to influence out-migration, the level of education is a major determinant of what a migrant will do in the area of destination. Due to low education levels most of the migrants end up being employed in both agricultural and non-agricultural sectors[9]. Ellis and Allison argue that better-off migrants with reasonable education levels tend to diversify in non-farm activities such as trade, transport and shop-keeping while the poor with low education levels tend to diversify in the form of casual wage labour[10]. Generally, the poor's diversification makes them highly reliant on wage in informal sector or in agricultural sector depending on the destination place.

Generally, migration benefits both the individual migrants and their families. Several studies show that migration has changed the life of migrants in the place of destination and origin[11]. These studies emphasize that migrants have shown high improvement of their livelihoods better than previous. The debate revolving around migration's impact on development and poverty reduction usually seeks to propose policy which encourages fairer flows of people, money, skills and knowledge.

Through out-migration, family members have benefited because in the new destination area, migrants manage to accumulate incomes for personal use and remittances too. This has attracted other people also to migrate in order to search for better life as their fellows did.

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[9] C. A. Mulungu, & H. E. Myeya (2018), op. cit.

[10] E.H. Allison, F. Ellis (2001), *The Livelihoods Approach and Management of Small-Scale Fisheries*, "Marine Policy" 25(5), pp. 377–388.

[11] B. Edmonston (2013), *Lifecourse Perspectives on Immigration*, "Canadian Studies in Population" 40(1–2), pp. 1–8; W. Kandel & D. S. Massey (2002), *The Culture of Mexican Migration: a Theoretical and Empirical Analysis*, "Social Forces" 80(3), pp. 981–1004; A. Adepoju (1989), *State of the Art Review in Migration in Africa*, in *The Role of Migration in African Development: Issues and Policies for the 90s*, Dakar: Union for African Population Studies, pp. 3–41; A. White (2010), op. cit.

The survival strategy varies from one person to another depending on the economic status of the migrant. Poor migrants move from their places of origin searching for casual labour in urban places while well-off migrants households, on the other hand, adopt the migration strategy to enhance the social status of the household by allowing member of the household to occupy a prestigious job in the modern sector[12].

Various scholars have examined determinants of migration, survival strategies of migrants in the place of destination in Tanzania and effects of migration in other parts of Tanzania[13]. Though this is well known, little is reported on drivers, livelihood dynamics and the effects of migration to Ileje migrants, a particular concern of this study. The current study, therefore, intends to examine the drivers, livelihood dynamics and effects of out-migration in Ileje district, Tanzania.

Materials and Methods

Description of the study area

The study was conducted in Ileje district of Songwe region. The district is located in the south- western part of Songwe region. The study area extends between latitudes 9° 14' and 9° 37' South and longitude 32° 80' and 33° 45' North. It is bordered by Kyela district in the East, Rungwe district in the North East, Mbozi and Momba

[12] C. Takoli (2002), *Straddling Livelihoods: Emerging Issues in Rural-Urban Interactions*, "Habitat Debate" 5(1), pp. 8–10, http://www.unhabitat.org/HD/hdr5nl [accessed 2020]; M.J. Mbonile (1993), *Migration and Structure Change in Tanzania: A Case of Makete District*, University of Liverpool, PhD Thesis (Unpublished).

[13] G.J. Todd et al. (2017), *Gender and Youth Migration for Empowerment: Migration Trends from Tanzania*, "Migration Letters" 14(2), pp. 300–310; C. A. Mulungu, & H. E. Myeya (2018), op. cit.; M. Mbonile (1995), op. cit.

districts in the North West and Mbeya district in the North. Also, River Songwe in the South marks the boundary with Republic of Malawi. The district was selected because it is one of the least developed districts in the region. It is also one of the leading districts in out-migration in the region[14].

Sampling design and techniques

This study employed a case study design since Ileje is a district with high out-migration cases, therefore it represents other areas of the same nature. Both purposive and simple random techniques were used to select the area and heads of households. Purposive sampling was employed in the selection of wards and key informants. Simple random sampling was employed in the selection of household heads in the chosen wards.

Sample size, data collection and analysis methods

A total of 249 heads of households in Ileje district were selected for this particular study. Both quantitative and qualitative techniques were used in data collection. Questionnaire survey was employed to household heads where both closed and open-ended questions were administered. In-depth interviews were conducted with nine selected key informants who deemed to possess crucial information for this particular study. Moreover, five focus group discussions were used to validate the information gathered through other methods. A total of five groups with a composition of six members (adult women, adult men and elderly people) were included in the discussions. Field observations were used to capture specific information particularly on effects of migration to the place of origin. Documentary reviews from government reports and scholarly works were also used to collect both quantitative and qualitative data that relate to the study topic.

[14] M. Mbonile (1995), op. cit.

Results and discussion

Demographic characteristics of surveyed heads of households

It was important to study the age and sex of the population because several social relations within the community depend on demographic characteristics. Results in (Table 1**)** show that majority of the respondents 34.4% aged 41-50 years and the minority 4.6 % aged less than 21 years. Based on age, one can reasonably argue that majority of the surveyed population is aged above 40 years which implies that youth have migrated outside the study area searching for a better life. The current study results concur with that of Hance who reported that migration is age – selective process which makes young people have much greater mobility than older ones.[15] Young people are reported to be flexible in skills and are in a better position with few family responsibilities thus take risks as compared with aged people.

Table 1: Age and sex of household heads in Ileje District

Age	**Percentage (N=249)**
< 21	4.6
21-30	14.5
31-40	14.9
41-50	34.4
51-60	33.6
> 60	3.6
Sex	**Percentage (N=249)**
Males	60
Females	40

[15] W.A. Hance (1970), *Population, Migration, and Urbanisation in Africa*, New York: Columbia University Press, p. 450.

The study further noted that, out of 249 respondents in Ileje district, 60% were male headed households and 40% were female-headed households. These female-headed household were largely composed of divorced, widows, separated or left behind women due to heavy seasonal out-migration. Though the aim of out-migration is to search for a better life, on the other side it creates a burden to women who are left at home taking care of all responsibilities of mothers and fathers.

Reasons for out-migration in Ileje district

People of Ileje district have often used out-migration as a survival strategy for a number of years. The study results in (Figure 1) indicate that poverty was reported as the major factor for out-migration constituting 53%. Respondents reported that members from poor households opt to flee from their homes to urban areas aiming at generating income for their livelihoods and their families too. Out-migration was not only associated with movement of poor people to urban areas, rather even within the districts.

The movement of migrants from periphery wards to more relatively better developed areas of Isongole and Itumba in Bulambya division searching for casual labour was reported by the surveyed population where respondents emphasized that poor life condition at their home place triggered out-migration in search of a better life. These results are in line with what was reported by Mbonile in Makete, Kassie *et al* in Ethiopia and Taylor in Mexico showing outmigration is seen to be the most important method of diversifying rural livelihoods[16].

Shortage of land was reported by 22% of respondents who noted increased population due to natural growth to have contributed to high competition on land resources which has culminated in out-

[16] G.W. Kassie, S. Kim & F.P. Fellizar Jr. (2017), op. cit., pp. 13–49; M. Mbonile (1995), op. cit.; J.E. Taylor & J. Mora (2006), *Does Migration Reshape Expenditures in Rural Households? Evidence from Mexico*, World Bank Policy Research Working Paper 3842.

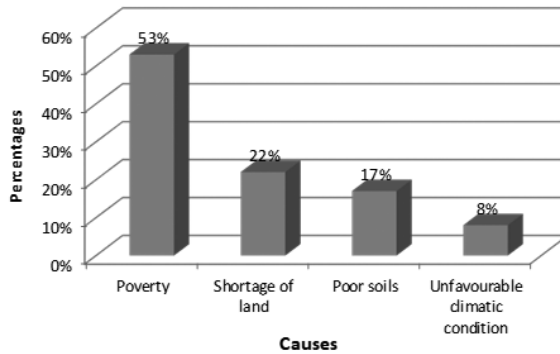


Figure 1: Drivers of out-migration in Ileje district

migration in search of areas to expand agricultural fields in other rural areas. Respondents reported that migrants do migrate temporarily and others decide to migrate permanently. In Ileje district, population pressure has triggered out-migration because the environment has limited the people's economic activities in the area. Moreover, the markets in the district appear not to support non-farm activities. Therefore, people have decided to move temporarily or permanently within or outside the district searching for new farming land and better pastures for livestock. This type of migration is common among agriculturalists and livestock keepers especially the Ndali, Lambya and Malila in Ileje district. The influence of land shortage on out-migration was also reported in a study by Liu *et al*, Reuveny and Moore and Ezra and Kiros in China, Europe and Ethiopia, respectively[17].

[17] G. Liu et al. (2016), *The Impact of Rural Out-Migration on Arable Land Use Intensity: Evidence from Mountain Areas in Guangdong, China*, "Land Use Policy" 59, pp. 569–579; R. Reuveny & W.H. Moore (2009), *Does Environmental Degradation Influence Migration? Emigration to Developed Countries in the Late 1980s and 1990s*, "Social Science Quarterly" 90(3), pp. 461–479; M. Ezra, G.E. Kiros (2001), *Rural Out-Migration in the Drought Prone Areas of Ethiopia: A Multilevel Analysis*, "International Migration Review" 35(3), pp. 749–771.

Moreover, poor soil was also reported by 17% of the respondents. To them, poor soil was linked with frequent use of particular land which leads to loss of soil fertility. Loss of soil fertility was associated with poor agricultural output which has a negative effect on smallholder farmers' income which entirely depends on agricultural production and therefore people decide to move outside the district searching for a better life.

Furthermore, 8% of respondents reported unfavorable climatic condition to trigger out migration in Ileje district. Respondents reported that the climatic condition is nowadays not much favourable causing low agricultural outputs due to the changing climate. Because majority of rural dwellers depend on rain-fed agriculture, changes in climate variables have a greater effect on production hence cause some people to search for alternative livelihood rather than depending on agriculture which is no longer productive. These particular results are supported by what is reported by McLeman and Smit on the influence of climate change and variability on out-migration[18].

Survival strategies of migrants in the place of destination

Since most of these out-migrants had low education levels, they were reported to be largely employed in the informal sector. Results in (Figure 2) illustrate that 35% of the respondents reported their migrants to be engaged in casual labour. It was noted that most of the migrant youth are employed as casual labourers in both agricultural and non-agricultural activities within and outside the district. It was reported earlier that education level determines the type of activity to be engaged by migrants. Findings from this study indicate that most of the migrants from Ileje district are employed in commercial farms, particularly those which are specializing in growing rice,

[18] R. McLeman & B. Smit (2006), *Migration as an Adaptation to Climate Change*, "Climatic Change" 76(1–2), pp. 31–53.

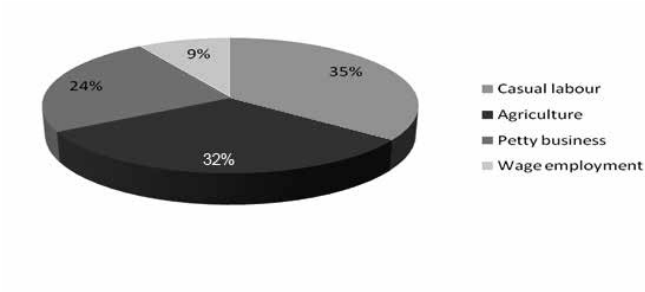


Figure 2: The Main Source of Capital of Households Business

coffee, potato and tobacco in Mbalali, Rungwe, Mbeya rural, Momba and Mbozi districts.
This was also reported by one respondent during FGD;

> *Seasonal migration has been an option taken by young people from all poor groups to move out of the district in search of wage labour in urban areas. Most of youth males move to Kilombero working as migrant labourers in sugar estates, while girls move to Tunduma and Vwawa and other urban areas to work as house maids or waitresses…… (**Male respondent with primary education aged 25 years at Malangali ward).***

Moreover, 32% of respondents reported their migrants to be engaged in crop farming and livestock keeping. It was earlier reported that migrants diversify their livelihood in both agricultural and non-agricultural opportunities. Those who migrate in search of land, good soil and favourable climatic conditions are mostly engaged in crop farming and livestock keeping. Some migrants were reported to engage in cash crop farming particularly on coffee production in Mbozi and Momba districts. The results are in line with what is reported by Mulungu and Myeya (2018) on survival strategies of migrants in Mbozi district.[19]

[19] C.A. Mulungu, & H.E. Myeya (2018), op. cit.

Apart from crop farming, 24% were reported to be engaged in petty business of buying and selling both farm and non-farm products. It was further reported that the type of business engaged varied from one person to another depending on the place of destination and capital invested on that type of business. These results are in line with that of Kassie *et al*. and that of Wouterse and Taylor who report that access to market networks enables migrants from rural areas to diversify into non-farm income earning opportunity in their destination areas.[20]

Furthermore, the remaining 9% were reported to be engaged in wage employment. Education level is a major determinant of livelihood strategy practiced. The percent of those reported on wage employment is lower as compared with other livelihood strategies reported because low education levels force majority of the migrants to engage in casual labour and few in wage employment. Those in wage employment were primary/secondary school teachers and health workers who are either government or private employees within and outside the district. The influence of education on livelihood strategy was also reported by Xu *et al*.[21]

Effects of out-migration in the place of origin

Out-migration acts as a survival strategy of the migrants and their relatives. The study results in (Table 2) indicated that 38% of respondents acknowledged receiving remittances from their migrants which was in form of money. Out of those who received money 51.5% acknowledged to have received less than 100,000 Tshs, 30.9% received between 100,000 – 200,000 Tshs while, 17.6% reported to have

[20] F. Wouterse & J.E. Taylor (2008), *Migration and Income Diversification: Evidence from Burkina Faso*, "World Development" 36(4), pp. 625–640; G.W. Kassie, S. Kim, F.P. Fellizar Jr. (2017), op. cit., pp.13–49.

[21] D. Xu et al. (2015), *Household Livelihood Strategies and Dependence on Agriculture in the Mountainous Settlements in the Three Gorges Reservoir Area, China*, "Sustainability" 7(5), pp. 4850–4869.

received greater than 200,000 Tshs per annum. Apart from cash money, 23.2% reported to have received materials such as clothes, sugar and soap, 19.3% reported to have received iron sheets, 10.5% acknowledged to have received fertilisers while 10% reported to have received other kind of assets (cellular phones, iron sheets, radio and motorcycles). From the results above, one can reasonably argue that households with relatives out of their home jurisdiction remit some sort of assistances back home. Similar results were observed by Fayissa and Nsiah, in Africa and UNICEF, in Moldova where households with relatives abroad remitted financial assistance, food and clothes to their families of origin.[22]

Table 2: Type of remittances received in the place of origin

Types of remittances	**Percentage (N = 249)**
Money	38
Fertilisers	10.5
Iron sheets	19.3
Consumption goods (sugar, clothes, salt, soap.etc)	23.2
Other assets (cellular phones, radio and motorcycles)	10
Money received per annum (Tshs)	**Percentage (N = 249)**
< 100,000	51.5
100,000-200,000	30.9
> 200,000	17.6

[22] B. Fayissa & C. Nsiah (2010), op. cit.; M.A. Salah (2008), op. cit.

Usefulness of remittances in the migrants' source communities

Out-migration has proved to be of substantial benefit to individual migrants and their families. Results from this study in (Table 3) depict that 36% of the households reported to have managed to build or improve their old houses. The type of house built or improved depended on the type of livelihood strategy the migrant was engaged in. Those with high source of income have managed to build houses of high quality as compared to those with low income sources. Others, 24% of the respondents reported to use the received remittance to afford various expenses on food and clothing. Moreover, 23.5% reported to have opened new small businesses for generating income, 12.3% reported to be able to repay debts and services such as school fees and hospital bills for their family members and the remaining 4.2% reported to buy land for both agricultural and non-agricultural use.

Table 3: Usefulness of remittances in the migrants' source communities

Usefulness	Percentage (N = 249)
Building and improving old houses	36
Affording current consumption (food and clothes)	25
Repaying debts and services	12.3
Opening businesses	23.5
Buying land	4.2

From the above results one could argue that migration bears a significant impact on economic development both of an individual, family and the society. Therefore, owing to poor economic strata of Ileje people and in some other places of the same nature, it is necessary for some members of the households to migrate to other places aiming at generating income for the survival of these households. The current study results concur with that of Hagen-Zanker, Fayissa and Nsiah, Das and Serieux, UNICEF which shows that migration can have a direct effect on poor peoples' livelihoods, as migrants remit

money to their families to sustain their livelihoods and social relations[23].

The remittances can directly flow into the pockets of the poor, but benefits can also be indirect. It was further revealed that migrants remit money for the construction of houses or upgrading the village huts into modern structure in the place of origin, thus through construction, other people may offer casual labour and get money hence benefit from out-migration. The resultant effect of house construction or upgrading creates jobs which benefit the neighbours without migrants. These results are also supported by Tabuga and Taylor and Mora who observed that remittances of migrants furnish villagers with luxury goods[24]. In some cases, and notably in Southern Africa, rural areas have become dependent for survival on the earnings passed on to them by the migrants. This is also further reported by Paoli and Mendola who report that in developing countries migration has a positive impact on poverty alleviation especially if the migrants return to the area of origin and remit capital and other resources[25].

Although remittances are thought to improve migrant livelihoods, on the other hand the absence of the most productive members of households might have negative effects on agricultural development. Moreover, spread of sexually transmitted diseases, particularly Acquired Immuno Deficiency Syndrome (AIDS), is among the negative impacts of out-migration in Ileje district. It was further reported by respondents during the FGD on the spread of AIDS from urban areas to rural areas as shown hereunder;

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[23] J. Hagen-Zanker (2015), op. cit.; A. Das & J. Serieux (2010), *Remittances and Reverse Flows in Developing Countries*, IDEAs Working Paper no. 02/2010, pp. 10–23; B. Fayissa & C. Nsiah (2010), op. cit.; M.A. Salah (2008), op. cit.

[24] J.E. Taylor & J. Mora (2006), op. cit.; A.D. Tabuga (2007), *International Remittances and Household Expenditures*: *The Philippine Case*, Philippines Institute for Development Studies, Discussion Paper No 18.

[25] A.S. de Paoli & M. Mendola (2017), *International Migration and Child Labour in Developing Countries*, "The World Economy" 40(4), pp. 678–702.

"Yes, we receive a lot of benefits from our children and other relatives who have migrated outside the district. However, on other side migrants act as a source of spread of disease particularly AIDS because, once they are back they involve in sexual relations with their left wives or they start new relations with other village members hence spread these diseases in our villages if they are already infected"..... ***Female respondent with primary education aged 55 years at Malangali ward).***

Generally, there is a positive effect of migration on the people's livelihoods in Ileje district. This is because migration has promoted both internal and external trade of the district. Also, the income earned by migrants is used in the promotion of non-agrarian activities, such as particularly opening of petty businesses that help migrant families to earn income. Besides this, households engaged in out-migration have been noted to own large farms, have higher per capita income and have invested in more capital goods and assets than houses without migrants, therefore out-migration is seen as a tool of improving livelihood of both migrants and their families. Not only that, but also migration has exposed the people of Ileje to different places in and outside Tanzania, which has both positive and negative effects.

Conclusions and recommendations

This article has examined the drivers, livelihood dynamics and effects of out-migration in Ileje district, Tanzania. The study results indicate that poverty is a major cause of out-migration though, land shortage, poor soils and unfavourable climatic conditions also act as push factors. The study further indicates that, in the place of destination, migrants are engaged in diverse livelihoods strategies depending on the type of education acquired and destination place status. Through out-migration people have changed their life to better

condition and it has also helped to improve life of the household members in the migrants' source communities through building modern shelters and improving the old ones, being able to afford the current consumption, opening new businesses, repaying debts and services. Based on the conclusions the study recommends that, in order to reduce poverty as the driving mechanism of out-migration of people in Ileje and other places in Tanzania of the same nature, it is recommended to provide support to the communities at their home place, particularly existence of reliable markets for agricultural and animal products, provision of loans with low interest rates and provision of training on business skills in order to improve their livelihood strategies thus reduce poverty and out-migration as well.

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Drivers, Livelihood Dynamics and Effects of Out-migration in Ileje District, Tanzania

Abstract

This paper attempts to examine the drivers, livelihood dynamics and impacts of migration in Ileje district, Tanzania. A total of 249 heads of households were involved in this study. The study used both quantitative and qualitative techniques in collecting and analysing data where household questionnaire, in-depth interviews, field observations, focus group discussions and documentary review were used as data gathering techniques. Descriptive statistics and content analysis have been used as data analysis methods. Findings from this study indicate that, poverty is a major cause of out-migration though, land shortage, poor soils and unfavourable climatic conditions also act as push factors. Moreover, results revealed that through out-migration, migrants have improved their livelihoods and that of their relatives. The study concludes that out-migration is highly attributed by poverty levels in Ileje district and through migration people have changed their life to better condition. It is recommended to provide support to the communities of migrants in

their home place in order to improve their livelihoods strategies hence reduce poverty and out-migration as well.

Key words: Migration, drivers, livelihood dynamics, migrants, Ileje, Tanzania.

Chapter 2.

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THE IN-FLOW OF REFUGEES IN THE TANZANIAN NORTHERN WESTERN BORDER REGIONS: THEIR CONTRIBUTION TO ILLEGAL TRAFFICKING AND ARMS IMPORTATION

Introduction

The wave of refugee flow across international borders and the resurgent refugee implications have become major issues in international relations, the major causes of refugees include: violent conflicts, natural disasters, dictatorship, civil war, persecution, poverty and depravation. It is accompanied by problems ranging from political and socio-economic conflicts to security related issues. The increase of migration and refugee flows around the world has security implications in the hosting states including importation of illegal arms and trafficking. Such movements of people from their country of origin to the hosting countries have in turn exerted demand for the hosting countries to improve efficiency and effectiveness in protecting their borders, refugees' camps and the hosting community. However, efficiency and effectiveness in maintaining security implications caused by the in-flow of refugees can only be improved by training and recruiting security personnel and cooperating with

international security agencies and security stakeholders to meet peace demands. This study focused on the impact of the flow of refugees in the North western regions of Tanzania. In particular, the study assessed how the in-flow of refugees has contributed to the importation of illegal arms and trafficking.

Background

In much of Africa, Asia and elsewhere ethnic hostilities have boiled into violence and even civil war. Often, these clashes occur when ethnic tensions are re-enforced by class antagonisms. In Northern Ireland, for example, many Catholics have resented Ulster Protestant dominance of the region's economic and political structures. Antipathy between Lebanon's Christian and Muslim communities was fuelled by the Christian's economic superiority. In Nigeria, many Islamic Northerners have taken exception to the economic success of Christian Ibos. Inter-ethnic violence may also emerge when one group dominates the political system. For example, at various times Sunnis in Iraq, Arabs in Sudan, Amharics in Ethiopia and descendants of U.S. slaves in Liberia have benefited disproportionately from state expenditures and employment. A shift in political power from one ethnicity to another may bring retribution against a former ruling group. Thus, when General Idi Amin seized power in Uganda, he ordered the slaughter of Langi and Acholi soldiers who were identified with the regime of ousted president Milton Obote. Following the overthrow of the Communist government in Afghanistan, the country began to disintegrate as Tajiks, Hazars, and Uzbeks challenged the long-standing political dominance of the Pathan population[1].

[1] H. Handelman (2000), *The Challenge of Third World Development* (2nd ed.), New Jersey: Prentice-Hall.

Inter-tribal conflict has on a number of occasions sparked great violence in Africa, affecting more than half the countries in Africa at some time. Countries such as Nigeria, Ethiopia, Rwanda, Burundi, Uganda, Sudan and the Congo (formerly Zaire) have been torn apart by civil wars that have been largely or partially ethnically based. In Liberia, Angola, and Mozambique, civil conflicts initially fought over other issues were aggravated by overlapping ethnic tensions. The Nigerian civil war was one of the earliest cases of civil war that developed between tribal and cultural groups in Africa during the decades following independence. Another was the long and bitter fight by Eritreans and Tigrayans to secede from Ethiopia. Burundi's ruling Tutsi minority crushed a series of uprisings by the majority Hutu (85% of the population) over the last 45 years or so, massacring perhaps 100,000 people in 1972 alone[2]. In 1993, when a Tutsi soldier assassinated Melchior Ndadaye, a Hutu who was the country's first elected president, new inter-tribal bloodshed erupted. One year later, the death of neighbouring Rwanda's president in a plane crash set off an orgy of violence in that country as well. Gerard Prunier (1995) estimates a government-directed massacre aimed primarily at the minority Tutsis resulted in the death of perhaps 500,000 people, most of whom were beaten or hacked to death by local militia and villagers. Eventually, the Tutsis' revolutionary army gained control of the country and jailed thousands of Hutus. Hundreds of thousands more fled to neighbouring Congo where many of them were massacred by the anti-Hutu regime of Laurent Kabila[3].

In cases such as the Angolan and Mozambiquan civil wars, external intervention intensified internal splits and added to the carnage. Cold War super-powers often armed the opposing sides or interceded through surrogates. For example, acting in consort with the Soviet

[2] B. Davidson (1992), *The Black Man's Burden, Africa and the Curse of the Nation-State*, New York: Times Books, pp. xi, 355.

[3] Handelman (2000), op. cit.

Union, the Cubans provided military assistance to the central governments of Ethiopia, Angola, and Mozambique. The USA armed UNITA, the Angolan rebel force, while the South African military supported Mozambique's bloody RENAMO guerrillas, and Belgium and France helped arm the Rwandan regime. In each of these countries, hundreds of thousands perished from warfare or starvation. While the end of the cold war may ultimately reduce external intervention in Africa's tribal conflicts, the bitter war in Liberia demonstrates that the New World Order will still include African interethnic violence for the foreseeable future. During the late 1990s, Rwanda, Uganda, Zimbabwe, and Angola intervened militarily in the ethnically related civil wars in the Congo.

As indicated, Africa is the largest refugees producing continent in the world. The main conflicts producing refugees by region and country are: The Horn of Africa, Sudan, Somalia, Chad, Ethiopia Eritrea, Uganda, Central Africa, Angola, Togo, Guinea, Burundi, Rwanda and the Democratic Republic of Congo (DRC)[4]. In Southern Africa, the majority of refugees are Zimbabweans[5].

Corrupt dictators have also launched campaigns against tribal minorities in order to curry favour among more powerful ethnic groups and, thereby, deflect protest against their own government. Thus, in the late 1990s or so, Kenyan President Daniel Arap Moi brutalized the Kikuyu and Congolese President Laurent Kabila massacred the Hutu minority in Congo Democratic Republic for precisely that purpose. If the political atmosphere in Tanzania was peaceful and the policy towards refugees accommodating, this must be highlighted as a pull factor for refuge seekers. It is only after this

[4] H. Deegan (2009), *Africa today: Culture, economics, religion and security*, London: Routledge.

[5] G.P.H. Kruys (2007), *South African government policy and strategy regarding the inflow of migrants and/or refugees from Zimbabwe*, "ISSUP Bulletin" vol. 6, pp. 1–13.

background that the security problem posed by the increasing flow of refugees into Tanzania should be explored.

The in-flow of refugees is much connected with security which is of paramount importance in promoting the political and socio-economic development of any country. The existence of security provides an opportunity for developing the potential in an individual and society in general[6]. The aim of Tanzania, as a refugee-hosting country, is to make sure that the security demand of displaced people, the hosting community and the security implications due to refugee flow as well as the security of the nation itself are well addressed. The resolution of refugee problems within the region requires cooperation between security personnel, security committees in the host country and the countries of origin of the refugees[7].

Atim[8] points out that the problem of human displacement in Africa is large and possibly growing in scale. According to Atim, qualitative evidence suggests that the situation of Africa's displaced people is becoming increasingly problematic and that those who succeed in escaping from their countries are unable to find a safe refuge in other states. The increase in armed conflicts in Africa poses environmental, social and security challenges because of the refugee influx into most countries in Africa, including Tanzania. This situation forces the hosting countries to increase the training of security personnel and request for assistance from security stakeholders and security groups[9].

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[6] L. B. Landau (2004), *Challenge without transformations: Refugees, aid and trade in western Tanzania*, "Journal of Modern African Studies" 42(1), pp. 31-59.

[7] J. Milner, (2010), *Responding to forced migration in a "reforming" UN system: The case of Burundian refugees in Tanzania*, Paper presented to the panel Global Governance of Migration, International Studies Association, New Orleans.

[8] G. Atim (2013), *The impact of refugees on conflicts in Africa*, "IOSR Journal of Humanities and Social Sciences" 14(2), pp. 4–9.

[9] S.S. Chaulia (2003), *The politics of refugee hosting in Tanzania: From open door to unsustainability, insecurity and receding receptivity*, "Journal of Refugee Studies" 16(2), pp. 147–166.

In that regard, to ensure the proper security of refugees, to handle security implications caused by refugees and security of the hosts, Tanzania requires a clear refugee policy and well- trained security personnel to meet refugees' security-associated threats. Tanzania therefore needs qualified security personnel to play the positive security role of identifying refugees at its borders during the registration process, in refugee camps, and control the illegal roaming of refugees in the host country who sometimes create insecurity in such communities[10].

Currently, Tanzania is responding to the complex situations of insecurity because of the increase of refugees' in-flows and use of weapons in the host community. This affects the tranquillity of the members of the community within the region and borders. Crimes such as armed robbery and banditry are more prevalent in refugee affected areas such as Kigoma and Kagera in the Western part of Tanzania; this has been associated with increase of arms and trafficking[11]. The government and individuals have attested that crime rates have increased with the presence of large amounts of refugees in the East Africa (EA) Great Lakes region countries (Tanzania, Kenya and Uganda). This situation has forced refugee hosting countries to review policies concerning the reception of refugees and forcing them to return in their countries of origin[12].

In addition to the efforts made by the East African (EA) countries to maintain the security of refugees and the hosting countries, Tanzania has tried to assist security personnel to improve their effectiveness and efficiency in managing refugees' related security related threats.

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[10] Memorundum of Understanding between Tanzania police and UNHCR, 2016.

[11] B. Rutinwa & K. Kamanga (2003), *The Impact of the Presence of Refugees in Northwestern Tanzania. Final Report*, The Centre for Study of Forced Migration, University of Dar es Salaam, retrieved from http://www.refugees.org/article.aspx?id=1193 [accessed 2020].

[12] L. B. Landau (2004), Op .cit., pp. 31–59.

However, several concerns such as social-economic conflicts, armed robbery, banditry, arms importations and trafficking and ethnicity still exist with regards to refugees in this host region and the receiving communities. Moreover, there have been few documents pertaining to refugees' security related threats and practices, and the perception by the country's refugees managing officials, security personnel, security stakeholders, United Nations High Commission for Refugees (UNHCR), refugee camps settlement offices and refugees themselves on bringing about the desired impact. Thus, this has brought about the need to evaluate the impacts of the flow of refugees on national security in Tanzania.

This study sought to evaluate the Tanzanian policy on the impact of refugees' influx in its hosting regions and the security implications; and how such security is handled in policy and practice. It also targeted the stance and views from officials in departments dealing with refugees: Ministry of Home Affairs (MHA), UNHCR members, refugee camp officials, security personnel, hosting community and refugees in relation to the impact of the flow of refugees on national security.

Methodology

In line with a descriptive research design, a mixed-approach methods were adopted to collect data. While questionnaires were utilized in quantitative data, face-to-face interviews were used as a qualitative method. Questionnaires were administered to 134 respondents and face-to-face interviews were conducted with 40 participants to complement the survey questionnaire. On the one hand, the study utilized the Statistical Package for Social Sciences (SPSS) software to analyse the quantitative data, while on the other hand, qualitative data were analysed by content analysis. The results for both methods were presented in the format of descriptive explanation, figures, tables and quotations.

Trend of refugee in-flows in Tanzania

From the years 2010-2014 Tanzania has been hosting 109,286 refugees in Kigoma region whereby more than 88,492 refugees in Nyarugusu refugee camp and about 163, 000 pending cases in three old settlements of Ulyankulu, Mishamo and Katumba whose final decision on their status on whether they could be locally integrated in Tanzania has not yet been concluded by the government. The number of refugees from Burundi and the DRC increased from 2015 to 2017. According to the UNHCR refugees' statistics, there were dramatic increases of refugee in-flow from 2015 to September 2017. A report shows that Tanzania hosts a total of 364,276 refugees from Burundi which is over half the total outflow from Burundi to the Great Lakes region. This is on top of a pre-existing case load of 11,910 refugees from DRC, 30 refugees from Rwanda and 02 from Uganda who share the camp and services with Burundi refugees. Between May and September 2017, some 246,244 refugees from Burundi in combination with other countries like DRC, Rwanda and Uganda make a total of 364,276 were newly registered in Tanzania (See Table 1.1) trend of refugees influx in Tanzania from 2010 – 2017.+

Table 1: Refugees influx trend in Tanzania from 2010-2017

YEAR	REPATRIATION	RESETTLEMENT	YEAR-END POPOLATION
2010	1,012	2,668	109,286
2011	406	253	131,243
2012	1,337	687	101,021
2013	262	527	102,099
2014	36	419	88,492
2015	0	2,288	211,845
2016	0	8,873	281,549
2017	0	0	364,276

Source: Field Data 2017

Presentation of Findings

The study intended to explore the flow of refugees and their contribution to illegal trafficking and arms importation in Tanzania. The analysis of the findings has shown that the high rate of in-flow of refugees is associated with the illegal importation of arms. The arms importation and trafficking are usually discovered through operations organized by regional/district security committees and security personnel where security information obtained from the hosts and some refugees assists in confiscating the illegal weapons and combating other trafficking-related behaviours. The findings also indicated that the location of refugee camps close to their country of origin influenced much the desire towards the importation of arms as refugees are likely to cross the border back to Burundi and from Burundi to the camps any time they wished. It was reported that refugees from Burundi are associated more with the importation of illegal arms and trafficking and, sometimes, they conspired with the hosts in this illegal undertaking. Those arms were used for armed robbery, money making business and poaching. The following quotes from different study participants testify:

> Yes, you are right. This is because the security operations that are being conducted by the community defence and security defence committees usually find and confiscate many guns and most of these are guns caught in the camps. Therefore, it seems there is a sustained unnoticed importation of guns, perhaps due to the camp's proximity to the refugees' countries of origin. (HC1, NYARU).

> Let me tell, those guns and arms are mainly being imported by Burundian refugees and they use these guns to perpetuate burglary and banditry. This is also facilitated by the fact that the refugees are close to their home country and so they are attempted to go home and return while smuggling guns and bombs here into the camps.

> I remember just the day before yesterday, the deployed police force caught bombs in the camps, which is very dangerous. (RFG1, NYARU).

> Generally, I cannot say the security status here is good or bad. But as you know we live here with people who are well acquainted with the use of weapons especially in their country of origin. To refugees, the use of weapons is something normal. Indeed, refugees import weapons and so they use these weapons in burglary and armed-robbery incidents in areas surrounding the camps and elsewhere of their target (CO1, MTE).

> Quite often, we are being attacked or raided by people from Burundi who are called Mbonerakule. More often these people enter the camps with weapons and sometimes they are arrested by the police. And you know what; there are many informal routes they use to get here, long as these camps are located close to their country of origin (RFG2, NDUTA).

The findings also indicate that the importation of illegal arms and trafficking is closely associated with the nature and behaviour of the refugees, i.e. they are used to frequent wars and fightings. In that manner, for them to kill or hold arms is not something uncommon. Again, the nature of the camps, which are not fenced, promotes case of possibility of importing illegal arms and other weapons for various purposes. In the course of interviews, three participants from host communities, refugees and security personnel elaborated on this. The hosting community member had this to say:

> Burundians are victims of war. So, for them to come with weapons is not something unusual; they are used to killings! There are some refugees who use weapons to implement the armed car robbery and attacks by raids. It is also said that those who are engaged in armed robbery incidents establish links with other refugees in the camp as most of these enter camps without passing through formal registration process. Thus, this practice is very dangerous to the security of the hosts (HC4, MTE).

One refugees' leader also commented:

> The government of Burundi believes that there are a few Burundian national defence army members who left their service during war through rebellion. Thus, due to this it is believed that, among refugees, there are a few well trained from Burundian national security defense force who engineer armed-robbery and arms-trafficking incidents (RFG1, MTE).

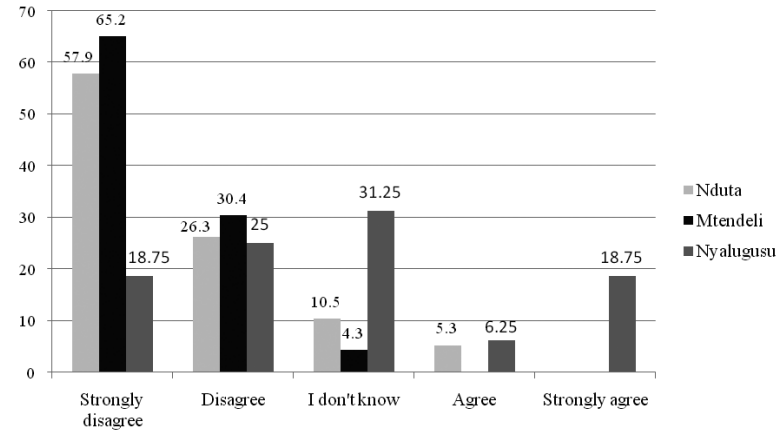
One of the security personnel also had a similar view that:

> In Kigoma region, the guns and weapons penetration and importation are so high. This is because when these asylum seekers come, they arrive in large groups running away from insecurity in their countries of origin. And some others cross the country borders through informal routes (SP.PT 1).

From quantitative data, all 134 (100 percent) respondents (66 refugees and 68 hosts) who filled the questionnaires expressed their opinion in relation to the arms importations and illegal trafficking. Respondents were required to indicate **Yes** for the statement supporting the importation of arms, and **No** for the statement that was against the importation of illegal arms and trafficking. Graph 1 below presents the summary in percentage of responses from 66 refugee respondents on their opinion on arms importation:

From data in Graph 1 above, some 65.2, 57.7 and 18.75 percent of respondents from the three camps of Nduta, Mtendeli and Nyarugusu, respectively, strongly disagreed that there was association between refugee in-flows and some trafficking and importation of illegal arms. Some 26.3, 30.4 and 25 percent of respondents in the three camps respectively disagreed on refugees in-flow to be associated with illegal arms importation and trafficking, some 10.5 and 4.3, 31.25 knew nothing about refugee in-flows and trafficking and arms importation, some 5.3 and 6.25 percent or respondents from Nduta and Nyarugusu respectively agreed on their in-flows to be associated

Graph 1: Responses of refugees on their in-flows and illegal arms Importation and trafficking in Tanzania {N= 66}



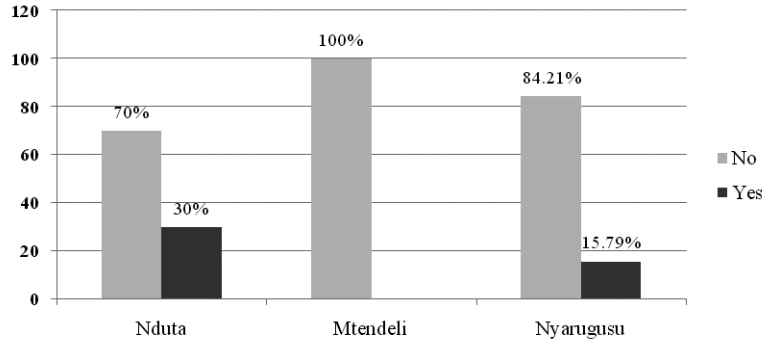
Source: Field Data (2017)

with illegal trafficking and arms importation and only 18.75 percent of respondents all from Nyarugusu camp strongly agreed and associated their in-flow with trafficking and arms importation.

The findings in Graph 4.4 also revealed the presence of weapons and arms importation in the two camps of Nyarugusu and Nduta. A total of 30.3 percent of respondents from both Nyarugusu and Nduta refugee camps agreed on the presence of illegal arms and importation.

The data in Graph 2 above, in relation to those in Graph 1 provide 45.79 percent of refugees' respondents from Nduta and Mtendeli camps respectively indicate the presence of the importation of arms and illegal trafficking by 70 percent **Yes** and 84.21 percent (Nduta, Nyarugusu) responded **No** and none of the responses from Mtendeli camp indicated **No/Yes**. Findings from these two Graphs 4.4 and 4.5 again evidence the existence of the trafficking and illegal arms

Graph 2: Association of refugee in-flows with arms importation Refugees – Nduta, Mtendeli and Nyarugusu {N= 66}

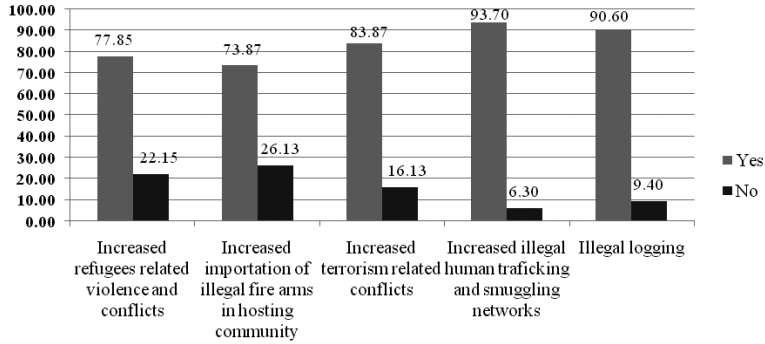


Source: Field Data (2017)

importation in the Nyarugusu and Nduta Camps and the surrounding hosts.

Drawing data from Graph 3, the findings show the official position of community members to the responses related to the use of imported arms. Their responses were to assign **"Yes"** to the item on the use of imported arms and **"No"** against the item which reacts against the use of imported arms. In Item on the increased illegal human trafficking and smuggling networks 93.70%, Illegal logging 90.60%, increased terrorism related conflicts 83.87%, increased refugee related violence 77.85% and Increased importation of illegal firearms in hosting community with 73.87%. The hosting community mean average indicated 83.98% that refugees contribute to illegal trafficking and arms importation in Tanzania. The mean average of 16.02% of hosting community member said no. The amount of weapons and bullet imported is shown by Table 2 and their annual percentages are indicated by Graph 4 below.

Graph 3: Host community members' responses on refugee in-flows and **their** contribution to trafficking and arms importation in Tanzania {N=68}



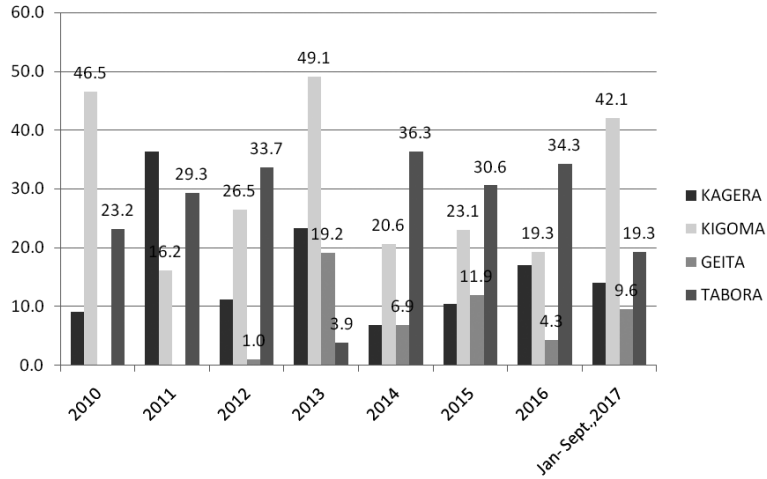
Source: Field Data (2017)

Table 2: Amount of Arms imported due to refugee in-flows in the Northern Western Regions of Tanzania from 2010 to 2017

	2010	2011	2012	2013	2014	2015	2016	Jan- Sept., 2017
KAGERA	13	36	11	187	7	14	24	16
KIGOMA	66	16	26	394	21	31	27	48
GEITA	0	0	1	154	7	16	6	11
TABORA	33	29	33	31	37	41	48	22
TOTAL	112	81	71	776	72	102	99	97

Source: Tanzania Police Force, Arms Registry Department, Head Quarter Office, Dar es Salaam-Tanzania (2017)

Graph 4: Number of arms imported in the northern regions of Tanzania from 2010 to 2017 (in %)



Source: Tanzania Police Force, Weapons and Trafficking Department, Headquarters Office, Dar es Salaam – Tanzania (2017)

Data on the statistics of arms importation in the regions that have refugees' influx were obtained from the general office of Tanzania Police Force headquarters. Table 2 and graph 4 above show the statistics of four regions: Kagera, Kigoma, Tabora and Geita from 2010 to September 2017. In Kigoma, the area of study seems to have a higher rate of arms importation from the year 2010 with 46.5 percent followed by Kagera Region with 23 percent. In 2012 Tabora had the importation of arms for 29.3 followed by Kigoma with 26.5 percent; in 2012 Tabora Region had arms importation for 33.7 and Tabora 26.5 percent. In 2013 the importation in Kigoma shot up to 49.1 percent followed by Geita with 19.2 percent. From 2014 to2017 Tabora led in high importation for more than 34 percent followed by Kigoma. Up to September 2017, the arms importation increased to 42.1 percent

followed by Kagera with 19.1 percent and followed by other regions. Findings reveal the Northern regions to have an increase in arms importation for all seven years as shown in graph 4 and table 2. Also, the 2017 Burundians influx might have pushed up the importation of arms.

Table 3: Number of bullets imported due to refugee flow in the Northern Regions of Tanzania from 2010 to 2017

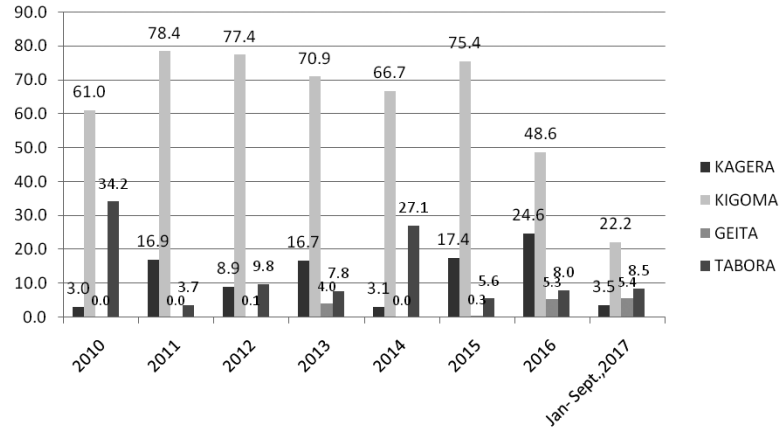
	2010	2011	2012	2013	2014	2015	2016	Jan- Sept. 2017
KAGERA	85	654	266	889	41	394	288	11
KIGOMA	1753	3031	2318	3784	884	1704	569	70
GEITA	0	0	2	215	0	6	62	17
TABORA	985	142	292	417	359	127	94	27
TOTAL	2823	3827	2878	5305	1284	2231	1013	125

Source: Tanzania Police Force, Weapons and Trafficking Department, Headquarters Office, Dar es Salaam – Tanzania (2017)

Data in both Table 3 and Graph 5 above reveal the importation of bullets in those refugees hosting regions. Findings showed high importation of bullets in Kigoma Region (Region under study) from 2010 to September 2017 with more than 60 percent from 2010 to 2016 and 22 percent in September 2017 followed by Tabora and Kagera with slightly more than 9 percent every year as indicated in graph 8.4 above.

Generally, the findings obtained from both qualitative and quantitative analyses show the presence of arms importation and trafficking in western regions of Tanzania, specifically Kigoma region the area under study. Findings show that all the three studied camps are not fenced which gives refugees an opportunity to move out of the camp to their home countries and then coming back to the camps

Graph 5: Percentage of bullets imported due to refugee flows in the Western Regions of Tanzania from 2010 to 2017 (in %)



Source: Tanzania Police Force Weapons and Trafficking Department, Headquarters Office, Dar es Salaam – Tanzania (2017)

unnoticed. In fact, from the findings evidence most of their movements are associated with the importation of arms and related activities. Again, the host country borders also create loopholes for refugees to come to the country at any time they wish for their reasons. Again, the relationship between refugees and the hosts in the hosting regions does not conform to the interest of the security assurance of the hosts. This kind of relationship influence accelerates committing other dangerous incidents in the area while affecting peace and tranquillity of the hosts. Moreover, findings showed the presence of high rate of weapons and bullets in these regions. Lastly, the rebels and refugees with political ideologies are likely to counter hosts' security.

Discussion of Findings

The findings unfolded that the in-flow of refugees in the country has greatly affected not only security but also members of hosting community are not comfortable as they could no longer smoothly engage in socio-economic activities for survival.

In view of this, studies by Salehyan and Gleditsch[13] found that refugees can change the ethnic composition of the host state, exacerbate economic competition, bring with them arms, combatants and ideologies that are conducive to violence and mobilize opposition directed at their country of origin as well as their host countries. This also is in line with the views that refugee flows may imply the direct importation of combatants, arms and ideologies from neighbouring states that facilitate the spread of conflict[14].

Sadiq and Ogata views corroborate what Rutinwa[15] found out that crime is more prevalent in refugee affected areas such as Kigoma in the western portion of the country and refugees have been connected with the proliferation of arms, thus causing an increase in armed robbery. In this regard, Herszenhorn[16], Erlanger and Smale[17],

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[13] I. Salehyan & K. Skrede Gleditsch (2006), *Refugees and the Spread of Civil War*, "International Organization" 60(2), pp. 335–366.

[14] K. Sadiq (2005), *When states prefer non-citizens over citizens: Conflict over illegal immigration into Malaysia*, "International Studies Quarterly" 49(1), pp. 101–122; S. Ogata (2005), *The turbulent decade: Confronting the refugee crises of the 1990s*, New York: W.W. Norton.

[15] B. Rutinwa & K. Kamanga (2003), op. cit.

[16] D.M. Herszenhorn (2015), *Many Obstacles Are Seen to U.S. Taking in Large Number of Syrian Refugees*, "New York Times" Sept. 4, retrieved from https://www.nytimes.com/2015/09/05/us/many-obstacles-are-seen-to-us-taking-in-large-number-of-syrian-refugees.html [accessed 2020].

[17] S. Erlanger & A. Smale (2015), *Europe's Halting Response to Migrant Crisis Draws Criticism as Toll Mounts*, "New York Times" Aug. 28, retrieved from https://www.nytimes.com/2015/08/29/world/europe/europe-migrant-refugee-crisis.html [accessed 2020].

Shafy[18], Shinkma[19] and Harrigan and Easen[20] had similar voice to the concern that individuals seeking refuge across international borders threaten host countries with violence and importation of illegal arms and trafficking. To support their voice, Choi and Salehyan[21] contend that refugees diffuse civil war and other forms of sub state violence across international borders and they tend to exacerbate ethnic tensions, intensify economic competition with locals, and expand insurgent social networks by transporting weapons and using camps to recruit and harbour combatants.

In addition, the findings revealed that the location of camps nearby the borders facilitates the importation of arms, a situation which affects security of hosts. It was reported that for them it is easy to move from camps to the border, within 30 minutes only from Mtendeli refugees' camp, 5 hours from Nyarugusu and Nduta refugee camps. This supports what Martin[22] asserts that the problems associated with refugees may not be restricted to a particular border but may have spill over effects on the internal security situation of a region and can inflict a significant economic burden on host countries or communities.

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[18] S. Shafy (2013), *The Wave from Syria: Flow of Refugees Destabilizes Lebanon*, "Spiegel International" Oct. 10, https://www.spiegel.de/international/world/lebanon-faced-with-refugee-crisis-and-hezbollah-conflict-a-925767.html [accessed 2020].

[19] P.D. Shinkmam (2013), *Syrian Refugee Crisis Destabilizes Jordan*, "U.S. News & World Report" Jul. 16.

[20] S. Harrigan & N. Easen (2001), *Afghan Refugee Crisis Spreads*, "CNN.com/WORLD" Sept. 20, retrieved from https://edition.cnn.com/2001/WORLD/asiapcf/central/09/20/ret.afghan.refugees/ [accessed 2020].

[21] S. W. Choi and I. Salehyan (2013), *No good deed goes unpunished: Refugees, humanitarian aid and terrorism*, "Conflict Management and Peace Science" 30(1), pp. 53–75.

[22] A. Martin (2005), *Environmental Conflict Between Refugee and Host Communities*, "Journal of Peace Research" 42(3), pp. 329–346.

The arrival of the refugees in the area had also accelerated the rate of marital separation due to mingling and infidelity. Thus, this has increased costs of living, sustainability and protection especially on the environment, economy and income generating sources, social relations, peace and tranquillity and unity. To conclude on this, in relation to the reviewed related literature, the study revealed and contributes to show the existence of illegal arms importations and trafficking. The imported arms are much connected with the location of the refugee camps and the nature of protection across the borders of the host. These are not well protected to avoid the importation of illegal arms and other trafficking. The study also sees there is a problem on the relationship between a few hosts and refugees which is connected with other security threatening indicators. In that regard, the study sees it is critical that the government has in place the proper refugees' policy regarding the interaction between refugees and hosts.

Recommendations

The findings of the study revealed that the allocation of refugees in their respective camps is near their country of origin which makes it easy for refugees to move back to their country of origin and back to the camps. Again, people without refugee status frequently go to the camps. The hosts, international organizations and refugee partners should consider allocating the refugee camps very far from refugees' country of origin, a situation which will not allow frequent movements and importations of illegal arms and trafficking as reported for all regions nearby refugee camps that have high importation of arms and illegal trafficking. Again, the hosts must find out best ways of protecting unofficial ways named "panya" roads reported to be ideal to refugees during the importation of illegal arms and trafficking. Moreover, ways used to give permit to refugees going out of camps

must be revised. It was reported that refugees are given permission and are likely to move from one region to another to organise political meetings with their fellows, for example refugees could move from Kigoma to Tabora, Ulyankulu. In this regard, there is a need of looking into another way to make them move from one place to another under protection. The study recommends the need for the government to protect closely the movement of these refugees.

Conclusion

The findings in this study obtained through both qualitative and quantitative approaches indicated the presence of arms importation and trafficking in the North Western regions of Tanzania, especially in the Kigoma region. It was reported that arms are frequently imported from countries of origin through different ways. The imported arms in one way or another were used for robbery, banditry and selling them for business purposes. The findings revealed that all three camps under study are not fenced which gives refugees an opportunity to move out of the camp to their home origin countries, whereby much of their movements is associated with the importations of arms and related work. In the studied camps, they are open (not fenced) whereby refugees would penetrate anywhere and at any time. Moreover, this nature of camps gets least support from few security personnel reported to be available to maintain the security of both hosts and refugees.

The findings further revealed the refugee camps to be located nearby host and refugees' countries of origin, a situation which creates loophole for refugees to come into the country at any time they wish for various reasons, and this is associated with bad relationship between refugees and the hosts and relation between refugees and other people without refugee status from their country of origin. This kind of relationship accelerates committing other dangerous

incidents in the area while affecting peace and tranquillity of the hosts. Moreover, findings showed high rate of weapons and bullets in these regions, whereby rebels and refugees with political ideologies are likely to impact the hosts security through misuse of imported arms.

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The in-flow of Refugees in the Tanzanian Northern Western Border Regions: their contribution to illegal trafficking and arms importation

Abstract

This paper presents findings of the study conducted to find out the in-flow of refugees and their contribution to illegal trafficking and arms importation in the Tanzanian western regions' borders. A multiple research design was adopted for the study in which purposive technique was employed to select a sample size of 134 respondents and 40 participants. Data were collected using a variety of methods, that is, a questionnaire, key informant interviews and documentary review. Qualitative data were analysed using content analysis. Quantitative data were analysed using the Statistical Package for Social Science (SPSS) whereby descriptive statistics were utilized. The study found that the in-flow of refugees into Tanzania is very much connected with the importation of arms and trafficking across the border regions. The results show that 43% of respondents among refugees indicated that they have a very bad relationship with the hosting community. Among hosting community members 45.79% stated that refugees have increased illegal arms importation while 83.98% of hosting community indicated that refugees contribute to illegal trafficking and arms importation in Tanzania. It was shown that strategies put in place to maintain peace and security of both hosts and refugees were not effective as refugees could meander or rather roam around and outside the camps. It is also through the correlation between the in-flow of refugees and associated arms effects a cause to poverty and hunger to hosts is purported. The study, amongst others, recommends that effective plan should be made to increase the number of security personnel.

Key words: Refugee in-flow, Refugees, illegal arms importation and hosting community.

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THE USE OF SWAHILI IN REFUGEE CAMPS IN EAST AFRICA

Introduction

We do not always sufficiently appreciate the role language plays in determining successful communication. Language helps us to achieve many ends when it is well learned, well taught and appropriately used. Apart from making communication successful, language enables societies to establish a level of social cohesion and integration. According to Crystal and Davy[1], one test of a successful education

[1] D. Crystal & D. Davy (1969), *Investigating English Style*, Bloomington: Indiana University Press.

or any program is whether it has brought us to a position whereby we can communicate, on a range of subjects, with people from various walks of life, and gain their understanding as well as understand them. To be in such a position requires a sharpened consciousness of the forms and function of language, particularly with regard to its power and place in a particular society.

To date, no formal assessment of the use of the Swahili language in refugee camps or settlement areas in East Africa has been conducted. The lack of such an assessment limits a thorough understanding of the ways in which Swahili is currently used by refugees. It also limits understanding Swahili's potential to play a more significant role, both within East African refugee communities and in conne= cting those refugee communities with the communities hosting them. Being a language that is spoken, with some differences and to varying degrees, in almost all refugee-producing and receiving countries in East Africa, Swahili has the theoretical ability to create social cohesion among various groups of displaced East Africans, and also to enable those groups to integrate more successfully into host communities.

This chapter shows that Swahili, along with English, French, Arabic, and refugees' native languages, is already used in significant ways by refugee populations in Tanzania and Kenya. This chapter also calls for greater and more systematic investigations into the use of Swahili among refugees throughout East Africa, and for greater consideration into the potential benefits of promoting the teaching, learning and use of Swahili among refugees.

Overview of the Swahili language

Swahili is a Bantu language most widely spoken in countries located along the East African coast. Swahili is a part of the extensive Bantu language family, which spreads across a large swath of Eastern

and Southern Africa. Swahili is dominated by Bantu language features. Additionally, Swahili contains words from other languages such as Arabic, Portuguese, Hindi, Persian, English and German[2].

Structurally, Swahili shares important features with other Bantu languages. For example, in Bantu languages, nouns are classified in groups. Nouns in Swahili are put into classes similar to Lingala, a trade language spoken in the Equateur Province of the Democratic Republic of the Congo (DRC)[3], and Kinyarwanda/Kirundi, which is spoken in Rwanda and Burundi[4]. Bemba is also a Bantu language spoken in north-eastern Zambia, Katanga region of DRC, neighboring parts of Tanzania, and Botswana and contains noun classes[5]. Swahili has practically sixteen noun classes based on three main criteria: morphological criterion, that is, the form of their nominal prefixes; syntactic criterion, that is, the way a noun controls agreement on other syntactic elements such as adjectives and verbs; and semantic criterion, that is, the abstract or physical realities that a noun stands for. According to these criteria, for example, nouns that begin with nominal prefix m- (singular) and wa- (plural) go into a pair of m-/wa- class or noun classes 1 and 2, respectively. Semantically, such nouns include names of all moving creatures. Therefore, any noun

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[2] P.J. Kiprotich (2016), *Nafasi ya Lugha katika Kukabiliana na Changamoto za Kijamii*, in: Mulokozi et al. (eds). *Kiuchumi na Kisiasa Afrika*, Dar es Salaam: Institute of Kiswahili Studies, University of Dar es Salaam.

[3] E.G. Bokamba (2012), *A Polylectal Grammar of Lingala and Its Theoretical Implications*, in: M.R. Marlo et al. (eds), *Selected Proceedings of the 42nd Annual Conference on African Linguistics: African Languages in Context*, Somerville: Cascadilla Press, http://www.lingref.com/cpp/acal/42/paper2778.pdf, [accessed 2019].

[4] R. Seymour et al. (ed.) (2019), Nouns, in: *Kinyardwanda*, Kumva Dictionary Software, http://kinyarwanda.net/page.php?name=nouns, [accessed 29 Oct 2019].

[5] D.S. Vidali & M.E. Kashoki (2014), *Bemba, A Linguistic Profile*, "Bemba Online Project. A Digital Bemba Language Archive", https://scholarblogs.emory.edu/bemba/?p=68, [accessed 2019].

that semantically falls under this group, regardless of the form of its nominal prefix, is under the m-/ wa- noun class. For the purpose of fast communicative learning and teaching of Swahili, some texts use, collectively, morphological, syntactic, and semantic criteria in classifying nouns in Swahili. However, the semantic criterion is the most dominant.

Swahili noun classes at a glance

Noun class	Nominal prefix	Subject prefix on verbs		Semantic domain	Examples
		pos.	neg.		
1.	m-	a-	ha-	• names of all living creatures • no other noun class takes animal or human names	*mtu, mgeni, mwongozaji, mteja, mhudumu, kiongozi, mwizi, mwanafunzi, mwalimu, mnyama, paka, tembo, mdudu, mende, inzi*
2.	wa-	wa-	hawa-	• plural to class 1	*watu, wageni, wateja, waongozaji, wahudumu, maprofesa, viongozi, wanyama, paka, tembo, wadudu, mende, inzi*
3.	m-	u-	hau-	• names of plants and many other things.	*mti, mzigo, mlango, mlima, mkutano, mto, mpaka, mwaka, mwezi, mji*
4.	mi-	i-	hai-	• plural to class 3	*miti, mizigo, milango, milima, mikutano, mito, mipaka, miaka, miezi, miji*
5.	ji-	li-	hali-	• names of fruits and many other things	*papai, nanasi, parachichi, chungwa, hema, jicho, jiwe, jambo, gari, begi*

6.	ma-	ya-	haya-	• plural to noun class 5	*mapapai, mananasi, maparachichi, mahema, machungwa, macho, mawe, jambo, magari, mabegi, magojwa, maji*
7.	ki-, ch-	ki-	haki-	• names of most small inanimate objects, names of a few body parts	*kitu, kiti, kisiwa, kitabu, kikao, kikombe, chumba, chuma, chakula, choo, chuo*
8.	vi-, vy-	vi-	havi-	• plural to 7	*vitu, viti, visiwa, vitabu, vikao, vikombe, vyumba, vyuma, vyakula, vyoo, vyuo,*
9.	n-	i-	hai-	• Nouns without singular and plural distinction • Bantu and non-Bantu nouns	*ofisi, nyumba, hoteli, meli, ndege, barabara, benki, posta, simu, meza, huduma, bia, soda, chai, safari, barabara, baiskeli, pikipiki, ndizi, bamia, sukari,*
10.	n-	zi-	hazi-	• plural to 9	*ofisi, nyumba, hoteli, meli, ndege, barabara, benki, posta, simu, meza, huduma, bia, soda, chai, safari, baiskeli, pikipiki, ndizi, bamia, sukari*
11.	u-	u-	hau-	• most abstract nouns, uncountable nouns	*udongo, ubao, ugonjwa, utalii, ukuta, uzi, ulimi, ugomvi, ulevi, ukweli, uwongo, ufagio, ufunguo,*
12.	n-	zi-	hazi-	• plural to 11	*mbao, kuta, nyuzi, fagio, funguo,*

13.	ku-gerunds	ku-	haku-	• gerunds	kujifunza, kusafiri, kulala, kupumzika, kutembea, kusoma, kupenda, kukimbia, kutalii, kuandikakuogelea, kula, kunywa
14.	pa-	pa-	hapa-	• definite place names	pahali, hapa,Tanzania, Marekani, Ulaya, sokoni, *mbugani, pwani, baharini, ofisini, nyumbani, hotelini, shuleni, kazini, ufukweni, porini, msituni, mlimani, ziwani, mtoni,*
15.	ku-	ku-	haku-	• general place names	Tanzania, Marekani, Ulaya, Afrika
16.	mu-	m-	hamu-	• internal place names (indicating inside)	chumbani, darasani, chooni, chuoni, uani

How Swahili verbs begin

In Swahili, a verb begins with **ku**- in the infinitive form, which is followed by the stem. Examples: *ku-la* (to eat), *ku-nywa* (to drink), *ku-safiri* (to travel), *ku-sema* (to say, to speak), etc.

In finite form, a Swahili verb begins with a subject prefix such as *ni-, u-, a-, tu-, m-,* and *wa-*. Examples: ***ni*** *-na- safiri* (I am traveling/I travel*),* where **ni**- is the subject marker for first-person singular, and **-na-** is the present tense marker and a habitual tense aspect marker.

Swahili basic elements and simple constructions

A simple Swahili sentence normally begins with a noun phrase as its subject and ends with a verb phrase as its predicate. A noun phrase can be made with a noun alone or with a noun and an adjective: *msichana* (a girl) or *msichana mzuri* (pretty girl). A noun phrase can also be made with a pronoun: *mimi, wewe, yeye, sisi, nyinyi, wao* (I, you, she, he, we, you (pl.), they). Also, an adjective can make a noun phrase of a sentence: *mzuri* (good one).

A verb phrase which expresses the action or status of the noun phrase is made with a verb as its major element: *cheza* (play). It can be made with a verb alone or with a verb and its object as its complement. Examples: *cheza* (play), *cheza kinanda* (play piano). A noun phrase and a verb phrase, combined together, can make a simple sentence like: *Msichana mzuri anacheza kinanda* (A pretty girl is playing piano).

Basic elements of a simple Swahili verb

Swahili is an agglutinative language. Swahili is characterized with a variety of productive extensions which are formed to determine argument structures including object nominals[6]. A finite Swahili verb is made of a stem and suffixes which stand for specific grammatical meaning. A simple finite Swahili verb is made of a subject prefix, tense marker, verb stem, and final vowel.

[6] S. Dom, L. Kulikov & K. Bostoen (2019), *Workshop 5: Verbal derivation and verb extensions in Bantu*, The 6th International Conference on Bantu Languages (Bantu 6), https://blogs.helsinki.fi/bantu-6/workshops/workshop-6-verbal-derivation-and-verb-extensions-in-bantu/, [accessed 29 October 2019].

Examples:

(a)	a-	na-	chez-	a
	s/he	now/always	play	final vowel
(b)	a-	li-	chez-	a
	s/he	past	play	final vowel
(c)	a-	ta-	chez-	a
	s/he	future	play	final vowel

The subject prefix for first person singular can be omitted in the present tense.

Examples:

Ni-	na-	*cheza*	I am playing/I play
	na-	*cheza*	I am playing/I play

Swahili word order

Word order is another common feature shared across in Bantu languages. Like many other Bantu languages, Swahili is a Subject Verb Object language (SVO).

Examples:
mwanafunzi anasoma kitabu (a/the student reads/is reading a book)

mwanafunzi anajifunza Kiswahili (a/the student learns/is learning Swahili)

If the subject of a sentence is made of a noun and an adjective, the word order is that the adjective comes after a noun which it qualifies.

Examples:

safari ndefu	long journey
mahali pazuri	good place
kitabu kidogo	small book

Object position

In Swahili, just like in many other Bantu languages, the object noun comes after the verb which it complements in normal linguistic circumstances. Bantu languages from refugee producing countries which share this linguistic characteristic with Swahili language include Kilingala, Kirundi, Kibemba and Kinyarwanda.

Examples:

Kiswahili:	*Mama alichuma mboga.*
Kilingala:	*Mamaa Kokata ndunda*.
Kirundi:	*Mama yalasolomywe imboga*.
Kibemba:	*Mayo bhaliapile umunani*.
Nyarwanda:	*Mama yalasarure imboga*.

All five sentences are literally translated as 'the mother picked vegetables.' The normal word order with respect to the position of object noun in all the five sentences is 'subject', 'verb', and finally 'object'. Therefore, though there may be no mutual intelligibility among the speakers of Bantu languages, native Bantu language speakers have advantages in learning other Bantu languages, such as Swahili because of various linguistic features shared.

Areas where Swahili is spoken, used and taught

The fact that Swahili's foundation is Bantu and shares commonalities, in terms of lexical items, noun class systems, word order and verb extensions, with languages such as Lingala and Bemba (DRC), and Kinyarwanda/Kirundi (Rwanda/Burundi), makes Swahili a potentially important and under-utilized language for refugees living in East Africa. However, to date there has not been an empirical study

examining the usage and importance of Swahili for refugee populations, or the likely positive impacts on refugee and host community relations. In the refugee-receiving countries of Kenya, Tanzania, the Swahili language is a national language and is spoken to varying degrees.



(University of Kansas Kiswahili Program, 2014)

Swahili speaking areas of Eastern Africa

Swahili is spoken in varying degrees in essentially all the refugee-producing countries of East Africa. This includes Rwanda, Burundi and the eastern region of the Democratic Republic of Congo (DRC). In addition, Swahili is spoken in Northeastern Zambia, North and Northeastern Mozambique, and in some parts of Malawi. Other areas adjacent to East Africa where the Swahili language is spoken include Southern Somalia, Southern Ethiopia, and South Sudan. The Swahili

language is also prominent beyond East Africa. Within Africa, it is taught as a foreign language in Libya, Ghana, South Africa, Zimbabwe, Botswana, Comoros and Ethiopia. In African media, Swahili is used by numerous newspapers and radio and television stations. Beyond Africa, Swahili is used by radio and television stations such as Voice of America, BBC, Deutsche Welle, Monte Carlo and RFI.

Who are refugees in East Africa?

This section seeks to explain features that qualify one to be recognized as a refugee under both international law and national legislation in the countries of East Africa. We begin by outlining the general definition of a refugee, as well as factors in the region that force people to flee their homes and seek refuge in neighboring countries.

Who is a refugee? Why do people become refugees?

A refugee is someone who has been forced to flee his or her own original country because of persecution, war or violence. A refugee has a well-founded fear of persecution for reasons of race, religion, nationality, political opinion or membership in a particular social group and has been forced to flee his or her home country to another foreign country in order to protect his or her life and properties, if any. The legal definition of the term refugee was set out in the 1951 UN Convention on the Status of Refugees. The 1951 UN Convention took place following the Second World War. During World War II, Nazi Germany killed nine million people in the Holocaust, including six million Jews, and many millions more were displaced. Following these killings and displacements, world leaders wanted to ensure that there would be legal protections for those displaced by war and

persecution. The 1951 UN Convention on the Status of Refugees states:

> "Owing to well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion is outside the country of his nationality and is unable or owing to such fear, is unwilling to avail himself of the protection of the country; or who, not having a nationality and being outside the country of his former habitual residence is unable or owing to such fear, unwilling to return to it".
>
> (The 1951 UN Convention on the Status Refugees)

Today, political instability and insecurity, insecurity due to economic factors and climate change, religious persecution, famine and natural disasters are among the reasons people seek refuge from their own countries and live as refugees in foreign countries. The main causes of refugee migration in East Africa are reoccurring political instability and insecurity. Political instability and insecurity in refugee-producing countries is attributed to, among other factors, contested election outcomes, power struggles between elites and warlords, and abuse of constitutional norms[7].

Political instability often results from political corruption and abuses of power, exacerbating minority or marginalized groups' vulnerability as their political, economic, social, cultural and religious rights are jeopardized.

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[7] D.K. Gemechu (2018), *The impact of intrastate and interstate conflicts on the development of regional process: The case of East African Community* (*EAC*), in: D.K. Gemechu, E. Haulle, A. Żukowski (eds), *Development in East Africa. Politics, security and conflicts management*, vol. 2, Iringa: Mkwawa University College of Education, Olsztyn: Institute of Political Science UWM, pp. 115–142; F. Nchimbi (2018), *Literary structuralism and causes of post-election conflicts in the Great Lakes Region: reflection on selected cases*, in: D.K. Gemechu, E. Haulle, A. Żukowski (eds), *Development in East Africa. Politics, security and conflicts management*, vol. 2, Iringa: Mkwawa University College of Education, Olsztyn: Institute of Political Science UWM, pp. 143–162.

Refugees in East Africa

The region of East Africa has been both producing and hosting refugees for over 30 years. According to the online Refugee Response Portal maintained by the United Nations Higher Commissioner for Refugees, the largest refugee-producing country in the region is South Sudan, with over 2 million people currently displaced or seeking asylum in neighboring countries[8]. Second to South Sudan is Somalia, followed by Democratic Republic of the Congo (DRC), Burundi and then Rwanda. The major refugee-hosting countries in the region are Uganda (1,256,729), Kenya (473,971), and Tanzania (325,291)[9].

According to the UNHCR report, Nyarugusu Refugee Camp, in the Kigoma Region of Western Tanzania, is one of the largest refugee camps in the world, with a population of approximately 139,000 refugees (2017). In addition to Nyarugusu Refugee Camp, these refugees are hosted at Mtendeli Refugee Camp and Nduta Refugee Camp, both of which are also in the Kigoma Region[10].

The Nyarugusu Refugee Camp was created by the UNHCR and the government of Tanzania in 1996, after an estimated 150,000 refugees from the eastern Sud-Kivu Region of the DRC crossed the border into Tanzania in order to escape civil war. Many Congolese refugees have remained in the camp for decades, although the population of the camp was declining prior to 2015. However, in

[8] G. Mrema (2019), *United Republic of Tanzania Fact Sheet*, "Global Focus", United Nations Human Commissioner for Refugees (UNHCR), http://reporting.unhcr.org/sites/default/files/UNHCR%20Tanzania%20Fact%20Sheet%20-%20January-March%202019.pdf (viii), [accessed 31 May 2019].

[9] Ibidem.

[10] E. Marius, (2018), *Refugee Influx in the East African Borders: Their Implications on Security and Development*, in: D.K. Gemechu, E. Haulle, A. Żukowski (eds), *Development in East Africa. Politics, security and conflicts management*, vol. 2, Iringa: Mkwawa University College of Education, Olsztyn: Institute of Political Science UWM pp. 183–210.

2015, the population began to rise again, following a political crisis in Burundi which was due to the violation of the Burundian constitution and a 2000 peace agreement made in Arusha, Tanzania[11]. The outbreak of this political crisis caused over 110,000 Burundian refugees to flee into Tanzania in order to escape riots and civil unrest in Burundi. These refugees went to Nyarugusu until the Tanzanian government relocated Burundian refugees to other camps in Tanzania and, in violation of international law, repatriated others. Approximately 65,000 Burundian refugees remain at Nyarugusu, while 55,000 are at Nduta, and another 19,000 are at Mtendeli[12].

In Kenya, the largest camp for refugees and asylum seekers is Dadaab Refugee Camp, located in Garissa County, which shares a border with Somalia. According to the May 2019 UNHCR report, Dadaab is the largest refugee settlement in all of East Africa, with 211,365 refugees. Within the Dadaab site are three camps, identified as Dagahaley, Hagadera and Ifo. A UNHCR report of April 2019 states that Kakuma Refugee Camp, located in Turkana County in Northwestern Kenya, hosts around 60,000 refugees.

Languages used by refugees in East Africa

Various reports state that languages used by refugees in East Africa include Somali, Swahili, English, French, Arabic, and other native African languages. Interviews with employees from various humanitarian organizations managing camps in Tanzania and Kenya suggest Swahili is widely used among refugees in these areas.

In Nyarugusu Refugee Camp, in the Kigoma Region of Western Tanzania, the particular dialect used differs from the dialect of Swahili

[11] F. Nchimbi (2018), op. cit.

[12] UNHCR (2016), *UNHCR Regional Update 26 – Burundi Situation*, 1–31 May 2016, 31 May 2016, https://www.refworld.org/docid/578e4cd24.html, [accessed 2019].

most used in Tanzania as a whole. The dialect used in Nyarugusu incorporates words and phrases from French, as many refugees in this camp are from Burundi and the DRC, where French is widely spoken. A few other reports have commented on the languages used in the camp at Nyarugusu. Philemon Bilagambalaye, an employee of the World Vision Organization who has worked in Nyarugusu, stated:

Wakimbizi katika kambi hii wanatumia zaidi lugha ya Kiswahili, Kifaransa na Kirundi.

"Refugees in this camp are mostly using Swahili, French and Rundi".

Ms. Doroth Leonald, a medical team worker, has stated, of Mtendeli Refugee Camp, also in the Kigoma Region of Western Tanzania:

Kiswahili, Kifaransa, na Kirundi ndio lugha zinazotumika zaidi kwenye kambi ya wakimbizi ya Mtendeli.

"Swahili, French and Rundi are the most-used languages in Mtendeli refugee camp."

Dynamics of Language describes multiple languages in use at Kakuma Refugee Camp in Turkana County of Northwestern Kenya. These include Suba, Arabic, Swahili, English, Kiotuho, as well as various Nilotic languages.

Khasandi-Telewa[13] states that in Kakuma Refugee Camp, some refugees like to learn and use English, while there are others who dislike it. He says that some refugees like and use the Swahili language, while some South Sudanese refugees feel that the language is burdensome and unnecessary to them. Khasandi-Telewa describes that, in Kakuma, some refugees use Arabic and French, although these are rare cases. Regarding languages of instruction in formal education, he states:

[13] V. Khasandi-Telewa (2007), *English is must to us: Languages and Education in Kakuma Refugee Camp, Kenya*, PhD Thesis, University of Warwick.

"In my research I found that the provision of language education for the refugees follows the mainstream Kenyan policy, whereby English is the medium of instruction from class (IV) onwards. Mother tongues or Swahili may in theory be used for the Lower classes but the practice is often not so."

Journalists Kate Gunn and Rafiq Copenland[14] say, of the Dadaab Refugee Camp, in Garissa County of Kenya:

Asilimia kubwa ya wakimbizi waliopo katika kambi ya Dadaab, Kenya ni Wasomali, hivyo mawasiliano baina yao kwa kiasi kikubwa yanafanyika kwa Kisomali. Kate na Rafiq wanaendela kusema kwamba, mnamo Februari, 2019 kambi ya wakimbizi ya Dadaab ilianzisha programu ya utangazaji kwa kutumia lugha ya Kisomali kwa wakimbizi hao. Wanasema, kambi ya Dadaab inaongoza duniani kwa kuwa na idadi kubwa ya wakimbizi ambao ni takribani 450,000 ambapo asilimia kubwa ni Wasomali. Hivyo, kutokana na wingi wa idadi hiyo ya wakimbizi, kambi hiyo iliona ni muhimu wakimbizi wapate taarifa kuhusu mambo mbalimbali yaendeleayo ulimwenguni. Kwa hiyo, matangazo mbalimbali ya redio yalianza kutolewa mwanzoni mwa mwaka huu 2019 kwa kutumia lugha za asili za kisomali kupitia kituo cha redio cha Star FM..

"The largest percentage of refugees in Dadaab are Somalis. Thus, the communication among them is for the most part conducted using the Somali language. Kate and Rafiq continue to say that, in February 2019, Dadaab established a broadcasting program using the Somali language for these refugees. They say that Dadaab is currently the world's largest refugee-hosting camp, with around 450,000 refugees,

[14] K. Gunn & R. Copeland (2019), *Refugee Radio Journalists on Air in Dadaab*, European Civil Protection and Humanitarian Aid Operations (ECHO), https://ec.europa.eu/echo/field-blogs/stories/refugee-radio-journalists-air-dadaab_en [accessed 2020]; UNHCR Kenya (2019), *Kenya. Registered refugees and asylum seekers: as of 30 April 2019*, Nairobi: UNHCR – Data Management Unit, retrieved from https://www.unhcr.org/ke/wp-content/uploads/sites/2/2019/05/Kenya-Infographics-30-April-2019.pdf, [accessed 31 May 2019].

among whom the largest percentage are Somalis. As a result, it was decided that it was important for these refugees to get information on various issues happening in the world. Therefore, various radio broadcasts started to be provided in the beginning of the year 2019 by using the Somali language, through the Sar FM radio station."

According to this data, it can be safely inferred that the main language that is used for communication among refugees in Dadaab is Somali.

Which languages are given most value, and why?

According to Khasandi-Telewa[15], in Kakuma Refugee Camp many refugees use Swahili and English to communicate because these languages are the ones that unify them. Since refugees are coming from different countries with different mother-tongue languages, they find Swahili as a middle language that can be commonly used to facilitate basic communication.

An employee of the World Vision organization, Philemon Bila-gambalaya says:

"Lugha inayopewa umuhimu katika kambi ya wakimbizi ya Nyarugusu ni Kifaransa na Kiswahili kwa sababu Kifaransa hutumika katika elimu na ni lugha ya Taifa katika mataifa ya Congo na Burundi wanakotokea wakimbizi hao. Lugha ya Kiswahili inapewa umuhimu kwa sababu ni Lugha ya Taifa nchini Tanzania na inatumika kuwaunganisha wakimbizi na wafanyakazi katika makambi hayo, pamoja na kuwaunganisha Wakimbizi na wakazi wa maeneo ya jirani. Kutokana na mazingira hayo wakimbizi wanalazimika kujifunza Kiswahili ili waweze kuwasiliana miongoni mwao wao wenyewe, na wafanyakazi, au na watu wengine wanaoishi kwenye maeneo ya ujirani na kambi zao".

[15] V. Khasandi-Telewa (2007), op. cit.

"The languages that are given the most importance in Nyarugusu are French and Swahili, since French is used in education and it is a national language in Burundi and Democratic Republic of Congo, where these refugees come from. Swahili is given a great importance because it is a national language in Tanzania, and it acts as a unifying factor which unifies refugees and workers in this camp. It also unifies refugees and local residents who live nearby the camp. Due to such circumstances, refugees need to use Swahili in order to communicate among themselves, with workers, and/or with other people who live nearby the camp".

Teaching, learning and use of Swahili in refugee camps in East Africa

The UNHCR report of January 2019 shows that many refugees in the Nyarugusu, Nduta and Mtendeli refugee camps, all located in the Kigoma Region of Western Tanzania, are using English and Swahili to communicate.

Ilekiza Silvanus, an employee of the Redese Organization in Nduta Refugee Camp, stated:

"Hapa kambini na makambi mengine ya hapa Kigoma hakuna mafunzo maalum ya Kiswahili isipokuwa Kiswahili kinafundishwa kama somo katika madarasa ya Wakimbizi. Wakimbizi wanajifunza Kiswahili kupitia mazungumzo ya Wakimbizi na wafanyakazi kwa kuwa wafanyakazi wengi wanajua Kiswahili.

"Here and in the other camps in the Kigoma Region, there is no specific Swahili language training, beyond the fact that Swahili is taught as an academic subject. Refugees learn Swahili through conversation between them and workers in the camp, because most of the workers know Swahili."

On 07 August 2007, an organization called Theirworld conducted an interview with the head of school of Friends Family School, Peter Atum, in Dadaab Refugee Camp, in Garissa Country of Kenya. In the interview, the head of school stated:

> *licha ya Kiswahili kutumika katika mawasiliano baina ya wakimbizi wengi, lugha hii pia pamoja na Kiingereza zinatumika shuleni kama vyombo vya mawasiliano.*
>
> "Apart from Swahili being used in communication among many refugees, the language is also used along with English in school, as vessels of communication."

Thus, an argument could be made that providing more systematic Swahili language training in refugee camps could improve students' abilities to communicate both at school and in their daily activities. One other factor to consider is the use of Swahili not just within refugee camps and between the camps and surrounding communities, but the use of Swahili among refugees after resettlement. Moshi[16] writes:

> *Wakimbizi walijifunza Kiswahili kambini na wale ambao walizaliwa kambini, lugha yao ya kwanza imekuwa Kiswahili pamoja na lugha yao mama. Wafikapo ughaibuni, kwa kawaida, wanachagua Kiswahili kuwa lugha yao maalumu hapo wakijifunza lugha ya ugenini (yaani Kiingereza Marekani, Uingereza na Canada*[17].
>
> "Refugees learn Swahili in the camps, and those who were born in the refugee camps, their first language has been Swahili together with their mother tongue. Refugees who are born in the refugee camps learn Swahili as their first language in the camps and opt to

[16] L. Moshi (2016), *Kiswahili Marekani*, in: Mulokozi et al. (eds), *Kiuchumi na Kisiasa Afrika*, Dar es Salaam: Institute of Kiswahili Studies, University of Dar es Salaam, p. 143.

[17] Ibidem: p. 143.

use it when resettled in other countries such as United State of America, United Kingdom and Canada".

Research performed by linguists such as Moshi reveal that Swahili, which is acquired and learned in refugee camps, is later used in third countries, following resettlement.

In what contexts is Swahili used?

Swahili is used in a variety of social, cultural, political, and economic activities in East African refugee camps and hosting settlements. Activities in which Swahili is used include the following:

Social activities

In most of East African refugee camps, Swahili is used as a language of communication in everyday conversation. Neema Rashid, a local resident of Mtendeli Refugee Camp in Tanzania, says:

Tunaongea na wakimbizi kwa Kiswahili japo hawakijui. Kwa Mtanzania anayejua Kirundi anaongea nao Kirundi.

"We converse with refugees using Swahili unless they do not know it. If there's a Tanzanian who knows Rundi, then he or she can speak with refugees using Rundi."

Therefore, in daily conversation between refugees and local residents around Mtendeli, Swahili is used.

Religious activities

According to Padre Gasper of the Catholic Church, a resident of the Kigoma Region in Western Tanzania:

Misa zinazofanywa katika Makambi yote ya Nyarugusu, Nduta na Mtendeli tunatumia Kiswahili. Wakati mwingine anakuwepo Mkarimani anayetafsiri katika lugha ya Kirundi na Kifaransa.

> "The holy masses that are administered at the Nyarugusu, Nduta and Mtendeli refugee camps are administered in Swahili. Sometimes we have an interpreter who can interpret from Swahili to Rundi and French."

When people flee their home countries and become refugees, they do not abandon their religions. In order to continue their various religious practices, local religious leaders visit refugees in the camps. The statement above demonstrates that Swahili is used in administering Holly Mass to refugees in the Nyarugusu, Nduta and Mtendeli camps, all located in the Kigoma Region of Western Tanzania.

Economic activities

While conducting trade and other economic activities, refugees use Swahili to communicate among themselves and with members of the surrounding communities. In Nduta Refugee Camp, in the Kigoma Region of Western Tanzania, some refugees use Swahili to gain vocational training, practice craftsmanship, and conduct business affairs. This is especially apparent within the tailoring and printing economies in the town of Kibondo, which is adjacent to Nduta.

Education

Schools in the Nduta and Nyarugusu refugee camps, both in the Kigoma Region of Western Tanzania, teach Swahili as an academic subject. Swahili is also used as a medium of instruction in the lower classes of primary education, which is provided to refugee children. Refugees also learn Swahili via informal education, in daily conversation among themselves and with local residents of the surrounding communities.

Communication of information

In refugee camps in Tanzania and Kenya, Swahili is also used to communicate important information. Workers in the camps regularly

use Swahili to communicate information and instructions to refugees. Data obtained through interview with a refugee shows that refugees communicate critical information about their lives using Swahili. Mbonimana Justine, a Burundian refugee, can be seen communicating an important message about refugee rights, using Swahili as her chosen language of communication:

> *Mimi ni Mkimbizi ambaye naishi Nyarugusu kutoka Burundi tulifika mpakani tukapokelewa na kuletwa makambini, wakina mama kupeleka watoto tunapata shida kubwa kupata matibabu. Je, nauliza nyie wahusika wakuu sisi wakimbizi, tutimiziwe haki ya wakimbizi.*
>
> "I am a refugee from Burundi, living in Nyarugusu [Refugee Camp]. We arrived at the border, we were received and brought to the camp. We women struggle greatly to take our children to get medical treatment. I am asking you all who are in charge, allow us refugees to be granted refugee rights"

Performing arts

Refugees in Tanzania and Kenya use Swahili in performing arts, including music. Refugee musicians have composed songs which are used for both entertainment and as opportunities to educate themselves and others about the root causes of migration, difficulties facing refugees, and strategies to end the political crises which are the principle causes of people fleeing their home countries in East Africa.

Refugee representative:	*Wakimbizi, mmemsikia Mheshimiwa*?
Refugees:	*Tumemsikia.*
Refugees Representative:	*Wakimbizi, mmemsikia Mheshimiwa*?
Refugees:	*Tumemsikia.*
Refugees Representative:	*Wakimbizi, mmemsikia Mheshimiwa?*
Refugees:	*Tumemsikia, lakini hawezi! Mwizi!*
Refugees Representative:	Refugees, have you heard the Honorable?
Refugees:	We have heard him.

Refugees Representative: Refugees, have you heard the Honorable?
Refugees: We have heard him.
Refugees Representative: Refugees, have you heard the Honorable?
Refugees: We have heard him. But he cannot. He is a thief?[18]

This is a song composed by a refugee group called Babondo Nyarugusu Camp, to reveal problems which are encountered by refugees in Nyarugusu camp in Tanzania.

Necessity of learning, teaching and using Swahili in East African refugee camps

There is a necessity of learning, teaching and using Swahili in East African refugee camps, because Swahili is already a tool that links together refugees from different countries who speak different native languages.

Ilekize Sylvanus, a worker of Redeso Organization in Nduta Refugee Camp in the Kigoma Region of Western Tanzania, explains that there is a need for teaching and learning Swahili in Tanzania refugee camps due to the following reasons:

- Swahili helps refugees communicate with local residents.
- Swahili helps refugees access social services, medical treatment, transportation, and

access to water.

- Swahili helps refugees develop self-confidence.
- Swahili helps refugees collaborate with local residents and engage in economic activities. This is especially true for those refugees who have capital.

[18] *Babondo nyarugusu camp*: https://www.youtube.com/watch?v=RBQY0J8iTDQ, [accessed 11 April 2017].

Philemon Bilagambalaye of World Vision Organization claims that the teaching and learning of Swahili in Tanzanian refugee camps has the following importance:

- Proficiency in Swahili allows refugee students to take primary education examinations, which are conducted in Swahili by the National Examinations Council of Tanzania (NECTA).
- More widespread teaching, learning and use of Swahili could greatly reduce communication and administrative costs, because fewer interpreters would be needed.

Peter Atum, the head of school at Friends Family School in Dadaab Refugee Camp in Garissa County of Kenya, explains that the camp in Dadaab is made up of refugees from various countries who speak various native languages. In some cases, not only are the refugees' languages not mutually intelligible, but they can give rise to misunderstandings.

> *Kutokana na matumizi ya lugha hizo tofauti, neno la utani katika lugha moja linaweza kuwa tusi katika lugha nyingine. Hivyo kuzua ugomvi baina ya wakimbizi.*
>
> "Due to the use of different languages, a word which is a joke in one language may be an insult in another language. Because of this, conflicts may arise among refugees".

A shared knowledge and use of Swahili and its inherent cultural aspects could help build commonality among refugee users, and thus help prevent unnecessary conflicts and promote mutual understanding.

Mendenhall et al[19] and Olouch[20] state that, in Kenya, Swahili, along with various mother tongues, are used as media of instruction

[19] M. Mendenhall et al. (2015), *Quality Education for Refugees in Kenya: Pedagogy in Urban Nairobi and Kakuma Refugee Camp Settings*, "Journal on Education in Emergencies" 1(1), pp. 92–130.

[20] E.A. Oluoch (2017), *Language of Instruction in Kenya: Focus of Lower Primary in Schools in Rural Areas*, "International Journal of Education, Learning and Development" 5(1), pp. 17–23.

in lower levels of primary education (from Standard One to Standard Three). However, English is used as a medium of instruction from Standard Four onward. Since the provision of education in refugee camps in Kenya follows the Kenyan educational policy as described by Khasandi-Telewa[21], it is therefore important to teach Swahili in Kenyan refugee camps.

Making the learning, teaching and use of Swahili in East African refugee camps ongoing and sustainable

The teaching, learning and use of Swahili in East African refugee camps should be made ongoing and sustainable. Swahili is used as a *lingua franca* and acts as an instrument that unifies various refugee groups from different nations who speak different native languages. Swahili also facilitates mutual understanding between refugees and local residents. For example, Nyarugusu Refugee Camp hosts refugees from various countries such as Burundi and DRC. Although refugees from both countries speak French, Swahili language is another possible instrument to unite them on the basis of commonalities in their Bantu mother tongue languages, and on the basis of shared cultural traits.

Challenges involved in the learning, teaching and use of Swahili in refugee camps in East Africa

The teaching, learning and use of Swahili in refugee camps in East Africa is faced with several challenges:

- Overcoming existing negative attitudes about learning, teaching and using Swahili.

[21] V. Khasandi-Telewa (2007), op. cit.

- Lack of qualified and trained Swahili teachers, especially those with experience teaching Swahili to foreigners as a second language.
- Lack of teaching and learning materials, particularly Swahili textbooks
- Swahili is currently taught only to refugee children. Under the current scheme, it is unlikely that refugee parents and refugee children are able to communicate at home in Swahili.
- Restriction of movement by governments in Tanzania and Kenya, which prevents a greater level of interaction between refugees living in camps and members of surrounding communities.

Recommendations for making the learning, teaching and use of Swahili in East African refugee camps ongoing and sustainable

The following recommendations should be considered when establishing language learning requirements and instruction protocol in East African refugee camps:

- Swahili could be a useful medium of instruction in all levels of education for refugees who 1) will be resettled in host countries where Swahili is the primary language and 2) whose native language comes from the Bantu language family.
- Skilled teachers should be employed in designated refugee camps to facilitate teaching, learning and the use of Swahili, both as a language subject and as a medium of instruction.
- Books, articles, journals and magazines written in Swahili should be provided to refugees so that these refugees can begin reading Swahili-language materials.
- Radio and television broadcasts in Swahili should be introduced in specific East African refugee camps and settlements.

- Various strategies should be implemented to help address misunderstandings and change refugees' attitudes towards the Swahili language. Currently, some refugees have negative attitudes towards Swahili. They think that if there is any possibility of resettlement in Europe or North America, then there will be no need for or benefit to learning Swahili. Refugees should be informed that, while there is benefit and importance in learning English and French as international languages, there is also a growing benefit to learning Swahili, due to the continuing growth and internationalization of Swahili. For instance, Swahili is currently the fourth official language of the Southern African Development Community (SADC), following English, French and Portuguese. Swahili was pronounced the fourth official language of SADC in the 39th Ordinary Summit held in Dar es Salaam, Tanzania on the 18th August 2019.

Conclusion

This chapter has examined the current use of Swahili in refugee camps in Tanzania and Kenya, and also attempted to imagine the potential positive impacts of the expanded use of Swahili in refugee camps and refugee settlement areas throughout East Africa. Swahili is an East African language which contains many aspects of East African culture. Swahili has the potential to promote and sustain the cultural values of the people of East Africa. Refugees have the right to learn and use Swahili in order to enjoy and benefit from its unifying cultural values. Also, being one of the largest languages spoken on the continent of Africa, it is important for refugees living in East African refugee camps and settlement areas to learn and use the language as well as possible, so as to better integrate with refugees from various countries, and to better interact with members of surrounding communities. More than anything, this chapter is a call

for continued investigation. There exists a great need for more original research and empirical data collection on the subject of languages used by refugees in East Africa. This call for additional study and analysis applies to both the current status and use of Swahili among refugees in East Africa, and the possible benefits of promoting Swahili as a language with untapped benefits for refugees in East Africa and their host countries alike.

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The Use of Swahili in Refugee Camps in East Africa

Abstract

Refugees in flight from their home countries seek safety and protection, food and water, physical and mental health services, housing, education, and opportunities for livelihood. They also require screening and identification. Communication skills in a host country's language are an important tool for meeting basic requirements and obtaining basic needs. Yet refugees often find themselves interacting with government

officials and other host-country community members in languages and in cultural contexts that are unfamiliar to them. The use of host-country languages among refugees is a phenomenon that has largely been overlooked. This is especially true in East Africa, where refugees from various countries are already able to communicate, at varying levels, in Swahili.

Swahili is a Bantu language that shares significant linguistic features with some refugee groups' first languages. While used as a regional language throughout East Africa, Swahili is most prevalent in Tanzania and Kenya. This chapter focuses on the role of Swahili in refugees' efforts to meet their basic needs in these two countries. We will also highlight the use of Swahili among refugees in Tanzania and Kenya as an under-explored topic with potentially significant implications for both refugees and the host counties they exist within, interact with, and are part of.

Key words: Refugees, refugee camps and settlements, Swahili language, learning Swahili, teaching Swahili, using Swahili, East Africa

Chapter 4.

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KENYAN DIASPORA IN TANZANIA, 1930S – 2019

Introduction

The period from 1930s to early 1960s was characterized by movement of people from different countries of Africa into Tanganyika. Some of those people came as migrant labourers while others came in the late 1950s and early 1960s after political upheaval that occurred in countries like Burundi, Malawi, Kenya, Rwanda, South Africa and Mozambique.[1] Several Kenyan communities such as Kikuyu, Nandi, Kisii, and Kipsigis moved into Tanganyika during that period.[2] However, some Kenyans have continued to come into Tanzania since 1960 up to date. But the reasons for coming of Kenyans into Tanzania and eventually becoming official residents of Tanzania have been debatable. In addition to that, the history, identities and livelihood strategies of those Kenyan communities in Tanzania have neither been well documented. This paper therefore seeks to contribute to the

[1] C.A. Njunde & E.S.W. Nilssen (1984), *Tanganyika Christian Refugee Service* (*TCRS*): *20th Anniversary: 1964 to 1984*, The Lutheran World Federation, http://repository.forcedmigration.org, [accessed 15 August 2019].

[2] Kenya National Archives (KNA), DP/1/65, *Movement of Kikuyu, Embu and Meru, 1959–1961*, Tanzania National Archives – Mwanza (TNA –Mwanza), Accession No. 1, File No.R1/2 – *Registration and Settlement of Kikuyu*. See also: Njunde & Nilssen (1984), op. cit.

understanding of the main reasons which forced Kenyan communities to settle and finally be granted citizenship in Tanzania. The paper also examines the history, identities and livelihood strategies employed by Kenyan communities since they settled in Tanzania. Based on archival research, secondary documentary review and oral interviews conducted in the areas where those Kenyan communities settled, this paper argues that the presence of Kenyan Diaspora in Tanzania was a result of complex process which involved nationalistic political upheavals in their country of origin, deliberate decision of the colonial state in Kenya to re-settle such communities and the generous decision made by the government of Tanzania to accept Kenyan communities and grant them citizenship in Tanzania. On the other hand, the paper argues that the history of Kenyan Diaspora in Tanzania provides a lesson for the need for social inclusion and better East African regional integration and unity.

As noted above, this paper is all about the history of Kenyan Diaspora in Tanzania. In order to understand the message contained in this paper we need first to conceptualize the term Diaspora. Second, we need to examine how the term Diaspora has been used in scholarly discussion, and last, delineate how the term is employed in this paper. Etymologically, the term Diaspora is derived from a Greek word '*diasperien'* whereas '*dia'* means through or across and '*sperien'* means to scatter or disperse. Thus, the term Diaspora means to scatter through or dispersion of some people from a particular point (the origin or the centre) to another point considered being the periphery.[3] On the other hand, the International Organization for Migration

[3] J. E. Braziel & A. Mannur (eds) (2003), *Theorizing Diaspora*, Malden: Blackwell Pub., pp. 1-4; A. Brah (1996), *Cartographies of Diaspora: Contesting Identities*, London: Routledge, pp. 179–182; L. Manger & M.A.M. Assal (eds) (2006), *Diaspora Within and Without Africa: Dynamism, Heterogeneity, Variation*, Uppsala: Nordiska Afrika Institutet, pp. 12–14; W. Safran (1991), *Diasporas in Modern Societies: Myths of Homeland and Return*, "Diaspora: A Journal of Transnational Studies" 1(1), p. 83.

(IOM) defines Diaspora as members of ethnic and national communities who have left, but maintain links with their homelands. The African Union, on the other hand, defines the African Diaspora as consisting of people of African origin living outside the continent irrespective of their citizenship and nationality and who are willing to contribute to the development of the continent and the building of the African Union.[4] It follows that the term Diaspora can be defined differently based on individuals' interest and needs, but most importantly is that the definition would stress the point of movement and settlement of some people from one area to another.

Historically, the term Diaspora has been conventionally used to refer to specific categories of people, specifically, those who settled in some areas as a result of the known major world massive migrations or movement of people. Good examples of these categories of people are the Jewish Diaspora, Armenian Diaspora, and the African Diaspora in America who were a result of the Atlantic slave trade.[5] According to Brah, the term Diaspora has been used to refer to massive migration caused by several factors.[6] Some scholars like Jan Braziel and Anita Mannur use Diaspora as a theoretical and analytical concept rather than a historical concept which relies on its literary meaning.[7] In all categories of uses, scholars tend to focus much on the circumstances which caused massive or individual migrations. In his book *Cartographies of Diaspora*, Brah states:

> "…in discussing Diaspora, the circumstances of leaving are important so too are those of arrival and settling down. How and in what ways do these journeys conclude, and intersect in specific places, specific spaces, and specific historical conjunctures? How and in what ways

[4] Republic of Kenya (2014), *Kenya Diaspora Policy*, Government Print, Nairobi, p. 8.

[5] L. Manger & M.A.M. Assal (eds) (2006), op. cit., pp. 8–9; Safran (1991), op. cit., p. 83.

[6] A. Brah (1996), op. cit., p. 178.

[7] E. Braziel and A. Mannur (eds) (2003), op. cit.

is a group inserted within the social relations of class, gender, racism, or other axes of differentiation in the country to which it migrates?...."[8]

The quotation above enlightens us that we should not concentrate on discussing circumstances which caused Diaspora communities to move from their original homes, rather we should also move some steps forward to examine the conditions for settling down of the Diaspora in the country of destination. This paper has taken this message on board as it examines the forces which caused Kenyan communities to move and settle in Tanzania as well as how they continued to survive in the country of destination – Tanzania.

Thus, the paper uses the term Diaspora both as a literary and theoretical, and analytical concept. However, this paper does not consider Diaspora from its historical conventional uses which focus on massive world migrations of people alone. Neither does this paper accept all features of Diaspora as postulated by Willam Safran. According to William Safran, Diaspora communities are, first, that are dispersed from an original centre to at least two peripheral places; second, that maintain a memory, vision, or myth about their original homeland; third, that believe they are not, and perhaps cannot be fully accepted by their host country; four, that see the ancestral home as a place of eventual return, when time is right; five, that are committed to the maintenance or restoration of their homeland.[9] As we will see in the discussion which follows, Kenyan Diaspora in Tanganyika were not results of massive migration though a few of them came in large batches of 600 to 800 people. Again, the narrative which follows below proves that Kenyans were accepted by the host country – Tanzania, and they no longer feel retuning back to their home country. Furthermore, Diaspora is used in this paper to refer to Kenyans who moved into Tanzania and finally stayed in Tanzania as official residents of Tanzania.

[8] A. Brah (1996), op. cit., p. 182.

[9] W. Safran (1991), op. cit., pp. 83–84.

To simplify discussion, this paper is divided into four main sections and draws evidence from three main parts of Tanzania, namely – Mafinga in Iringa, Mpanda in Katavi region, and Serengeti and Butiama districts in Mara region. The first section of this paper is this introduction. The second section is about settlement of Kenyans in Tanzania. The section traces when Kenyans came in Tanzania, the forces behind their coming and the places where they settled. Section three of this paper examines identities and livelihood strategies of these Kenyan communities in their host country. The section also provides some insight on the contribution of the Kenyan Diaspora to socio-economic development of the areas where they settled. The last section is the conclusion.

Settlement of Kenyan Diaspora in Tanzania

Available literature shows that Tanzania is the second country in the world where Kenyan Diaspora lives. According to those literatures, the first country of destination of Kenyan Diaspora is the United Kingdom, the third destination is the United States of America and, the fourth country of destination is Uganda.[10] In his study of distribution of Kenya's Diaspora across Africa, Kinuthia found that Uganda was the leading destination of Kenyan migrants followed by Tanzania. According to Kinuthia, there were 17,062 Kenya's Diaspora in Tanzania in 1960. In 1970 and 1980 the number of Kenyan Diaspora in Tanzania increased to 39,074 and 38,473, respectively. In 2000 there were about 61,151 Kenyan Diaspora in Tanzania while in 2007 there were

[10] MTM i-Map (2011), *Migration and Development Layer, Kenya* (August 2011), available at Global Forum on Migration & Development, https://www.gfmd.org/files/pfp/mp/Kenya_EN.pdf, [accessed 20 July 2019]; International Organization for Migration(IOM) (2015), *Migration in Kenya, a Country Profile*, Nairobi: IOM, p. 51, https://publications.iom.int/system/files/pdf/migration_profile_kenya.pdf, [accessed 20 July 2019].

about 123,410 Kenyans living in Tanzania.[11] Kinuthia lists three basic factors to explain the pattern of Kenyan movement and settlement across the world and Africa in particular. The first factor is search for further education and training which occurred in the early 1960s after Kenya had attained her independence. During this time, some Kenyans travelled and settled abroad, especially in the United Kingdom and the United States of America for education purposes. The second factor is the economic hardship of the 1980s and 1990s which forced some Kenyans to move out of their country in search of better economic avenues. The last factor is political strife, especially, the post 2007 election violence.[12] Factors listed by Kinuthia concur with those listed by Brah. According to Brah, Diaspora communities emerge due to economic inequalities within and between regions, expanding mobility of capital, people's desire to pursue opportunities that might improve their life, political strife, wars, and famine.[13]

Although Kinuthia and Brah have given some highlights of what contributes to the emergence of Diaspora communities in various countries, such factors are inadequate to explain settlement of Kenyan Diaspora in Tanzania. Neither can we rely on such sources to understand where specifically such Kenyan Diaspora lives in Tanzania. Evidence gathered by this study shows that settlement of Kenyans in Tanzania is not a post-colonial phenomenon as Kinuthia has shown, rather it is a product of a historical process which can be traced far back in the pre-colonial, colonial and post-colonial period. During the 19th century, Tanzanian communities engaged into long-distance trade with other East African communities. Such trade manifested into settlement of Kamba people from Kenya into Tanzania. Today, the Kamba are dominant in Ndogami, Nguyami, Kitaita and Chimashale

[11] B. Kinyanjui Kinuthia (2013), *Spotlight on the Young and Skilled: Exploring the Potential Contribution of Kenya's Diasporas in the South*, ACP Observatory on Migration, Research Report, p. 11.

[12] Ibidem.

[13] A. Brah (1996), op. cit., p. 178.

villages of Chakwale ward in Gairo District in Morogoro region, Tanzania[14].

In the 1930s and 1940s, the British colonial government in Tanganyika initiated several agricultural schemes as a means of overcoming economic hardship experienced by the colonial powers due to the Great Depression of 1920s and 1930s as well as Second World War. Such schemes include the groundnuts scheme introduced in Kongwa in Dodama and Nachingwea in Mtwara. The British also introduced other schemes in Iringa such as a ranch at Matanana, tobacco scheme at Ulete, coffee scheme at Ifwenga, wheat production at Malwambala and Tea production at Mufindi. Majority of these schemes were owned by Europeans who had already established themselves in Kenya. Owners of these schemes tended to recruit Kenyan labourers with assumption that they were experienced in such tasks. One of the major impacts of these schemes and European tendency to recruit Kenyans was the emergence of the Kikuyu community in what today we call Mafinga area in Mufindi District in Iringa region.[15]

Oral accounts show that the Kikuyu community found in Mafinga today is descendant of James Mungai. James Mungai was a Kikuyu from Kenya who arrived in Mufindi in 1932 as a machine operator and experienced driver of different vehicles. After expiry of his contract, James Mungai established his settlement at Nyololo – Kisada but later on he moved to what today they call Mafinga. James Mungai married three daughters of chief Malangalila from whom he managed to get sixteen children. His first sons were born in 1942 and 1943. His son – Charles James Mungai estimated that their family would have about sixty people by August 2019. Another Kikuyu who also

[14] Interview with Yaredi Lebwanga Majenda, Rubeho Village – Gairo District, 25th July 2019.

[15] Interview with Alois John Mwakisonga, Mafinga Town, 29th August 2019; Kastori Sambilinga Muyinga, Mafinga Town, 29th August 2019; and Charles James Mungai, Iringa Town, 30th August 2019.

arrived in Mafinga in the 1930s is John Kikuni. John Kikuni's descendants are not well known and there are no records where they can be found today. However, John Kikuni himself was very famous in the 1940s and 1950s, and even today his name is still remembered. Kikuni lived along the main road from Iringa to Mbeya at a sharp corner where one could get a minor road heading to an airstrip found adjacent to where Mafinga J.K.T camp is located today. That corner was commonly referred to as 'John's Corner'. Until today, there are restaurants, bars and hotels in Mafinga which still use the name – 'John's Corner'. Areas which constitute Mafinga today were once all referred to as 'John's Corner' areas. This is one of the major landmarks which remind us about the presence of Kenyan Kikuyu Diaspora in Mafinga in Tanzania. Evidence also shows that some Kikuyu established themselves in Mbeya and remnants of these families are still living in areas found around Old Mbeya Airport.[16]

In the 1950s and early 1960s, another wave of Kenyans moved from Kenya and settled in Tanganyika. According to Micah Busienei, Matayo Ratemo and Michael Muza Nyakarungu, groups of Nandi, Kisii and Malagori people from Kenya arrived and settled in various parts of Mara region in the 1950s.[17] Some of them are said to have arrived early in the late 1940s. In Serengeti district, the Malagori, Kisii and Nandi people first settled at Ngruimi and Ling'wani areas in the western part of Serenegti District. Some of these people arrived in Ngruimi in 1947 and others arrived in the 1950. In the late 1950s and early 1960s, some of those Kenyan immigrants moved from western Serengeti and settled in Rwamchanga village in Eastern Serengeti close to the Serengeti National park. In 1990, there were about seventy households of Kenyan descendants in Rwamchanga

[16] Ibidem.

[17] Interview with Micah Busienei, Oldonyo-Orok location, Trans-Mara District –Kenya, 30th July 2013; Mathayo Ratemo, Rwamchanga Village – Serengeti District, 17th September 2015; and Michael Muza Nyakarungu, Mwibagi village – Butiama District, 10th September 2015.

village. By 2015, when I conducted interviews in the village, the population of Kenyan descendants had multiplied to the extent that half of the land surface of Rwamchanga village was occupied by the said Kenyan community.[18] In Musoma Rural District which today is called Butiama District, the Kisii, Malagori and Nandi settled at Busegwe and Mwibagi villages. In 2015, Michael Muza Nyakarungu stated that there was an average of ten households of Nandi people in each of Mbugani, Kukinyago and Telita suburbs of Mwibagi village.[19] Holistically, Mara regional annual immigration reports show that there were 30,000 Kenyans who were living illegally in Mara region in 1991. However, those Kenyans were later on given residential permits to stay in Tanzania after a thorough discussion between President Daniel Arap Moi of Kenya and President Ali Hassan Mwinyi of Tanzania. Furthermore, the reports show that there were more than 40,000 Kenyans living in Mara region in 1999.[20]

Available sources also show that about 3000 Kikuyu people from Kenya first settled at Katuma village in Mpanda District in 1962.[21] Thereafter, some of those Kikuyu immigrants moved into Mwese, Mpembe, Kapanga, Mpanda ndogo, Kibo, Manga and Kasokola villages. While some of those Kikuyu returned to Kenya in the early 1970s, others remained in Tanzania after they have voluntarily accepted Tanzanian citizenship. Majority of those Kenyans who first arrived and remained at Katuma, Mwese, Kasokola and Kibo all died.

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[18] Interview with Mathayo Ratemo, Rwamchanga Village – Serengeti District, 17th September 2015.

[19] Interview with Michael Muza Nyakarungu, Mwibagi village – Butiama District, 10th September 2015.

[20] Record Centre – Mara Regional Office, File No. I. 10/6 – Immigration IX –Annual Reports.

[21] Njunde & Nilssen (1984), op. cit.; Tanzania National Archives – Mwanza (TNA –Mwanza), (1962), *Registration and Settlement of Kikuyu*, Accession No. 1, File No.R1/2; *Tanganyika Standard* (1962) – 4th October 1962, p. 2; Interviews with Mnyihunga Jumanne Mwelela and Aldolf Seleman Katuli, Katuma Village – 21st August 2019.

Descendants of those Kikuyu who are still alive are now found in Mpanda town in Mpanda municipality in Katavi region and, at Kipande, Kantawa and Milundikwa villages of Namanyele District in today's Rukwa region.[22] Francis Mwangi is one of the best examples of the Kikuyu people who remained in Mpanda town. Francis Mwangi came with his parents when he was still very young. Francis is said to have established the first restaurant and guest house in Mpanda town. That guest house is now called 'Umoja Guest House'. Francis Mwangi owns another guest house in Mpanda called – 'Kenyatta Lodge'. His son, Yohana Francis Mwangi, is one of the famous contractors who are engaged in the construction of various government projects such as schools and roads in Mpanda.[23]

There are different contending views as regards the movement of Kenyans in Tanganyika in the 1950s and 1960s. Archival document from Lake Zone Archives in Mwanza shows that the Kikuyu people came to Tanganyika as a result of special arrangement in the so called 'Kikuyu Resettlement Scheme in Tanganyika.' The scheme aimed at resettling landless Kikuyu people from Kenya into Tanzania. The scheme had proposed to move about 4000 – 5000 Kikuyu from Kenya to Tanganyika. Those people were transported in 1962 in batches of 600 to 800 people. First, they were transported by a steamer from Kisumu through Lake Victoria to Mwanza port and, thereafter, they were entrained to Mpanda via Tabora.[24] A famous newspaper in Tanganyika also reported that the Kikuyu moved into Tanganyika in 1962 under the special scheme to settle landless Kikuyu in Tanganyika.[25]

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[22] Interviews with Philip Damas Kalulu, Mpanda Town, 23rd August 2019; Jacob Peter Ikolola, Kasokola Village – 17th August 2019; Mnyihunga Jumanne Mwelela and Aldolf Seleman Katuli, Katuma Village – 21st August 2019.

[23] Personal conversation with Yohana Francis Mwangi and Francis Mwangi at different intervals.

[24] Tanzania National Archives – Mwanza (1962), *Registration and Settlement of Kikuyu*, Mwanza, Accession No. 1, File No..R1/2.

[25] *Tanganyika Standard*, 4th October 1962, p. 2.

Micah Busienei also had almost similar view with a slight different explanation. According to Busienei, it is not true that the Kikuyu, Nandi and Kisii were landless in Kenya. The reality is that they were forced to move from their land to give room for European settlers to establish themselves in the fertile Kikuyu highlands in Kenya. Busienei also reported that British colonial officials in Kenya deliberately decided to re-settle them in Tanganyika as a strategy for livestock destocking in Kikuyu and Nandi areas in Kenya. According to Busienei, the Kikuyu and Nandi used to have too many livestock while Europeans were against that.[26]

Another contending view is that the Kikuyu, Nandi and Kisii came to Tanganyika in the 1950s and 1960s as refugees. The Tanganyika Christian Refugee Service (TCRS) report substantiates this view. TCRS report states that the Kikuyu arrived in Mpanda as refugees after they had been released from years of detentions by the British colonial authorities in Kenya. Thus, the Kikuyu were given asylum in Tanganyika pending full independence of their own country.[27] A document obtained from Kenya National Archives can further clarify this. The document shows that in 1955, the British colonial government in Kenya passed an ordinance called "Restriction of Residence and Removal Ordinance." The ordinance targeted members of Kikuyu, Embu and Meru as well as other ethnic groups which were considered instigators and followers of MAUMAU war. In lieu of 'Restriction of Residence and Removal Ordinance', MAUMAU followers were criminals who first had to be detained and thereafter be deported far away from their homes. Majority of those who were convicted under this ordinance moved into Tanganyika and Uganda upon submission of temporary permits.[28] Some of my interviewees in Mpanda also seem to be supporting this view as they explained that

[26] Interview with Micah Busienei, Oldonyo-Orok Location, Trans-Mara District –Kenya, 30th July 2013.

[27] Njunde & Nilssen (1984), op. cit.

[28] KNA, DP/1/65 – *Movement of Kikuyu, Embu and Meru 1959 – 1961*.

the main reason for the coming of Kikuyu in Mpanda was lack of peace in their country because of MAUMAU war.[29]

Other respondents had the view that settlement of Kikuyu, Nandi and Kisii in Tanganyika in the early 1960s was the result of Julius Nyerere's request from Kenya so that those Kenyans would teach Tanganyikans best ways of agricultural production.[30] In my own view, that perception does not hold water but I suspect that it emerged out of the fact that the Kikuyu and Nandi were good cultivators as compared to the Bende people who were hunters. Oral accounts from Mpanda prove that the Kikuyu introduced new crops and system of cultivation which was not familiar to the indigenous people of Mpanda. Crops like yams, Irish potatoes, banana and tobacco are said to have been introduced by the Kikuyu in Mpanda. The Kikuyu also engaged in cultivation of garden crops in rivers valleys. TCRS report shows that United Nation High Commission for Refugees (UNHCR) in collaboration with TCRS and the United Republic of Tanzania put much emphasis on agriculture as the only way to bring refugees to self-supporting on food supply.[31] I presume that effective participation of the Kikuyu in agriculture to the extent of becoming role model to indigenous people in Mpanda was a result of emphasis on agriculture stressed by refugee agencies. It, therefore, follows that teaching Tanganyikans best ways of cultivation was not the reason for the coming of the Kikuyu to Tanganyika. Rather, agriculture was mainly used by the Kikuyu as a strategy to sustain their livelihood in Mpanda.

The foregone narratives prove that the presence of Kenyans in Tanzania is a historical phenomenon and the reasons for their coming are so diverse. Kenyans have continued to flow to Tanzania since the

[29] J. P. Ikolola, Kasokola Village – Mpanda, 17th August 2019; B. J. Mringo and A. Kitanga (2019), Mwese, No.4 (Lugonesi); R. Bilia Kasomfi, Mpembe Village – 22 August 2019.

[30] Raphael Saidi Pesambili and John Kasala, Mpembe Village – 21st August 2019; Mzee Gimonge, Mpanda town – 11th August 2019.

[31] Njunde & Nilssen (1984), op. cit.

colonial time until today. Some have been coming as experts who work as teachers in English medium schools established in Tanzania. Others have been coming to Tanzania to escape post-election violence in Kenya. Yet, others have been living in Tanzania as business entrepreneurs. While some have managed to return to their home country, still we have several of them who are official residents of Tanzania. Nevertheless, the presence of Kenyans in Tanzania has been a result of the ideological stance of Tanzania and the generous decisions made by its leaders. When Tanganyika attained its independence in 1961, Julius Kambarage Nyerere, the first president of Tanzania, stated that Tanzanians' independence would be nothing and useless if some African countries continued to be under colonialism. It was this thinking which made Tanzania to be the main base of freedom fighters from several countries of Africa such as Mozambique, South Africa, Malawi, Rwanda, Kenya and Burundi. As a result, in 1983, President Julius Kambarage Nyerere was honoured with the 1983 Nansen Medal Award for outstanding services to the cause of refugees.[32] In several occasions, Tanzania has been always giving clear options to refugees when circumstances changed in their own countries. The option has been either refugees remain in Tanzania as free citizens or return to their own countries voluntarily. This option was also given to all foreigners including Kenyans who were present in the country when Tanganyika got its independence in 1961. People like James Mungai and other Kenyans declared themselves to be Tanzanians. The same option was also given to Kenyan refugees in Mpanda. We have also seen that President Mwinyi made a generous decision in 1991 which manifested into granting citizenship to 30,000 Kenyans who were formally convicted as illegal immigrants.

[32] Ibidem.

Identities, livelihood strategies and socio-economic development

A clear reflection on data collected by this study shows that the history, identities and livelihood strategies of Kenyan Diaspora changed a bit as they settled in Tanzania. Majority of Kenyans who arrived and settled in Tanganyika in the 1930s and 1940s were contract migrant labourers who worked in various projects established by Europeans from Kenya. This included people like James Mungai and John Kikuni who settled in Mafinga, and a section of Kikuyu who today live at Mbeya old airport areas. Initially, these people identified themselves as Kenyans employed by European companies. It was through this identification that indigenous people understood them that they were Kenyans, specifically, Kikuyu people. Their survival depended on wages they received from their employers. Upon expiry of their contract, as I have already said in the foregone section, those people changed their livelihood strategies. Some people like James Mungai started petty businesses and engaged in agricultural activities. To maintain good relationship and acceptance in the community they married daughters of the indigenous people – the Hehe. Their offspring also married indigenous people. Marriage helped them to acquire more land and broaden network of relatives. However, the Kikuyu maintained part of their customs and traditions, specifically, circumcision of their kids – both male and female. In addition to their language, circumcision of their kids remained the main marker of the Kikuyu identity in Iringa as the Hehe people could not circumcise.

By 1961, when Tanganyika attained its independence, Kenyans who lived at Mafinga in Iringa had already identified themselves as Tanganyikans. By that time, they could also speak indigenous language – Kihehe. It was in that context that they denounced Kenyan citizenship and declared to be Tanzanian citizens when Nyerere gave them such option. Descendants of James Mungai, for example,

continued to survive through active investment in various activities such as business, agriculture, tourism, and education projects. Some became senior employees of the Tanzania government. Joseph James Mungai became an active role-model politician in Mufindi district. Joseph James Mungai, first contested for a parliamentary seat for Mufindi constituency in 1965 but he could not win. He contested again in 1970 and won the election and continued to be Member of Parliament for Mufindi constituency for about forty years until 2010s. During that time, Joseph Mungai was appointed at different intervals as minister for agriculture, immigration and home affairs, and education and culture. Joseph James Mungai is said to be the founder of Mufind Education Trust (MET) and Mufindi Community Bank (MUCOBA) which still exist even today. He also built a private school at Mafinga which is called 'Southern Highland' and is still owned by his family. Using his position as Member of Parliament and Minister for various ministries, Joseph James Mungai influenced the shift of the Mufindi District Headquarter from Mufindi –Kibaoni to Mafinga in 1972. He also influenced the construction of pyrethrum industry in Mufindi. In 1981, his young brother, Charles James Mungai established a tourist company called 'Iringa Safaris and Tours' whose headquarters is in Iringa. Charles's company is still operating even today.[33] By the time this study was conducted, the culture and identity of the kikuyu of Mafinga had almost diffused into those of the indigenous people. Yet, the indigenous people could remember them as hard workers in agriculture, active investors in various projects, and economically powerful people who have significantly contributed to the development of Mufind district socially, economically and politically.

Similar stories with slight differences were also observed in Mpanda, and Mara region. Kenyan Diaspora in Mpanda was first

[33] Ch. J. Mungai, Iringa Town – 30th August 2019; Kastori Sambilinga Muyinga, Mafinga – 29th August 2019.

recognized as refugees when they arrived at Katuma and Mwese in 1962. There were also other refugees in the area from Rwanda and Burundi who arrived early and some who came in 1964. To simplify identification of refugees, Mwese was divided and named by numbers one to ten. Thus, one could say I live in Mwese number one, Mwese number two, etc.. Such naming is still applied today but initially it aimed to specify the origin and batch of refugees received at that time. The survival of refugees depended on the support of refugee agencies, specifically, the UNHCR, TCRS and the support of Tanzanian government. Refugee agencies donated food, supplied clothes and assisted refugees to get shelters. Such support was phased out in 1967 after refugees had reached the point of self-supporting in food production from their own fields.[34]

As time went on Kenyans who arrived at Katuma and Mwese in 1962 dispersed to other areas of Mpanda as I have already indicated in the previous section. In those areas, Kenyans were distinguished from other members of the community in different ways. First, they maintained recognition of their home country. For example, the Kikuyu who settled in Kasokola in 1965 named a road passing in the vicinity of their settlement as 'Kenya Road'. 'Kenya Road' which was very famous in the 1960s and 1970s started from where there is Kasokola primary school today downwards to the Mpanda River. In Mpanda town, Francis Mwangi named his guest house 'Kenyatta Lodge.' In Namanyele district, 'Kipande' village was named so to reflect the way the Kikuyu people used to direct their fellows where they lived, i.e. 'nakaa kipande ile' in Swahili language. The concept of 'Kipande' was very common in Kenya and it was used to refer to a piece of land occupied by someone.[35]

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[34] Njunde & Nilssen (1984), op. cit.

[35] Jacob Peter Ikolola, Kasokola Village – 17th August 2019; and Philip Damas Kalulu, Mpanda Town – 23rd August 2019.

Second, the Kikuyu were distinguished from the indigenous people on the basis of their culture, customs, traditions and economic occupations. Unlike their host who did not circumcise, the Kikuyu practiced circumcision of both male and female, and they also pierced their ears. Kikuyu women carried luggage on their back using special ropes made of animal hides and their kids were carried in special bags made of skins and hanged them in the foreside at their bells. The indigenous people carried luggage on their heads and kids were carried on their mothers' backs. The kikuyu preferred to eat '*mbembe ne mbosho*'. *'Mbembe'* is a Kikuyu name for maize and '*mbosho*' stands for beans. Thus, '*mbembe ne mbosho*' was used to refer to a mixture of maize and beans. Sometimes they could mix maize with '*githir*' (green peas). The Kikuyu also preferred to pay bride price in terms of animals (goats and cattle) while their hosts preferred money and a locally made gun. Economically, the Kikuyu were considered effective and serious cultivators unlike the Bende and Fipa people who were hunters in the 1960s and 1970s. However, the Bende, Fipa and Pimbwe people could also cultivate maize and beans in small quantity just for household food supply. The Kikuyu are said to have been the first people to introduce cultivation of '*mahole*' (Yams) and Irish potatoes.[36]

Identities and livelihood strategies of the Kikuyu changed gradually as senior Kikuyu people who first arrived in Tanganyika returned to Kenya in the 1970s and those who remained died slowly. The remaining descendants of those Kikuyu people were slowly becoming modernized. The indigenous people had also started learning kikuyu lifestyles, specifically, full engagement into agriculture. Slowly it was becoming hard to distinguish the Kikuyu people from the indigenous population. However, some Kikuyu still engage into business and are main suppliers of Irish potatoes, green peas, avocado, and other vegetables from

[36] Jacob Peter Ikolola, Kasokola Village – 17th August 2019; Mnyihunga Jumanne Mwelela, Katuma Village – 21st August 2019; Raymond Bilia Kasomfi, Mpembe Village – 22nd August 2019; Haruni John Mlaguri, Ilembo – Mpanda, 11th August 2019.

Kipande, Kantawa and Milundikwa villages. The dominant sellers of Irish potatoes in Mpanda town market are Kikuyu women. Like their fellows in Iringa, the Kikuyu of Mpanda are also remembered for their contribution in the socio-economic development of the community where they stayed. For example, Haruni Mlaguri, who moved from Katuma and settled at Misengereni in Mpanda, is said to be the first person who introduced the Seventh Day Adventist (SDA) church in Mpanda. Mlaguri built SDA church at Misengereni and later on that church was moved at Kasimba in the 1980s where it still flourishes. SDA church owns the first dispensary to be established in Mpanda under the auspicious of Haruni Mlaguri and his followers. At Katuma, the Kikuyu are also remembered to have contributed significantly to the building of Katuma primary school and Katuma Dispensary. The Kikuyu were also the first to initiate the establishment of Katuma Cooperative Society in the 1960s. Katuma Cooperative Society was led by Samwel Wanjihia (Chairman) and Jenga Wainaina (secretary). During that time Chege Mkutiro was the village chairman at Katuma.[37]

As I have already pointed out, Kenyan Diasporas in Mara region arrived earlier in the 1940s and 1950s as landless people. Kenyan Diaspora in Mara region shared some cultural practices with the indigenous people. For example, the Nandi and Kisii practiced circumcision of both male and female like the Kuria, Zanaki, Ikoma and Ikizu people of Mara. Both were renowned agro-pastoralist communities. Thus, it was a bit hard to distinguish Kenyan Diaspora in Mara from the indigenous people on the basis of cultural practices. The main makers of identities of the Kenyan in Mara were their language and names. However, the Kuria and Zanaki could be distinguished from the Kenyan Diaspora as they incised or sharpened their front upper and lower teeth. Settlement of the Kuria people followed the totemic symbols and identification by the clan. This

[37] Ibidem.

made the newcomers to be assigned residences far away from the indigenous' residences. The main strategy of survival of the Kenyan Diaspora in Mara region was full engagement into agriculture and this remained to be so until today.

Conclusion

This paper has shown that the presence of Kenyan Diaspora in Tanzania is not a post-colonial phenomenon as Kinuthia has shown. Rather, Kenyan Diaspora in Tanzania emerged out of a historical process which began in the 1930s and continued to date. While Kinuthia shows that search for further education and training was the main cause of Kenyan Diaspora in various countries in the 1960s, this study has proved that such factor did not apply to the emergence of Kenyan Diaspora in Tanzania at that time. Evidence gathered by this study shows that the main causes of migration and settlement of Kenyans in Tanzania in the late 1950s and early 1960s were political upheavals – the MAUMAU war and, deliberate decision of the colonial government in Kenya to resettle Kenyans in the so called 'Kikuyu Resettlement Scheme in Tanganyika." The study also rejects William Safran's postulation that Diaspora communities believe that they cannot be fully accepted by their host country, that they maintain a memory about their original homeland and have a feeling of returning to their homeland. As we have seen in the foregone narratives, Kenyan Diaspora in Tanzania was accepted and most of them have no feeling of returning to Kenya.

As regards identity and livelihood strategies, the study has shown that Kenyan Diaspora in Tanzania could be distinguished from the indigenous people in several ways, such as circumcision practices, effective engagement into agriculture, ways Kikuyu women carried luggage and food preference – *mbembe ne mbosho*. But as time went on, Diaspora's culture and identity were slowly diffusing into the

indigenous system of life to the extent that it is now hard to distinguish a Kikuyu from a non-Kikuyu, except names mostly used by Kikuyu such as Mungai, Mwangi, Chege, Kamau and Mlaguri. We have also seen that Kenyan Diaspora in Tanzania have significantly contributed to the socio-economic development of the areas where they settled. Their relations with the indigenous people had been perfectly good although sometimes politicians tended to treat their Kenyan rivals as illegal immigrants. Kenyan Diaspora managed to intermarry with the indigenous people and establish a broader network of relatives and friends. Holistically, the history we have learnt from this study, specifically how Kenyans were accepted and granted citizenship in Tanzania, the network of relations established by Kenyan Diaspora in Tanzania and, the contribution done by such Diaspora community in Tanzania, can help us to strengthen our East African Regional Integration.

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Kenyan diaspora in Tanzania, 1930s – 2019

Abstract

From 1930s to early1960s, some members of Kikuyu, Kisii, Nandi and Kipsigis ethnic groups moved from Kenya and settled in Iringa, Mpanda, Ukerewe and Mara in Tanganyika. Although some of those people returned to Kenya, the majority are still living in Tanganyika which today is called Tanzania mainland. This paper, therefore, uses qualitative historical approach to examine the main reasons which made those Kenyan communities to move from Kenya and settle in Tanganyika where they were finally granted citizenship. Furthermore, the paper analyses the history, identities and livelihood strategies employed by Kenyan communities since they settled in Tanzania in the 1930s up to 2019 when this study was conducted. The paper relies on archival sources, secondary documentary reviews, and interviews conducted in the areas where those communities settled in Tanzania. It argues that the presence of Kenyan Diaspora in Tanzania was a result of a complex process which involved nationalistic political upheavals in their country of origin, deliberate decision of the colonial state in Kenya to re-settle

such communities and, the generous decision made by the government of Tanzania to accept Kenyan communities and grant them citizenship in Tanzania. On the other hand, the paper argues that the history of Kenyan Diaspora in Tanzania provides a lesson for the need for social inclusion and better East African regional integration and unity.

Key words: Kenyans, Resettlement Schemes, Diaspora, Identities, Livelihood strategies, Development, Tanzania.

Chapter 5.

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THE EFFECTS OF THE MAASAI LABOR MIGRATIONS[1]

Introduction

The Maasai are known as pastoralist people (although to some degree they have always been involved in farming), who over the centuries have adapted to the difficult conditions of the changing environment. In pre-colonial times they occupied a large area extending from the central Kenya to the central Tanzania. After the First World War, the British took control over the present continental part of Tanzania, and the Maasai were pushed to the Maasai Reserve. In the 20th century game reserves, national parks and farms were created on their areas, which caused recurring controversies lasting until present day.

Between the Maasai from the Morogoro region and farmers conflicts occur regularly when the pastoralists' cows enter farms and destroy the crops. There are also conflicts with employees of the protected areas (for example Wami Mbiki Wildlife Management Area), when the pastoralists, especially during the dry season, consciously break the law and enter the forbidden area to graze their herds there. In the first and second case, cow owners must pay compensation for

[1] The article was written on the basis of an unpublished master's thesis of the author.

the damage. At times, the chairman of the village or the police are involved, and even this case may end in court. Cows caught on protected areas or in the area of the prison (for example in Bwawani village) are sometimes wounded or killed and eaten by the guards of the place. Marking the animals prevents migration of pastoralists in the search of pastures and water. The surface area of pastures is limited. An additional impediment are the rich Maasai, who keep several thousand cows in common pastures (case from Bwawani). Pastoralists are forced to look for sources of income other than animal husbandry, and for this reason they are migrating to Dar es Salaam and Zanzibar, among others.

Methodology

Field studies were conducted in three time periods: at the turn of July and August 2017 (10 days), in February and March 2018 (21 days) and in July 2018 (15 days) in Zanzibar, in Dar es Salaam and near Morogoro. This time was adjusted to the author's work time. Semi-structured interviews and participant observation were carried out and the data was also collected by listening to the orally transmitted stories. In her work, the author also used the information that she collected during her previous stays in Bwawani (almost five months in total over the last eight years) and thanks to the electronic means of communication (e-mails, Facebook, Skype, WhatsApp – exchange of written messages and also conversations). The author relies on multi-sited research: she talked with both migrants (currently earning in Dar es Salaam and Zanzibar), as well as with people from their hometowns who had never left it for earning. In some cases the author visited *bomas*[2] of migrants with whom she spoke at their

[2] *Bomas*: suah. homestead, often consisting of a few or a dozen or so houses. The word is sometimes used interchangeably with the Maa equivalent *enkang*.

workplaces. To get a broader point of view, she met with the chairman of Bwawani, the guard of Wami Mbiki and the Maasai leader in Tanzania. In Zanzibar, she listened to opinions of two Muslims about the Maasai coming to work on the island.

Migrants, with whom the author met, were mainly young people. The vast majority of her interlocutors were in the range of 25-35 years, only three people were more than 40 years old, and one almost 60 years old. She also managed to talk to several non-migrating representatives of the elders from the Bwawani and the Morogoro area, among whom were *olaigwenani*[3] and the present Maasai leader in Tanzania. The author collected data directly if the interlocutor spoke English, or with the help of an interpreter (then the conversation was translated from Maa language). Some parts of the conversations were conducted in Swahili.

Employment in exile

Maasai migrating from Morogoro region, who the author has talked to, worked most often in Zanzibar and in Dar es Salaam (in each of these places she managed to talk to eight people). Typically, they found employment in the position of security guards or sellers[4], but also as manufacturers of Maasai souvenirs-ornaments (necklaces,

[3] Maasai leader – of a given age-set or a locality; D.L. Hodgson (2005), *The Church of Women: Gendered Encounters between Maasai and Missionaries*, Bloomington: Indiana University Press, p. 9.

[4] P. Raup (2014), *Defending Pastoralism: Livelihood Diversification and Competing Currencies in Northern Tanzanian Maasailand*, University of Puget Sound, IPE Summer Research Fellowship Report, p. 7; A. May (2003), *Maasai Migrations: Implications for HIV/AIDS and Social Change in Tanzania*, Working Paper, Institute of Behavioral Science, Population Aging Center, Boulder: University of Colorado, p. 2; N.B. Salazar (2018), *The Maasai as Paradoxical Icons of Tourism (Im)mobility*, in: A.C. Bunten, N. Graburn (eds), *Indigenous Tourism Movements*, Toronto: University of Toronto Press, p. 63.

bracelets, earrings) or as a doctor, nurse, cleaner or waiter. Some of men working in Zanzibar perform traditional Maasai dances in hotels for tourists (the so-called *show* – a term used by migrants themselves), for which they receive remuneration[5]. Hughes[6] recalls the words of Kenyan Maasai activist Johnson Ole Kaunga, that the vast majority of men are employed as guards, which is positively assessed by the Maasai as it reflects the role of the traditional *olmurrani*[7]: "warlike and fierce". However, he comments that currently most Kenyan warriors value education more. Similar voices are heard in Tanzania. All author's interlocutors were determined to send their children to school or have already done so. One of the migrants (a young bachelor) spoke not only to the author but also to the other Maasai, that the time has come for a better job than *security*. He believed that this is a job that does not require great skills and is therefore low paid. He wishes the Maasai had more ambitious activities, so he has devoted his free time to meet young warriors and encourage them to learn (he encouraged them, among others, to go to Zanzibar, where in Jambiani they can learn English for free at the school run by the organization called "African Impact").

Two jobs, the most popular among the interlocutors of the author's work – *security* and the seller of the souvenirs at the beach (so called *beachboy*) – are fundamentally different. Men working as guards/-security in hotels or other places act in accordance with the social role of the *ilmurran*: they are responsible for the safety of the people or goods entrusted to them, just as in *bomas* they are responsible for

[5] See: N.B. Salazar (2018), op.cit., p. 63; N. Juma et al. (2016), *Building a symbiotic sustainable model: a community based enterprise*, „Journal of the International Academy for Case Studies" 22(3), p. 113.

[6] L. Hughes (2006), *"Beautiful Beasts" and Brave Warriors: the Longevity of a Maasai Stereotype*, in: L. Romanucci-Ross, G.A. De Vos, T. Tsuda (eds), *Ethnic Identity: Problems and Prospects for the Twenty-First Century*, Lanham: AltaMira Press, p. 265.

[7] *Maa*, warrior (pl. *ilmurran*).

the safety of residents and farm animals. Sellers need to perform their role actively – not only to wait for buyers, but also acquire them. They must learn at least a few words in foreign languages (in Zanzibar the most useful is English and Italian) to acquire a potential client. They must also be polite and smile, in contrast to how they are seen by other Tanzanian residents (some say they are afraid of them[8]).

The security work itself varies depending on the time (day/night; shifts last usually twelve hours) and the literacy/illiteracy of the employee. Author's interlocutors emphasized that the night shift is onerous because you work in an unnatural rhythm. You cannot sleep and while being tired you carry out often dangerous tasks (some of them talked about fighting with thieves). For the hotel *security* the literacy is not that important, but when your job is to protect the corporation, employees who are able to write and read are employed on a daily shift. This is due to the need to let in cars and trucks with contractors or materials, and each entry and exit of the vehicle must be registered. Accordingly, there were assertions in the statements of the migrants that life is easier when a person learns: one can write and work on a computer: "There is money from it. And not like *security* – only running with weapon and deterring people". Some have noted that nowadays even *security* must be educated (it concerned reading and writing).

Work in the field of commerce is also diversified. Men working on Zanzibar usually run small shops (stalls) on the Maasai Market. They sell Maasai ornaments but also small sculptures, textiles, handbags and other small items. The Maasai Market is a row of stalls squeezed between two hotels, the place is almost invisible from the beach. In order to sell something, you have to make an effort to get the client. The Maasai walk through beaches of Zanzibar from the

[8] A. May, O. Ikayo & F. Ndipapa (2007), *Wearing* Illkarash*: Narratives of Image, Identity and Change among Maasai Labour Migrants in Tanzania*, „Development and Change" 38(2), p. 289.

morning till the night and accost tourists. They often carry bracelets or pendants and use them to encourage the holidaymakers to visit the shop. It is only when this stage is accomplished the standard transactions can begin. The author was a witness when a Maasai asked for their items an overestimated price, which exceeded even the anticipated overstatement for white people. In one case she knew the seller, and – because his clients were her friends – she reacted in Swahili. The man quickly and – to her surprise – reduced the price by a significant amount. She knew that he never went to school. It occurred to her that maybe the initial price did not come from greed but from lack of numeracy (he gave the price for several items). In this case they made a deal, but in many other situations the lack of numeracy may be the reason for a badly functioning business.

Employment in Zanzibar or Dar es Salaam is the cause of intercultural meetings, not only for the Maasai guards in hotels, souvenir sellers on the beach, but also for those who are working in other professions. Discos – where the Maasai men go, but never women – are also chances for intercultural meetings. These meetings are sometimes the beginning of a shorter or longer (also sexual) relationship between the Maasai men and white women. Neither during the research nor before it has the author met or heard about the relationship between a Maasai woman and a white man, while many Maasai-white women relationships are established. Such a situation may be a reflection of the frequency of contacts with tourists (low in the case of Maasai women, high – men), but this subject was not examined in greater detail. The Maasai "observe" new behaviors from tourists, such as hugging or kissing, and "bring" them home (see so called *social remittances*).

The Maasai women migrating from the Morogoro region to Zanzibar are mainly engaged in making beaded decorations[9], that they do not

[9] See: A. May, O. Ikayo & F. Ndipapa (2007), op. cit.: p. 288; D.L. Hodgson (2011), *Being Maasai, Becoming Indigenous: Postcolonial Politics in a Neoliberal*

sell directly to tourists, but to the Maasai men. The latter deal directly with clients, even if their foreign language competency is similar to the knowledge of languages among the Maasai women. The author has never met a Maasai woman on an island who would run her business by herself[10], as opposed to Dar es Salaam: the women there have stalls where they both make and sell decorations[11]. The difference in the way of working between the Maasai women on the island and in Dar es Salaam may occur due to the specific working conditions on Zanzibar that require a trader to pick up potential customers on the beach. In Dar es Salaam, women's stalls are set directly in the street, they are also concentrated in one place. It means the stalls of several Maasai women stand side by side on one street. The workspaces of women in Zanzibar and Dar es Salaam differ from each other, perhaps each of these places "provides various possibilities"[12]. The relationship of Maasai women and men in Zanzibar seems to reflect the patriarchal relationships prevailing in the home environment: the woman is subordinate, while the man acts freely in the public sphere. In Dar es Salaam, women seem to take over part of the social role of men: they act in the public sphere. The author did not analyze this issue during her research, but it may be worth attention. The

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World, Bloomington: Indiana University Press, p. 73; E. Coast, (2002), *Maasai Socio-Economic Conditions: A Cross-Border Comparison*, "Human Ecology" 30(1), p. 96; L. Börjeson, D.L. Hodgson & P.Z. Yanda (2008), *Northeast Tanzania's Disappearing Rangelands: Historical Perspectives on Recent Land use Change*, „The International Journal of African Historical Studies" 41(3), p. 538.

[10] However, if tourists approach the Maasai woman who is making ornamentations, a direct transaction may occur. The woman then copes like all of us all when we do not know the language – showing the price on her fingers.

[11] As well as natural medicines and snuff – see A.K. Heaney & S.J. Winter (2015), *Climate-driven Migration: An Exploratory Case Study of Maasai Health Perceptions and Help-seeking Behaviors*, „International Journal of Public Health" 61(6), p. 645; A. May & J.T. McCabe (2004), *City Work in a Time of AIDS: Maasai Labor Migration in Tanzania*, „Africa Today" 51(2), p. 11.

[12] J. Urry (2009), *Socjologia mobilności*, transl. J. Stawiński, Warszawa: Wydawnictwo Naukowe PWN, p. 81.

migration situation also affects changes in the behavior of migrants. Women who do not eat at home in the presence of warriors do not always follow this rule in emigration.

An additional source of income for some of interlocutors of the author was the participation in the so-called *shows*. Many hotels (but also restaurants in continental Tanzania[13] – organize shows of Maasai dances for their guests, which constitutes an additional attraction for tourists. The Maasai people know what is required from them: they have to wear traditional clothes (even if some of them wear jeans and T-shirts on a daily basis) and do not show objects that do not match the vision of Maasai in the eyes of tourists[14]. *Show* was an extra chance for them for the intercultural meetings – during such a show one of my interlocutors met his future Belgian partner.

The effects of labor migrations

The author's interlocutors spend the money earned in Dar es Salaam or Zanzibar on basic food products, visits to the clinic/hospital, medicines for animals and the animals themselves[15]. They also buy clothes, shoes and "ultimate symbol of mobility"[16] – telephones – for themselves and for the household members (mainly wives). Some of my interlocutors received a payment through mobile banking

[13] See: A. May, O. Ikayo & F. Ndipapa (2007), op. cit., p. 293.

[14] For example, phones or watches – see: N.B. Salazar (2010), *Towards an anthropology of cultural mobilities*, "Crossings: Journal of Migration and Culture" 1(1), p. 62.

[15] See: A. May (2003), op. cit., p. 19; N.M. Smith (2015), *Gender and Livelihood Diversification: Maasai Women's Market Activities in Northern Tanzania*, „The Journal of Development Studies" 51(3), p. 309; E.M. Bruner & B. Kirshenblatt-Gimblett (1994), *Maasai on the Lawn: Tourist Realism in East Africa*, „Cultural Anthropology" 9(4), p. 444.

[16] N.B. Salazar (2010), op. cit., p. 62.

(M-Pesa) and used it to send money to the family[17]. They were also using telephones in situations where animals were lost – first they were calling neighbors to ask if any of them had seen them, then they would go out to look for them. Telephones also serve young women to flirt with men[18]. Girls are often married at a young age and their marriages are arranged. Phones being bought and recharged by a husband who is working away from home are becoming a chance for women to regain their agency: they can secretly contact or meet with someone who they themselves choose. Sometimes these meetings result in extramarital pregnancy that causes conflicts in the family. Young women who do not have telephones sometimes simply say that they would like to have them to "talk to the warriors".

One of the interviewees said: "When I get married, I will buy her (my wife) a phone. But now I would not want her to have it, so she does not talk to the other boys". Another simply said that "formerly the warriors had a hard time and they stayed long without sex; now it's easy because there are telephones". The use of mobile phones can affect changes in the Maasai social order. These are mainly young and educated people who are able to use "cells" and gain knowledge of "experts" thanks to them, omitting elders who once focused the power and knowledge[19].

For the remaining money migrants buy goats, sheep and cows. One of the interlocutors said that when he buys enough cows, he will later invest in a motorbike because he would like to do a business related to cows, and the motorbike would help him to move between the markets where he would buy and sell animals. Migrants also buy water (more precisely: they pay for someone to bring them water on a bike or a motorbike, for example from a lake). Migrants' money is

[17] See: S. Kusimba, Y. Yang & N. Chawla (2016), *Hearthholds of mobile money in western Kenya*, „Economic Anthropology" 3(2), pp. 266–279.

[18] See: T.D. Baird, J. Hartter (2017), *Livelihood diversification, mobile phones and information diversity in Northern Tanzania*, „Land Use Policy" 67, p. 467.

[19] Ibidem, p. 469.

also spent on corrugated iron to cover the roof, and also on the payment for the person who is building the house, and thus the traditional activity performed by women is now increasingly performed by a paid employee. One of interlocutors of the author wanted to cover the house with corrugated iron (instead of grass or palm leaves), because it allows him to collect and store water from the roof during the rainy season. This in turn means that women do not have to carry water from a distance (the man said that then his wife would still go to the lake to do the laundry, but she would not have to carry water on her head anymore). The degree of durability of these houses can have important consequences for the Maasai community: "an iron-roofed house may be both a cause and an effect of increasing levels of sedentarization"[20].

A few respondents have spent some of the earned money on the salary of a person who has been grazing their cows. In all cases the employed were Swahili (all non-Maasai people are called like that). Hired workers deal with the animals in a situation where cow owners have small children who cannot graze the animals and/or brothers who could deal with cows, but they do not want to do it. In the latter case, the youngsters decided to take action that "freed" them from the obligation of grazing cows: they often "let" the animals enter fields of farmers, for what their brothers (cow owners) had to pay high compensations. This resulted in a situation where the cow owners finally stopped them from working with cows. Interlocutors of the author also mentioned that they want to send their own children to school, so the employment of Swahili is not only temporary. As in the case of building a house, here also we are dealing with the shift of tasks once performed by a specific group of the Maasai community towards employed persons. This event of "freeing" from duties related

[20] S.P. Kaptuya (2013), *The Impact of Urbanization on the Livelihoods of the Maasai Community: a Case Study of Ngong Ward, Kajiado Country*, MA Thesis in Environmental Planning and Management, University of Nairobi, p. 22.

to grazing cows highlights the differences between representatives of the Maasai community: often homogenized group, represented as pastoralists who still want to deal with cattle and who resist change (for example pressure to settle down), turns out to be highly heterogeneous.

Labor migrations result in intensified contacts with other ethnic groups which may be the cause of conflicts, for example with Swahili in Zanzibar. Especially the Maasai working on the beach (so-called *beachboys*) experienced tensions. Three respondents told the author similar stories about their relations with the police: The Maasai-beachboys are sometimes arrested by the police, while Swahili-beachboys never have this problem. In such a situation, the Maasai must give a bribe, but sometimes they are taken to the police station. According to one of the interlocutors, the inhabitants of Zanzibar are reluctant towards the Maasai because they were not born on the island, but when they come to work there, they are successful (they raise money, invest in buildings etc.). He added: "*Mzungu*[21] love us because we are Maasai, we are culture people". He also mentioned that Zanzibarians do not know that their island belongs to Tanzania. Some Maasai migrants paid attention to the cultural space of Muslim Zanzibar, where they did not feel well. They felt that their behavior was "controlled" and that they had to adapt to local rules (for example not eating on the street during Ramadan), one of the interlocutors said that he was asked in Zanzibar: "Why are you drinking beer?" I was also told in Zanzibar about situations when the Swahili used to put on the Maasai clothes and rob tourists. They stole their cameras or mobiles, and the police, to which tourists reported the loss, caught and often arrested the Maasai. I heard from the interlocutor: "The Swahili knew that if they did so, tourists would be afraid of the Maasai".

[21] Mzungu: suah. white person.

The opinion of the Tanzanians about the Maasai is often negative. One of the female inhabitants of Morogoro (not Maasai) said about them that they cannot cultivate land, another man believes that the Maasai men do not give money for a household, that they drink *pombe*[22] and that Maasai women work hard because they have to find money for the household and children. Maasai woman employed at Morogoro hospital said: "other tribes say that the Maasai are fighters and that they are bad people". In turn, one of the men working in Dar es Salaam as security said that the Chinese boss employs only the Maasai people, because he "fears that others are stealing". The author has several times heard the opinion that "the real Maasai live in Arusha" or in Arusha and Kenya. A taxi driver on Zanzibar spontaneously raised the subject probably encouraged by the author's Maasai necklaces. The man started: "I am not a Tanzanian, I am a Zanzibarian". He said that he did not like people coming from the interior, because they understate wages and that he would like Zanzibar to separate from Tanganyika (that is how he called the continental part of Tanzania). He called the Maasai people working on Zanzibar "fake Maasai" because they use perfumes and come to the island because of tourism and business, while "the real Maasai stay in the bush". In addition, the "real" Maasai live in Arusha or Kenya. Another Zanzibarian also spontaneously expressed his opinion about the Maasai. The author along with her Maasai friend were returning from the village and stopped at a small shop to buy water. After a short welcome, the seller asked the author in English (which her friend did not understand): "Do you trust him? Do you know him? He is not people, he is Maasai".

[22] Pombe: suah. alcohol, beer.

Impact of the migrations on social relations

Some migrants staying away from home meet and sleep with white women. One of the author's interviewees began to enumerate to which countries the Maasai men leave: "mainly Spain, Italy and Germany, now Spain and Italy less. Rarely to Switzerland – I know only one case, rarely also to Denmark, Sweden, Norway". He personally knew five Maasai men who emigrated from Tanzania, but added that also friends of those five left. When author asked if the Maasai were also sleeping with the Swahili women, he replied: "Yes, but in secret". The relationship with the European is perhaps easier due to smaller cultural differences than in the case of a relationship with a Muslim woman (including religious community, approach to pre-marital sex), for tourists it is often a "summer love"[23]. Two respondents married European women, which increased their material status (one of the women invested, among others, in the land in Tanzania, the second in a store and cattle[24] – about the meetings of Samburu men with white women) and social one. One of the women has settled down in Bwawani. Currently, many bachelors from this place would like to have a white wife, as the author has heard directly about from *bodaboda*[25] drivers. Some of them told her about the desire to have a *cappuccino* child (term used by them).

The migration affects life of the migrant's family. In the absence of a man, someone else takes control over the cattle. In this situation, other family members or a paid employee take care of them. In the case of a woman's migration, someone else must take care of cooking and looking after the children, milking the cows, or watching sheep

[23] A. Wieczorkiewicz (2008), *Apetyt turysty. O doświadczaniu świata w podróży*, Kraków: Universitas, pp. 233–235.

[24] See: S.L. Kasfir (2002), *Slam-Dunking and the Last Noble Savage*, „Visual Anthropology" 15(3–4), p. 382.

[25] Bodaboda: suah. motorcycle-taxi.

and goats. Sometimes there are shifts in social roles when, for example, boys (migrant's sons) prepare meals for themselves. In a situation where a female migrant lives with other women (for example wives of husband's brothers), they take over her duties. Often, however, the duties of cooking and taking care of children are taken over by the migrant's mother[26], to whom children are sent, because the daughter since the wedding lives in her husband's home. An additional burden for older women in the situation of the migration of her daughter is sending children (and, more and more often, also girls) to school. Girls who once helped with housework now have much less time for domestic duties so the migration of women and the education of children put the burden on the mothers of female migrants[27].

Education and globalization threads

Most of the author's interlocutors did not go to school (the ratio of those who attended school to those who did not attend was exactly 1:2), and parents of some of them were strongly against education[28]. However, all migrants with whom the author has talked have already sent children to school, or are going to do it (in the case of children who are still too young or the respondent does not have them yet). It was the only issue that all of interlocutors agreed on. In their

[26] See: C.P. Mahonge & D. Lutatenekwa (2015), *Amidst Complex Transformations, what about Gender Roles: A Case of Pastoralists in Rangeland Areas in Tanzania*, „The African Resources Development Journal" 2(1), p. 7.

[27] Main informer of the author told her that the children of a migrant woman can sometimes be taken care of by her husband's second wife. When children are older, they can also cook and milk the cows themselves. When she asked if the migrant's children could be taken care of by their father, he denied.

[28] See: T.O. Saitoti (1986), *The Worlds of a Maasai Warrior: An Autobiography*, Berkeley: University of California Press, p. 53.

opinion, the school is important and gives an opportunity to acquire a profession important for their community (for example a lawyer) as well as for the family (earning money). One of the men believed that nowadays it is necessary to "combine cows with some business, with other work", for example, having a farm. Some of author's interlocutors set up bank accounts, considered buying the land and self-cultivation. They also mentioned rich Maasai who, for sold cows, invested in guest houses and restaurants, seeing in similar activities an opportunity for future earnings also for themselves. Cows are no longer seen as the most important means of supporting the family[29]. Social roles are also changing: traditionally adolescent boys dealt with cattle, and older men, among others, with making political decisions[30], currently the latter declare that they will take over the role of boys (so that they can go to school) or employ workers in their place.

The issues raised above reveal many aspects related to globalization. Some of the authors' interlocutors in Zanzibar have been using for a while the opportunity to learn English for free thanks to the international organization. All of them had mobile phones, many of them used M-Pesa (mobile money transfer), Facebook or WhatsApp to maintain communication both inside and outside of the country, so mobile phones enable them to "use other places and cultures"[31]. Most of the authors' interlocutors have worked in the tourism industry, serving or at least meeting holidaymakers from different parts of the

[29] See: J.T. McCabe, P.W. Leslie & L. DeLuca (2010), *Adopting Cultivation to Remain Pastoralists: The Diversification of Maasai Livelihoods in Northern Tanzania*, „Human Ecology: An Interdisciplinary Journal" 38(3), p. 332.

[30] See: M.F. Luxwolda et al. (2012), *Traditionally Living Populations in East Africa Have a Mean Serum 25-hydroxyvitamin D Concentration of 115 nmol/l*, „British Journal of Nutrition" 108(9), p. 1558.

[31] J. Urry (2009), op. cit.: p. 98.

world[32]. Some of them, at least sometimes, have worn western clothes, many have used western pharmaceuticals. Some migrants have been working for foreign employers. All were Christians, to a greater or lesser degree practising, at least one of them made a choice of religion, taking into account the vitality of the community (engagement of members, meetings about the interpretation of the Bible).

This man, during his work in Dar es Salaam, went to the Pentecostal congregation, he became more and more religiously involved, and in the end his convictions stood in opposition to his father's beliefs. When his older brother died, his father wanted to organize a 'funeral' in a 'traditional' way (a word used by the migrant). The man did not agree to this and eventually – although 'funeral' went according to the father's order – he did not leave the house and did not celebrate with his family and neighbors. By his behavior he emphasized the abandoning the "tradition" and opposition to father's knowledge and power (and thus to the knowledge and power of the elders).

Migratory ecological threads seem to be also interesting. Migrants bring many items-gifts to their villages that are unsuitable for recycling, and they can also afford themselves to many other non-recyclable items thanks to money earned in emigration. What is the impact of these items or different types of disposable packaging (from flashlights, cookies, carbonated drinks, etc.) on the environment of the Maasai *bomas*? What is the impact of the way of dealing with rubbish (most often burning) on the health of the Maasai? These issues were not investigated by the author, but they seem to be worth further investigation.

[32] See: J. Urry, (2007), *Spojrzenie turysty*, transl. A. Szulżycka, Warszawa: Wydawnictwo Naukowe PWN.

Summary

Labor migrations affect the education of migrants themselves (some of them, for example, start learning English in Zanzibar) and their perception of the value of education (both *security* and souvenir sellers positively evaluate education and want to send their children to school). Education of children and the migration of people in working age, however, burden the elderly women (mothers of migrants) who are staying at home. Money earned on emigration is spent on everyday life (food, school, medicines, etc.), clothes and shoes (sometimes new types, unknown in the migrant's home town), longer-lasting materials for building huts, indirectly also, when they are spent on telephones for wives, increase the agency of women.

Migrations intensify meetings with other ethnic groups, which result in the exchange of ideas (when migrants, for example, join religious communities), but also conflicts. Work in Dar es Salaam or in Zanzibar encourages meetings with tourists, and these often turn into relationships, and even long-term relationships resulting in the migration of the Maasai to the West. The newly gained skills and knowledge acquired during the migration may lead to conflicts with the elders and, consequently, to a shift of knowledge-power relations. Migrations often lead to changes in social roles and include migrants in the global flow of ideas, objects or money.

Widespread rural-rural migrations (in search of pastures and water) begin to give way to rural-urban migrations (in search of paid employment). Former permanent movement, together with the whole family, turns into temporary individual migrations. The Maasai as a community begin to lead a settled way of life, and only individuals who earn money migrate (thus, the form of migration changes itself).

Migrations affect changes in the perception of life opportunities. Maasai see the chance of opening a business, some of them go to the West, others observe changes in the lives of colleagues who went to

Europe (for example through photos on social networks). They adapt to the changing political and economic conditions, the structure of their income changes: pastoralists are slowly becoming employees because they see that cattle husbandry is no longer enough to support the family. Thus, economic migrations include the Maasai into the "wage-labor pool"[33]. Migrations open up new opportunities for the Maasai, but also confront them with previously unknown threats (such as the possibility of losing their lives while sailing by a ferry – in 2012 such a disaster took place[34]).

The most interesting thread related to the subject of migration according to the author is that the Maasai pay to non-Maasai for taking care of the Maasai cattle. It appears as a new phenomenon – the author failed to find any literature on the subject[35]. Maasai still see themselves as pastoralists, even if they mainly work in the city, and their cows are looked after by non-Maasai. This issue seems to be worth exploring in depth.

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[33] I. Wallerstein (2007), *Analiza systemów-światów. Wprowadzenie*, transll. K. Gawlicz & M. Starnawski, Warszawa: Wydawnictwo Akademickie Dialog, p. 51.

[34] *Zanzibar ferry disaster: Hopes fade for missing*, "BBC News", https://www.bbc.com/news/world-africa-18899397 [accessed 25 April 2019]

[35] May and Ole Ikayo wrote about Maasai who were employing groups such as WaArusha, WaChagga, WaPare, WaIraqw for farming the land – May, Ole Ikayo (2007), op. cit., 286.

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The Effects of the Maasai Labor Migrations

Abstract

Maasai migrations in search of water and pastures for cattle, the so-called rural-rural migrations, are limited due to the use of land for farming and the presence of protected areas (national parks, game reserves, etc.). Rural-urban or rural-touristic areas migrations are intensifying. Money earned in emigration, as well as knowledge acquired thanks to migration brings changes in the Maasai social life. Cows are no longer seen as the most important means of support of the family; it is money sent home by migrants. According to the author's own research, they are being spent not only for everyday life and for sending children to school, but they also increase the female housekeepers' agency and enable Maasai to pay the Swahili workers for taking care of the Maasai cows. The latter takes place more and more often, while it used to be Maasai boys' occupation. Maasai migrant women, such as salespersons in Dar es Salaam, often operate in public space, which has previously been reserved for men. The knowledge acquired during emigration sometimes goes against the knowledge of the Maasai community, which causes the decline of the elders' respect. In emigration, migrants enter into closer and more frequent relations with other ethnic groups in Tanzania, which sometimes results in conflicts. The migration is also an opportunity for intercultural meetings, which sometimes result in changes in the organization of the Maasai social life. Migrants often establish

relationships with white women and that sometimes result in marriages and emigration to the West. The aim of the article is to bring up the effects of labor migration of the Maasai people, the author relies on her own field research.

Key words: Maasai, pastoralists, migration, labor migration, conflict, female agency, social changes, Zanzibar, Dar es Salaam.

Chapter 6.

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TANZANIAN HEALERS IN RURAL AND URBAN AREAS. IMPLICATIONS FOR MIGRATION

Setting the stage

It's June 2015. The Kariakoo market in Dar es Salaam is noisy and crowded. Buyers move swiftly between shops, picking and choosing what they need. Some sellers, especially in the electronics alley, broadcast a pre-recorded message advertising their products.

This was the first time I had visited Kariakoo. I remember that I was overwhelmed with the feast of sound and color coming at me from every direction. I could not take my eyes off vibrant dresses hung outside the second storey shops, towering over the market. But what drew my attention the most was the booming voice that rose above all this tumble. I followed it to the source. I saw the backs of people surrounding him before I saw the salesman himself, but there he was: a tall, charismatic man, with a microphone in hand and two large speakers behind him.

"What is he doing?" I asked the nearest member of the audience. A man, I remember, maybe forty years old, skinny. He paused for a moment. "He's selling the divine," he told me eventually.

That was how I first came in contact with Tanzanian witch doctors and their healing magic. This meeting, as happens often in field research, was far from ideal; it left me with many questions – not a bad thing in anthropological research – but with little ability to answer them. I must confess, I did not speak Kiswahili well yet. Salesmen of the divine, it turned out, rarely spoke English. As this was not the main focus of my research at the time[1] I was content to just observe the sellers rather than insist on trying to interview them; a choice I often regretted later on. When I returned to Dar es Salaam in 2018, with better language skills, an already written research plan, and time fully dedicated to the topic, the men that were so easily visible before suddenly disappeared. There was no one promoting *the divine* on the market. Most of my previously gathered contacts did not want to talk to me. Sometime between my first and second stay in Tanzania, what was once an entirely visible, *advertised* layer of the life of the city, became insider knowledge.



A hand-written billboard advertising a healer's practice, located on the road to a big hospital[2]. The picture was taken in 2015; the ad was not there during my later stays. When I called him in 2019, he appeared suspicious and was unwilling to talk to me. Like many other healers, he had gone to the ground.

[1] During my first research stay in Tanzania (June–September 2015) I was conducting a pre-planned research regarding Tingatinga art painters, and only became interested in studying Tanzanian healing and magic after having encountered it in the country.

[2] As this healer was clearly unhappy with me remembering his advert, I decided to interfere with the picture and conceal both his identity and his contact number. I hope the Reader will forgive me inconvenience.

This, as well as other sharp changes I experienced in the field, made my research much more complex, and will necessarily have to be included in this paper. Despite the stated topic, I will be portraying healing practices in Tanzania not only between different areas and environments, but also through time.

I left Tanzania in 2015 shortly after the election of its current president, John Pombe Magufuli; I was still in the country to witness his supporters parading and celebrating through the streets of Dar es Salaam after election results. I believe his presence in office is one of the major factors behind the change in healers' behavior and situation. While the law recognising traditional healing and regulating its practice has not changed[3] and regulatory efforts have been pursued by different governments for decades[4], they were largely unsuccessful in 2015. President Magufuli, however, quickly became a controversial figure known for his hands-on executive approach and uncompromising policies[5] and seems to have managed to 'reign in' healers, at least on the surface. As such, by the time I arrived in 2018 healers were taking seriously the obligation to register in order to operate legally (which was present in law since the very moment of legal recognition of healing practices in Tanzania in 2002[6]), perhaps to a point of being scared to reveal their practice to strangers. It should perhaps be noted that this obligation is not only multi-level and requiring payment at each level of registration, but also quite paradoxical. A healer can be registered on the basis of recognition in his or her local community;

[3] Act (2002), *Traditional and Alternative Medicine Act no. 23*, Ministry of Health and Social Welfare of the United Republic of Tanzania, Dar es Salaam.

[4] K. Mtambalike (2014), *Regulating traditions*. "Development and Cooperation", http://dandc.eu/en/article/kilasa-mtambalike-traditional-healers-are-popular-tanzania-supposed-register-practicing [accessed: 10 May 2020].

[5] O. Mwalupinde (2017), *Magufuli's dilemma: corruption and the pursuit of democracy*, "St. Andrews Africa Summit Review" 1; R. Pelizzo (2017), *Magufuli and the press*, "African Politics and Policy" Jan. 14, https://www.africanpoliticsandpolicy.com/?p=4814, [accessed: 10 May 2020].

[6] Act (2002), op.cit.

however, recognition can only be earned through a successful practice of healing people… and it is only legal to practice healing if one is registered. Newcomers to this field – young men and women trying to start a practice in the Magufuli era – do not seem to have a legal path open in front of them.

Research overview

This paper is written on the basis of anthropological research conducted between the years 2015 and 2019 via the ethnographic method. I will try to synthetize my observations from three separate field research stays:

a. June-September 2015,

b. July 2018, and

c. June-September 2019.

The study was originally planned to only involve comparative research between the city of Dar es Salaam and rural areas of southern Tanzania (Ruvuma region) but was later enlarged to include a three-month stay in Iringa. As such, field research was conducted respectively: for two months in Dar es Salaam and one month in the Ruvuma Region, where I visited and stayed in four villages (a.) in Dar es Salaam (b.) and in Iringa, where I visited rural health facilities in addition to the city studies (c.).

I started off my research by observing selling shows on the markets and documenting the visible side of healing practices in the city. I also did several interviews with men and women involved in magical healing, but as mentioned already, not nearly many enough for my satisfaction. The sudden change in attitude that I observed in 2018 will be described and analysed further in the article. This observation, as well as a handful of interviews trying to decipher it that I managed to conduct with my hosts, a number of local people, and a few registered

healers were the main gain of that stage in research. While in my observations and interviews during 2015 I was largely focussed on differences between rural and urban areas, my research in 2018, still pursuing this topic, was dominated by politics. Finally, my stay in Iringa was largely focussed on gaining a better understanding of healthcare system in Tanzania, and the intersection between the local healers and the local hospitals and working there doctors and nurses. I conducted interviews with doctors and healthcare workers, visited pharmacies, and finally the hospitals and dispensaries around the city – a district doctor associated with USAid agreed to take me along on his regional tour distributing tuberculosis medicine to rural health facilities. As such I managed to forge an extensive network of contacts, and a much closer view at the Tanzanian healthcare system, which I hope to use in further research.

A word on terms and definitions

Writing about healthcare systems brings about trouble with labels and definitions. Throughout this paper I will mostly be using the terms 'healer' and 'healing practices' – which are the main topic of my study – in opposition to 'biomedicine'. I would like to give a short explanation of these terms, as well as explain why I prefer not to use the commonly used descriptor 'traditional medicine'.

Firstly, biomedicine is the system of healing performed in hospitals, which outside of medical anthropology would simply be referred to as 'medicine', or sometimes 'Western' or 'modern' medicine. I argue that biomedicine is neither Western – in fact, the very concept of 'the West' is highly disputable[7], and one would do well to remember that

[7] S. Hall (1992), *The West and the Rest: Discourse and Power*, in: T. Gupta et al. (eds), *Race and Racialisation: Essential Readings*, Toronto–Vancouver: Canadian Scholars, pp. 85–95.

biomedicine is being used and developed in virtually every country on the planet – nor any more modern than any other form of healing practiced in the same times. The latter illusion is further reinforced by the misnomer 'traditional medicine', to which I would like to also object.

Traditional medicine is popularly defined by citing World Health Organisation, which categorises it as "the sum total of knowledge, skill, and practices based on the theories, beliefs, and experiences indigenous to different cultures, whether explicable or not, used in the maintenance of health as well as in the prevention, diagnosis, improvement or treatment of physical and mental illness"[8]. It is also often grouped together with "alternative and complementary medicine" defined as "a set of healthcare practices (indigenous or imported) that are delivered outside of the mainstream healthcare system"[9]. I do not wish to dispute these definitions; they are well-rounded, relatively unambiguous, and due to their backing by a large international body, very convenient for a researcher to use. However, the use of the word 'traditional' implies that this healthcare system is older or more archaic than others, perhaps even a relic of earlier times. Yet it is practiced in the same times as 'modern' biomedicine. It often positions itself in relation to biomedicine and other aspects of 'modern' life. It is shaped by its environment as much as it shapes it, and to put a final nail in the coffin of romanticised and patronising ideas of 'ancient tribal wisdom', it has been established that indigenous cultures change and develop just as quickly, if not quicker, than

[8] WHO (2001), *General Guidelines for Methodologies on Research and Evaluation of Traditional Medicine*, Geneva: World Health Organization.

[9] WHO (2014) *WHO traditional medicine strategy 2014–2023*, Geneva: World Health Organization, as cited by: P.B. James et al. (2018), T*raditional, complementary and alternative medicine use in Sub-Saharan Africa: a systematic review*, "BMJ Global Health" 3(5).

European[10]. It's only a lack of written historical record that can sometimes create this sort of illusion. To prevent furthering these bad ideas, I will be using 'healing' or 'healing practices' in place of 'traditional medicine', and will be calling a practitioner of this system of healthcare a healer.

Healing practices in the urban environment of Dar es Salaam

From a stereotypical European point of view, healing practices associated with religious faith, some sort of magical power, or a generally stated "tradition" – in other words, any healing practices that are not sanctioned by biomedical system of doctors and hospitals – are mostly present in rural areas. This is of course false; it is simply an assumption born out of cultural difference. On the contrary – the city, with its large population and relatively big amount of loose capital is for a prospering healer a land of opportunity[11]. Here, their practices are highly marketable and can bring large profits, while in more rural areas – as I found out from interviews – healing is often viewed as an obligation towards the community and remains sparsely, if at all, paid.

Let me go back to the first scene of this article: the performative selling of the divine. I observed this act at various city markets of Dar es Salaam nine times during my first stay in Tanzania (2015). They were remarkably similar: a one-man show enhanced by a microphone

[10] J. Goody (2010), *Myth, Ritual and the Oral*, Cambridge: Cambridge University Press.

[11] James et al. (2018), op. cit.; S. Ibeneme et al. (2017), *Roads to Health in Developing Countries: Understanding the Intersection of Culture and Healing*, "Current Therapeutic Research" 86, pp. 13–18; E. Kayombo (2017), *Traditional and alternative medicine in Tanzania: Lesson from the exhibition*, "SAS Journal of Medicine" 3(1), pp. 23–31



Medicines purchased in 2019, labelled through the standardised system dictated by law.
On the label, patient can find the name and registry number of the healer that created and is selling it, the registry number of the medicine itself (which, as I was told, is now mandatorily produced by the national laboratory, according to a healer's recipe, rather than by the healer themselves), and a list of maladies it can cure or alleviate.
All information is given in Kiswahili.

and speakers, lasting about 30 minutes, quickly gathering a tight circle of interested clients. What they were selling was "the medicine" – a yellow powdery substance said to cure a large number of diseases, ranging from a stomachache to cancer. The origin of this substance remains unsaid, and when I asked a healer about it, the interview abruptly ended. Even in 2019, when policy changes compelled healers to label their products through a standardised system, the ingredients remain off the label; for all intents and purposes, they are a trade secret.

In the year 2015, the medicine was sold in unmarked plastic vials, which I could see mounted in a heap on a healer's yard shortly after production. The cost of one such medicine is 5,000 Tsh; the price did not change between 2015 and 2019.

Dr. Kalulu, who registered this medicine, seems to have had cornered a large portion of the Dar es Salaam healing market in 2015. His was the leaflet advertising a healing practice that I was given on a bus. His were many – although not all – of the sales events I have

observed on the local markets. He used to have a stationary practice – a doctor's office – not far from a market, but by the time of my first stay in Tanzania had already closed it due to sanitary problems. In 2015 he had been employing seven "salesmen of the divine" and had two apprentices training under him.

At the time, it seems, healers were experiencing a period of particular marketability in the city. In 2014 in Dar es Salaam took place Platform of Traditional and Alternative Medicine in Tanzania[12], an exhibition of non-biomedical healing practitioners, who put their products on sale. As Dr Kayombo writes, "most exhibitors were herbalists as well as entrepreneurs" and could afford the participation charge of 100,000 Tsh[13]. Kalulu's practice would be right at home at this exhibition.

From mission to business

Differences in approach to healing between rural and urban areas are stark. Even though the practitioners I met often came from very different schools and traditions, after some time I noticed a theme running between them, which seemed to align along the geographical lines: rural on the one side, urban on the other. This theme – as the title suggests – is the duty to business spectrum. But let us not get ahead of ourselves; it is a philosophy of this paper to show my material and experience, rather than simply my conclusions, and allow the reader an opportunity to form their own judgement.

Ruvuma region is located in the southern Tanzania, near the border with Mozambique. During my month-long stay in the area I visited four villages, two of which – Ngapa and Nakapanya – took up most of my time and attention. In Nakapanya I met my Swahili

[12] E. Kayombo (2017), op. cit.

[13] Ibidem, p. 28.

translator. It was a large village of about 1,000 inhabitants, dominated by the Catholic faith and housing a Catholic mission of Salvatorian monks. My translator was a former novice in the mission, who left the order and was studying to become a medical doctor. He was 25 at the time, and translated my interviews in Ngapa. Alas, let me introduce Aisha, a rural healer from Ruvuma region:

a. Possession healers: Aisha's story

When I started asking about healers in Ngapa, I was told that there were "four that were famous" in the village of about 200 houses. However, talking to them proved difficult; they were either busy with patients or away. Finally, I managed to talk not with Aisha herself – who was tending to a patient outside of the village, on a nearby farm – but with her husband, Thomas[14].

Aisha, he told me, had suffered from an unknown illness for most of her life. She spent many years visiting doctors and healers of various creed, trying to find a cure. Eventually she went to a sheikh, who not only told her that she was being possessed by spirits, but that if she successfully exorcized them from her body, she would die as a result. These spirits were the cause of her illness, and the only path to better health was to accept their presence and obey their will. What the spirits demanded of Aisha, it turned out, was to become a healer.

There is constant tension between Aisha and the spirts. When she finally obeyed them, symptoms of illness receded; however, headaches and pains come back when she goes against their will. Sprits often try to decide minutia of Aisha's everyday life, down to what she should eat or wear that day. They do not allow her too much joy in life, and Aisha does not always want to listen. On the other hand, Thomas told me, she used to be illiterate, and now can heal people by prescribing specific verses of the Quran (to, for example, recite

[14] Both Aisha's and Thomas' names are changed to protect their anonymity.

and pray over, carry on one's person in a small box, or write on a paper, dissolve it in water and drink as a cure). Spirits demand a lot of Aisha, but they give back as well.

Aisha's story is quite emblematic to possession cults[15]. It's not her that heals, but the spirits that work through her. They are the ones that lend her the knowledge of the nature of patient's illness and the appropriate cure, to which they give instructions of preparation through her lips. However, although Thomas assured me that spirits know all languages of the world, through his wife they only elect to speak in Kindonde, Aisha's tribal language. Not everyone in the village speaks this language, therefore Thomas often needs to be present by Aisha's side as a translator when the spirits manifest. He is also most often the one to fulfil spirits' instructions as to how to obtain or prepare the remedies.

The spirits demand Aisha to lead a very humble and moral life, going even so far as to refusing her to dress in too colourful clothes. Thomas is certain they guarantee the safety and stability of his marriage; not only do they make it impossible for Aisha to go against her vows, but would make example out of him as well, should he go against his. They also make it impossible for him to lie to his wife, as spirits know all. Healing is Aisha's moral duty, which she performs without pay. Sometimes, Thomas told me, a patient would gift her something in gratitude, but spirits do not always allow her to keep it.

b. Dr. Kalulu's story (comparison with his description of work in the countryside)

Dr Kalulu, as mentioned before, is one of the big businessmen among healers in Dar es Salaam. I am unsure how many other city practitioners managed to reach his level of prominence. To this day he is the only person I know in Tanzania who owns two cars – in

[15] E. Bourguignon (2004), *Suffering and Healing, Subordination and Power: Women and Possession Trance*, "Ethos" 32(4), pp. 557–574.

2015, one of those cars was considered old and only used as an advertising space for Kalulu's healing services. Healing in Dar es Salaam is indeed very lucrative, or at least can be.

Unlike Aisha, Kalulu is in full possession of the knowledge he employs when healing patients. It took Kalulu all of his childhood to learn his craft, he told me, which he spent assisting his grandfather in the practice. He was chosen for this role through a set of rituals and prophetic dreams, which he will soon employ to choose his own successor among his grandchildren, be it a boy or a girl. While the practice seems to be mostly based in herbal knowledge, which can be taught to anyone – in fact, Kalulu offered to teach *me* for a very hefty price of 100$ per hour – there is still a mysterious element of choosing who *should* be taught, or who would turn out to be a good healer later on, at least when choosing for the next generation. As such, there seems to be a conflict between two competing systems of transmission: one that is decided by unknown spiritual powers, and one that is decided simply by market forces. While it is tempting to frame this as tension between old and new, and to consider the former a slowly receding tradition, that would likely be a mistake. Kalulu never suggested that his healing knowledge used to be somehow restricted only to chosen successors, and his grandfather, or *his* grandfather before him, would never take an additional apprentice had a need arose. It is more likely to be a subtle difference between rural and urban environment, as the city gives the possibility to expand the practice – creating a need for an additional pair of hands – and sometimes provides an economic incentive to offer to teach others – this time in the form of a hopefully wealthy mzungu curious about healers.

It should be noted that Kalulu could not migrate to the city right away. As a young man, he spent years healing people in his local village, which, incidentally, was also located in Ruvuma, in "Songea region" as he told me. Only after a cousin of his started his own healing practice in the village, replacing Kalulu and reliving him

from the duty of providing healthcare to the community, was he able to leave the region for Dar es Salaam. On a technical note, Kalulu does not speak English, and his interview was helped through a translation from Swahili by his wife, who is a television presenter.

c. Michael's story (a boy selling chips)

Michael is one of the salesmen hired by Dr Kalulu. His main duty is to perform the sales show I witnessed in my first encounter with Tanzanian healing practices. On a good day, his profession can be quite lucrative; for every 5,000 Tsh medicine that he manages to sell, Michael gets to keep 1,000 Tsh for himself. This sales income is his main source of payment for the work he does in Kalulu's enterprise. This is not his only job, however. At the same time, he works as a street vendor, selling *chipsi mayai* directly in front of Kalulu's old office.

In fact, this is how he met Dr Kalulu – simply by working near his practice. He hopes one day to be allowed apprenticeship and get to see Kalulu at work – something he is barred from right now – learn his craft and become a healer himself. It takes ten years to learn everything a healer should know, he told me, but you can start a practice after only the first year of that process. Michael has no roots in healing, be it a spiritual journey or a family tradition. He was not chosen through any ritualised means and is not bound by social or spiritual obligations as a (potential) healer. He pursues the career because he hopes it will earn him a good living, as any other well-chosen career would. He is, I believe, a healer created by the city and market forces that rule it.

On the margins: biomedicine, healing practices and institutions

While situations and approaches of individual practitioners are crucial to this topic, there are several additional factors when considering healing practices in rural and urban areas. A very important one, which I hope to research further, are the relations that various institutions forge not only to individual healers, but the concept of healing or traditional medicine, and the body of knowledge it presents. An obvious choice for analysis is World Health Organisation – which will be touched on in the next section of this article – but instead, I would like to stop and take a look at more localised cases.

Muhibili University of Health and Allied Sciences (MUHAS), a large public medical university located in Dar es Salaam, has an Institute of Traditional Medicine and training programs in Traditional Medicine Development ranging from short courses to a PhD (MUHAS 2013). When I talked with a student there, however, he laughed at the idea of believing in "the divine" or becoming a healer. He told me that the program is focussed on researching plants and herbal remedies for efficacy and active ingredients, establishing proper doses, etc. Looking at the outlines of the programs[16] they are indeed largely focussed on providing biomedical knowledge and herbal drug development. Only one class – "Traditional and Alternative Healthcare Systems" seems to be interested in healing practices "on their own terms". MUHAS, on the one hand, validates local healers and their practices through their academic approach, but on the other, presents a danger of incorporating their achievements into the language and institutions of biomedicine, encroaching on their "territory" and taking it away

[16] MUHAS (2013), *Training Programs, Institute of Traditional Medicine*, Muhibili University of Health and Allied Sciences, https://itm.muhas.ac.tz/index.php/training-programmes, [accessed 7 May 2020].

from them. This danger is made all the more imminent by the interests of international pharmaceutical companies on the lookout for new products[17]. That, however, is a topic for another paper.

The most important link between the systems, however, both institutional and personal, seem to be community health workers. This is a profession and an aspect of Tanzanian healthcare that I learnt of only recently, during my work with the district doctor in Iringa in 2019. From what he told me, these are employees officially recognised by the biomedical system, whose job it is to maintain relationships within their community, know everyone's health and direct them either to a hospital or to a healer in case of a problem. These men and women, who seem to constitute a "missing link" between the healthcare systems, are the ones I hope to learn more about during my next visit to Tanzania.

CoVid-19: further changes in the field

This article is a written version of a conference talk I gave in 2019 at the Mkwawa College of Education in Iringa, and based on research collected between years 2015 and 2019. However, I am writing these sentences in the midst of the first global pandemic of my lifetime – the COVID-19 pandemic – and would like to shortly address that.

As of 20th of May 2020, Tanzania has 509 corona cases[18]. Schools have been closed and students living in school dormitories sent home. Adults continue to go to work. President Magufuli made international

[17] *The malaria business: Big pharma vs natural medicine*, directed by B. Crutzen, France24, 2019; T.K. Mutabingwa (2005), *Artemisin-based Combination Therapies (ACTs): Best Hope for Malaria Treatment but Inaccessible to the Needy!*, "Acta Tropica" 95(3), pp. 305–315; A. Nyika (2009), *The Ethics of Improving African Traditional Medical Practice: Scientific or African Traditional Research?*, "Acta Tropica" 112, pp. S32–S36.

[18] COVID Tracking Project 2020.

headlines and attracted press criticism for his response[19]. It is unclear yet how the pandemic is affecting the business and mission of healing throughout the country. While I am not in Tanzania and cannot provide my own experience, there are reports of Tanzanian patients turning to healers in the crisis. Healers in many African countries also took it upon themselves to find a cure for coronavirus. According to the Tanzanian Health Office, they receive several phone calls every day from healers claiming to have found appropriate medicine. While those claims are met with scepticism in Tanzania, they found a willing ear in Madagaskar, which indeed announced a cure based on a healer's recipe. It is important to note that the World Health Organisation decided to be cautiously optimistic of the remedy, and is now conducting clinical tests on it. We may yet see a new era of close cooperation between biomedicine and healing open in face of the crisis.

A note to my Tanzanian reader

It is impossible for me to predict how You will experience reading this paper. I imagine many times You found yourself rolling Your eyes in annoyance, or giggling with derision, as the silly Mzungu felt the need to spell out and marvel over the most obvious aspects of your everyday experience. Perhaps You will find nothing in this paper that You did not already know. If that is the case, I present you with a paper not on healing practices, but on the anthropological experience: this is what Your world looks like through my eyes. You can try to look at it the way I did, or you can try to use it to look back – at me. If You

[19] P. Beaumont (2020), *Tanzania's president shrugs off Covid-19 risk after sending fruit for 'tests'*, "The Guardian" May 19; M. Kiruga (2020), *Coronavirus: Tanzania's handling of pandemic rises eyebrows*, "The Africa Report" May 12; I. Mugabi (2020), *Opinion: Magufuli's COVID-19 apathy is a recipe for disaster*, "Deutsche Welle" May 4.

do, be sure to get in contact and let me know what You saw. Thank You for allowing me to take Your time and study Your society.

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Tanzanian healers in rural and urban areas. Implications for migration

Abstract

As urbanisation of African countries progresses, more and more of activities traditionally considered rural in Western thought take hold in cities. Among them are natively developed care and healing systems, commonly known as "traditional medicine". As practitioners migrate within and across borders, the landscape of African healthcare rapidly changes.

In the paper I will present latest findings from an ongoing ethnographic research among both rural and urban practitioners of traditional medicine (waganga) Tanzania. Comparing their situations side-by-side, particularly in the context of intersecting religious, traditional and biomedical care systems, patients' declared needs and health-related choices, and differences in opportunity, I will present and analyse – often radically different – practice conditions of these waganga and try to take a closer look at both the present, and the implied future, of rural and urban healthcare in Tanzania.

Key words: healthcare, traditional healers, Tanzania, internal migration, urbanisation

Chapter 7.

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MIGRATIONS AND LOCAL RELIGIOSITY IN NORTHERN MALAWI

Alien spirits

Vimbuza is a cult practiced in northern Malawi. It has many similarities with what is known in the literature as possession cults[1]. The possession cults are spread all around the world on a wider scale, as a very common form of religious experience. More specifically, some of the African possession cults are associated with spirits that are believed to originate from outside the territories where rituals are practiced and represent different communities. In literature, those types of non-human beings are referred to as alien spirits[2]. Similar cults are or were present in Eastern and Northern Africa, but also in the area of the Persian Gulf and Arab Peninsula[3]. The alien provenience of spirits means that cult members from northern Malawi can be possessed by spirits of Germans, Zambians and Matabele

[1] I.M. Lewis (1971), *Ecstatic religion: a study of shamanism and spirit possession*, London, New York: Routledge.

[2] J.P. Boddy (1989), *Wombs and alien spirits: women, men, and the Zār cult in northern Sudan*, Madison, Wis.: University of Wisconsin Press.

[3] F. Mianji & Y. Semnani (2015), *Zār Spirit Possession in Iran and African Countries: Group Distress, Culture-Bound Syndrome or Cultural Concept of Distress*?, „Iranian Journal of Psychiatry" 10(4), pp. 225–232.

warriors[4] and for example in Sudan, spirits represent Africans from the south, Europeans or Arabs from the peninsula[5]. This trans-territorial character of spirits is an important difference to the prevailing cults associated with ancestral or animistic spirits[6]. The ancestral or animistic spirits might be closely related with e.g. elements of the landscape. Therefore, these cults establish the spatial and temporal connection with the living environment, as well as the alleged cohesion and immutability of the community.

On the contrary, the alien spirits are correlated with migrations. As Ranger noticed, these kinds of cults might be rather associated with trading routes. Thus, they might interest their participants with the exterior of the community. However, I do not undertake to determine the historical source of this phenomenon, I assume that it indicates a connection with social and religious mobility.

I list below some of the shared characteristics of these cults, not to prove their common source, but rather to hypothesize about a blurred type of connection between them.

I. Lewis[7] published a classic comparative study about the social role and organization of possession cults. Lewis pointed out that these cults did not have official representation nor a direct relationship with the state administration or church. According to Lewis, the participants usually originated from subordinate groups of society. The author also indicated gender disproportion as the majority of cults participants were women. Considering these above-mentioned

[4] S.M. Friedson (1996), *Dancing Prophets: Musical Experience in Tumbuka Healing*, Chicago: University of Chicago Press; B. Soko (2014), *Vimbuza: the Healing Dance of Northern Malawi. Zomba, Malawi: Imabili Indigenous*, Zomba, Malawi: Imabili Indigenous Knowledge Publications.

[5] S. Kenyon (2016), *Spirits and slaves in central Sudan: the red wind of Sennar*, London: Palgrave Macmillan.

[6] S. Piłaszewicz (2000), *Religie Afryki*, Warszawa: Wydawnictwa Uniwersytetu Warszawskiego.

[7] I.M. Lewis (1971), op. cit.

aspects, Lewis defined these possession cults as peripheral[8]. The other ethnographic studies confirmed these remarks. In present Malawi, the participation in the *vimbuza* cult is perceived as socially stigmatizing and as alleged expression of cultural backwardness[9]. Michel Leiris described Ethiopian *zār* cult as officially condemned but commonly practiced[10]. But there are more similarities. The social organizations of varied cults are centered around an authoritarian possessed priest, who also often become medical experts (called doctors or prophets). Thus, possessions are often understood in terms of both disease and the ability to heal at the same time. Next resemblance is the way how these cults are performed. During the ceremonies, music and dance play an important role. They are embodied methods of falling into a trance[11]. The dancers are seen by the other participants as spirits that have taken control over the bodies. Thereby, the trance is a platform of communication between humans and spirits. Dreaming is sometimes referred to as the other communication platform[12].

Among other similarities between cults are signs of possession, described in terms of disease. This disease often attacks the female reproductive systems and might be connected with miscarriages, hemorrhages, problems with menstruation, infertility, but also food allergies, chronical tiredness, anxiety, nightmares, high blood pressure,

[8] Ibidem, pp. 27–29.

[9] P. Cichocki (2019), *Production of sound, production of knowledge. Central Africa, Central Europe, global networks*, "Seismograf", vol. 2, no. Sonic Argumentation II, audio.

[10] M. Leiris (2007), *Teatr odgrywany i teatr przeżywany w kulcie zâr*, "Konteksty" 278–279(3–4), pp. 130–138.

[11] L. Kolankiewicz (2010), *Teatr kultów transowych*, „Kultura, Media, Teologia" 1(1), pp. 64–73; M. Leiris (1960), *La possession et ses aspects théâtraux chez les Éthiopiens de Gondar, précédé de La croyance aux génies zâr en Éthiopie du Nord*, Paris: Annales. Économies, Sociétés, Civilisations.

[12] S. M. Friedson (1996), op. cit.

stomach and headaches[13]. Sometimes, as Lewis suggests and some authors confirm,[14] relationship between a woman and a spirit is explained as a marriage or erotic affair.

Usually, spirits are demanding. They request sacrifices from clothing in a certain colour, blood and gall of certain types of animals (in *vimbuza it can be* a dove, a goat or a cow). Frequently spirits are interested in the issues of community, problems of families or neighbours. Sometimes, especially during the colonial era, spirits addressed problems of a wider sphere of politics.

Particular cults have been characterized by following generations of historians and ethnographers. Michel Leiris described Ethiopian *zār* as a cultural phenomenon as a type of a primal theatre. From a social point of view, he also noted that temples can be described as public spaces and are clearly related to the social mobility, for example being used like a hotel or a restaurant[15]. Regarding also Ethiopian *zār* cults, Natvig traced its historical genealogy assuming that its origins are reaching the centre of the continent and forced migration of slaves[16]. Young, in turn, described how *zār* cults disengaged participants from previous social ties and introduced them into a completely new inter-ethnic religious group[17]. Maciej Ząbek compared the Sudanese *zār* possession cults to the psychotherapy[18]

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[13] J. P. Boddy (1989), op. cit.; P. Caplan (2003), *African voices, African lives personal narratives from a Swahili village*, London, New York: Routledge.

[14] J. P. Boddy (1989). op. cit.; P. Caplan (2003), op. cit.; S. Kenyon (2016), op. cit.

[15] M. Leiris (1960), (2007), op. cit.

[16] R. Natvig (1987), *Oromos, Slaves, and the zār Spirits: A Contribution to the History of the zār Cult*, „The International Journal of African Historical Studies" 20(4), p. 669.

[17] A. Young (1975), *Why Amhara get kureynya: sickness and possession in an Ethiopian zār cult*, "American Ethnologist" 2(3), pp. 567–584.

[18] M. Ząbek (1994), *Psychoterapia w kultach zaar w Sudanie*, "Etnografia Polska" 38(1–2), pp. 161–186.

and Bakri Mighrani Mekki presented ethnography of a *zār* society[19]. In her historical ethnography, Susan Kenyon showed the nexus between the spread of the *zār* cult and the slavery in Sudan.

Regarding cults that are performed further south, Boston Soko described the historical context of the origin of the north Malawian *vimbuza* cult, dating it to the end of the nineteenth century. In addition, Soko explained the current complicated classifications of spirits and symptoms of possessions[20]. *Vimbuza* was also a subject of the research by Steven Friedson. He was primarily interested in the relationship between the aesthetics and the medical aspects of the cult. Friedson studied how music and dance construct a "clinical reality"[21].

The list of other texts considering similar cults is too long to make a summary of all. Enough to say that there are many publications on cults in Egypt[22], Tanzania[23] and many other countries.

The specific character of identities attributed to the alien spirits suggests a comparable notion of cultural mobility. Nevertheless, the

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[19] B.M. Mekki (1988), *Obrzędy Zār w pólnocno wschodnim Sudanie*, unpublished doctoral thesis, University of Warsaw.

[20] B. Soko (2014), op. cit.

[21] S.M. Friedson (1996), op. cit.

[22] S.H. Al-Adawi et al. (2001), *Zār: group distress and healing*, "Mental Health, Religion & Culture" 4(1), pp. 47–61; H. Fakhouri (1968), *The zār cult in an Egyptian village*, "Anthropological Quarterly" 41(2), pp. 49–56; B.Z. Seligmann (1914), *On the origin of the Egyptian zār*, "Folklore" 25(3), pp. 300–323; G. Sengers (2003), *Women and Demons: Cultic Healing in Islamic Egypt*, Leiden, Boston: Brill.

[23] P. Caplan (2003), op. cit.; L.L. Giles (1987), *Possession cults on the Swahili coast: a re-examination of theories of marginality*, "Africa" 57(2), pp. 234–258; S.A. Langwick (2011), *Bodies, politics, and African healing: the matter of maladies in Tanzania*, Bloomington: Indiana University Press; On Uganda, see: T. Allen (1991), *Understanding Alice: Uganda's holy spirit movement in context*, "Africa" 61(3), pp. 370–399; P. Sturges (2011), *The Role of Spirit Messages in African Conflicts the Case of Joseph Kony and the Lord's Resistance Army in Uganda*, "Open Information Science Journal" 3(1), pp. 76–79; J. Taylor (2005), *Taking spirituality seriously: Northern Uganda and Britain's "Break the Silence" Campaign*, "The Round Table" 94(382), pp. 559–574.

most important similarity of the cults from the perspective of this text is their territorial location along trade routes. The aforementioned authors speculate that the similarities might be an effect of a wider historical process. The geographical spread of the possession cults that are distributed widely in East Africa and the Persian Gulf, where the cult reached in later years[24], suggests a relation to the trade routes and especially a slave trade. In the late nineteenth century the slave trade was a practice controlled by Swahili, Somali and Arab traders. It is emphasized by Susan Kenyon, who wrote about *zār* in Sudan, and Richard Natvig, who addressed the Ethiopian *zār,* that these cults emerged in context to slavery. Other authors agreed that *zār* in Iran and Arab countries is an effect of forced migrations of slaves from the African continent[25]. Another example comes from Malawian *vimbuza* which is supposed to represent painful memories of slavery through dance[26]. There is a coincidence that can be suggested: similar possession cults overlap to a large extent on the territory of the origin and the destination of enslaved people at least from the beginning of the establishment of Arab slave trade in 9th century. That time Arab and Swahili traders started to control the west coast of the Indian Ocean and established what is sometimes referred to as '*Zanj* trade network'[27]. It should be added that slaves from East and Central Africa were often seized to the Arabian Peninsula, Persian Gulf region, but later also sold to the colonies controlled by Europeans. Supposedly, *vimbuza, zār* and similar cults spread along the long trade routes might orchestrate and arrange the social drama of slavery in a certain

[24] R. Natvig (1987), op. cit.

[25] Mianji & Semnani (2015), op. cit.

[26] UNESCO (2008), *Vimbuza healing dance*, UNESCO. Intangible Cultural Heritage.

[27] W. Rodney (1972), *How Europe underdeveloped Africa*, Washington, D.C: Howard University Press.

way, presenting it from the perspective of slaves or those at risk of becoming captives[28].

It is difficult to draw further conclusions regarding e.g. the origin of similar cults. For the purposes of this modest essay, it seems adequate to assume that similar cults might be associated with a particular type of mobility and forced displacements. It is worth emphasizing that these relationships could have emerged in the face of the power and economic exploitation of slaves. The territory of the slave trade network within which people were kidnapped, transported and sold was probably marked by a similar dimension of partly obscured, unofficial religious life.

Smuggling charms with international coaches

The next section concerns the more present history. It shows how north Malawian *vimbuza* reconfigures in the more current social setting. The process I am describing here began at the time when British and German colonial power abolished the slave trade organized previously by Arabs[29]. This does not mean, however, that they have completely abandoned model of forced labour and migration, but rather changed its profile.

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[28] P. Stoller (1996), *Embodying Colonial Memories: Spirit Possession, Power, and the Hauka in West Africa*. Hoboken: Taylor and Francis; UNESCO (2008), op. cit.

[29] An example of this policy is a short war between British military units and the forces of slave tradesman named Mlozi in Karonga in today's northern Malawi. As a result, the slave trade was terminated in the region. R.L. Pouwels (2002), *Horn and crescent: cultural change and traditional Islam on the East African coast, 800–1900*, Cambridge: Cambridge University Press, 130–132. Kalinga argues that the war was rather a competition of one form of commercial domination over another, in which both local people played a subordinate role, O.J.M. Kalinga (1980), *The Karonga War: commercial rivalry and politics of survival*, "Journal of African History" 21(2), pp. 209–218.

This new social setting is a strong connection between the Northern Region of Malawi (previously Nyasaland) with highly urbanized centres from mostly South Africa and less often Zambia. This relationship means that people from Ngoni, Tonga and Tumbuka groups (all of which practice *vimbuza*) often take short and long-term work journeys to industrial regions of other countries. Northern Malawi is often referred to as the most traditional area of the country but at the same time, it was profoundly economically integrated with the distant territories of the colonial empire. This connection lasts from the 19th century and was initiated because of the development of the industry in then British South Africa. Later also the Copperbelt province in then Northern Rhodesia became a destination for economic migrants from Malawi.

As Leroy Vail noted, men migrated seasonally to mines and factories of Cape, Natal and Transvaal Colonies and Northern Rhodesia governed by the British South Africa Company[30]. On the reverse, the commercial goods shipped by workers started to enter Malawi. This constant movement, controlled by the colonial authorities, affected all spheres of everyday life – from family relations to the religiosity. It shaped the social life of northern Malawi to this day. Vail also analyses how the migration policy persisted the permanent resettlement, for example, by preventing the migration of women and children (*ibidem*). This policy deeply affected family life in Northern Malawi. The model in which the husband participates in family life only by transferring money from South Africa to a partner and children living in Mzimba or Rumphi districts are highly prevalent and yet even accepted.

I assume that this set of social relations spread in the territory shaped by colonial powers gave a context and means to the evolution of 20th and 21st century *vimbuza*. The example comes from the

[30] L. Vail (ed.) (1989), *The creation of tribalism in Southern Africa*, London: Currey.

chants from the *vimbuza* rituals. Boston Soko analyzing the number of *vimbuza* songs observed that some of them relate to the nexus of family issues and migrations. One of these songs is entitled *Kaujo Kandambo* (Little grass at the stream).

Kaujo Kandambo
Nati m'pondepo
Nawopa kuterera, ine, yayi
Namwana wakhanda
Amuna akali mukuyenda

(Little grass at the stream
I wanted to step on it
I was too afraid to slide, me, no!
I was like a little baby
My husband is still abroad)[31]

Soko interprets these ambiguous words by referring them to the temptation of the infidelity. The seduced woman's husband is an economic migrant (*ibidem*). It can be explained that *vimbuza* spirits play an indefinite erotic role as possible tempters. This meaning also relates to the specific of *vimbuza*. As already mentioned,[32] possession cults often relate to the situation of women. The *vimbuza* spirit can be a seducer, a replacement of a distanced husband, an assaulter or even caretaker. In the context of the reconfiguration of family life *vimbuza* reflects this new family setting.

Also, if seeing *vimbuza* as a social drama encapsulated in a form of performance[33], we can recognise the number of family issues that can be addressed and settled during the ceremony. The *vimbuza*

[31] B. Soko (2014), op. cit., p. 171.

[32] J. Boddy (2013), *Spirits and Selves Revisited: Zār and Islam in Northern Sudan*, in: J. Boddy, M. Lambeck (eds), *A Companion to the Anthropology of Religion*, Hoboken, NJ: John Wiley & Sons, pp. 444–467; I.M. Lewis (1971), op. cit.

[33] B. Soko (2014), op. cit.

priests advise patients about conflicts between distanced partners or mothers-in-law, adultery, problems with transnational money transfers, sexually transmitted diseases of unfaithful partners. Very often patients want to learn what is happening with an absent husband who stopped contacting the family or quitted sending money back home.

As for remedy spirits through the priest-doctors may advise preparing herbal medicines that are supposed to bring a certain person back home even from a large distance. In fact, I was told many times by different members of the cult about the high efficiency of such medicines. The other issues, however, not discussed in public, are abortions of a foetus from extramarital relations, also when a husband is abroad. These operations are also administered by the priest-doctors, who use herbal medicines allegedly exposed to them by spirits during possessions.

The manners of performance and ritual activities suggest that *vimbuza* spirits are still located *in situ*, at villages of Northern Malawi. For example, priests have visions related to local plants. The same plants from the immediate surroundings of the household or a nearby bush change into medicine.

However, *vimbuza* can easily relocate. I was told about the situation when a priest was able to spiritually move to a certain place in South Africa. *Singanga* (the *chitumbuka* term for African doctor) Amaliya was connected by the phone call with a patient from Johannesburg who searched for a lost friend. She was directing the patient on his way with a car, right to the place where he found a dead body of the missing person. I was explained that Amaliya moved to the place spiritually, taken by her *vimbuza* spirit.

To illustrate the further ability to move, I quote another song cited by Boston Soko (*KuJoni* – In Johannesburg):

Imwe namkuti ku Joni uko
Heeeee
Ninjani wahikale ine?
Amama eh he yayiwe
Watola NyapaGiro
Hamama!
Nyumba wazenga yangomi
Hamama!
Chijaro chaphadiloku
Hamama!
Ninjani wahikale ine?
Amama eh he yayiwe

You, I'm talking to you, there in Johannesburg (my husband)
Yes
Who must inherit me?
Mother, eh he yayiwe
You have married Miss PaGiro
Mother!
You have built rectangular (modern) house
Mother!
It even has a door with a padlock
Mother!
Who must inherit me?
Mother, eh he yayiwe[34]

This song informs about the situation of a wife, who is uncertain of her marriage's future. When she acknowledged that her husband had a new family in Johannesburg and was not going back to Malawi, she considered starting a new family[35]. She mentioned the local

[34] Ibidem, p. 185.

[35] Lubkeman describes a similar situation of migration between Mozambique and South Africa. Frequent cases of remarriage of migrant men challenged for the socio-spiritual world structure, in which marriage connects not only a bride and a groom but also their families and ancestors. S. Lubkeman (2002), *Where*

practice of inheriting wife by husband's brother, accepted, for example, in the situation of the death of the groom. These considerations have at the same time the relevance to the spiritual world. According to Lubkemann, marriage concerns not only the world of the living, but it also means bonding with spirits (most often spirits of ancestors). During the marriage ceremony, ancestors receive sacrificial gifts that incite them to accept the new relationship[36]. The matter, however, becomes complicated when the marriage becomes trans-territorial and the relationship of two people stretches through thousands of kilometers. By these, the case begins to concern foreign spirits of *vimbuza*, which are called to intervene. Therefore, patients and doctors do not cope with a ready cultural solution for regular circumstances, but rather a constant questioning of the established social life.

This and other examples show that the possession cult brings together transcendence with everyday life issues, also when this everyday life of families is spread among thousands of kilometers.

Along with the movement of bodies and spirits, the territorial reconfiguration of *vimbuza* also induces material objects to the movement. In Mzuzu two coaches a day start a 30-hour journey to Johannesburg. These buses are packed with migrants and on the return trip additionally with cargo, but also some objects traveling to Johannesburg. These objects are magical substances prepared by *vimbuza* priests. Sometimes these are completed charms and cures for people spiritually diseased far away from homes. Other times they are essential ingredients for potions to be prepared in South Africa. Both ways, they are highly associated with *vimbuza*, because spirit possession plays an essential role in work with the herbal medication. This shows how migrations reconfigure the settings in

to be an ancestor? Reconstituting socio-spiritual worlds among displaced Mozambicans, "Journal of Refugee Studies" 15(2), pp. 189–212.

[36] Ibidem.

which the cult was previously located, and as Lambek observed "transnational ties are maintained and transformed"[37].

Conclusion

The example of ethe ver-changing *vimbuza* shows that to understand the religion we have to recognize its emplacement in certain territories of power[38]. At the same time, I believe that such an approach to the religion considers the context of the political power (e.g. colonial) but also practices of the resistance against this power (as in the case of peripheral possession described by Lewis). Furthermore, this approach to the religion requires looking at it as a dynamic phenomenon of permanently evolving performative practices. Religiosity within the paper was understood after Thomas Kirsch as 'practice of believing' rather than a coherent system of thought[39]. In fact, *vimbuza* does not have a written theology. It is rather performed. Because religion might be understood as rather performed than inscribed, it can be also dynamically shifting phenomenon, as seen in the example of *vimbuza*. Moreover, religious practices can reflect and create relationships with actors and social spaces. On the other hand, local religious practices emerge from the relationship between social environments – for example, between distant South Africa, cities and family villages in the Northern Region of Malawi.

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[37] M. Lambek (2009), *Traveling spirits: Unconcealment and undisplacement*, in: G. Hüwelmeier & K. Krauze (eds), *Traveling Spirits. Migrants, Market and Mobilities*, London, New York: Routledge, pp. 29–4727).

[38] S. Ellis & G. ter Haar (2004), *Worlds of power: religious thought and political practice in Africa*, London: Hurst.

[39] T. Kirsch (2004), *Restaging the Will to Believe: Religious Pluralism, Anti-Syncretism, and the Problem of Belief*, "American Anthropologist" 106(4), pp. 699–709.

The case of possession cults in the historical and current temporal perspective reveals how the religion emerges throughout evolving social territories. Indeed, political powers and territories change over time. These changes are also concerning religious life. The difference between historical and present territorial networks also explains how religiousness is entwined with other spheres of social life. It becomes visible after comparing past and present connections of *vimbuza* cult. This shift from the cult connected with slave trade network has been re-animated by the colonial oppression, movement of masses of people and modern capitalism, resulting in the reconnection of the *vimbuza* elements into other territories. Regarding the African state like Malawi, the territorial aspect means taking part in a wider system of intangible and material infrastructures, territories and connections. In this case, the industrialization and the centralization of colonial power in British South Africa acted as a magnetic field, reconfiguring the social and spiritual life in then Nyasaland. It changed into the new trans-national territory, new trading network through which bodies of people travelled.

Achile Mbembe suggests that understanding this aspect of the territoriality helps to acknowledge new ways of hierarchical connectivity of bodies, subjects and identities[40]. Moving bodies, objects (and spirits) create the new networks in which possession cults evolve. Observing the movements of these actors and objects, we can see how local and trans-territorial are interconnected. The local religion is always doubled by trans-territorial process. The identities of their participants are animated by the changing set of socio-spiritual relations spread through interconnected territories.

[40] A. Mbembe (2003), *Necropolitics*, "Public Culture" 15(1), pp. 11–40.

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Migrations and local religiosity in Northern Malawi
Abstract

In this article, I analyze the relationship between local religious practices of the Northern Region of Malawi and trans-territorial movements of people. I discuss these relations concerning two distinct temporal perspectives. Humbly I need to notice, that this presentation is more of a juxtaposition of snapshots than an in-depth analysis. Therefore, my goal is to speculate about what might result from this juxtaposition rather than presenting a comprehensive case study. Mostly, I focus on a north Malawian possession cult named *vimbuza*, more specifically on its emplacement in networks of different relations. I describe two historical processes of migrations that affected the shape of religious practices. The first process concerns the movements of people before the European colonial oppression. The second process is occurring currently although it is rooted in the history of colonization.

In explaining the first process, I borrow from Terence Ranger, who asserts that: A hypothetical man in precolonial southern Africa could belong successively, or even simultaneously, to overlapping networks of religious relationships: for example, he could express his control of his household through a localized ancestral cult, carry tribute to a distant territorial shrine, and be an initiate of a possession cult that linked him to the men and women who lived along a trading route. (Ranger 1993,74 after Kirsch 2004, 701)

I am interested in this last category of possession cults functioning "along a trading route". Some scholars have noticed the resemblance of *vimbuza* to cults prevalent in Eastern, Northern Africa, but also the Persian Gulf and Niger. I owe this intuitive suggestion to Maciej Ząbek, to whom I express my gratitude for the inspiration of this text. It can be assumed that these cults have a relationship or at least that there is a connection through the networks of the trading routes. However, to hypothesize about the common root that influences the similarity of cults would be an expression of a quixotic methodology. Due to that,

I rather speculatively compare the number of historical and ethnographic sources. I aim to question the assumption that some resemblances of cults suggest similarities in other spheres, for example in aspects of social mobility. Thus, this similarity is rather speculative. The speculation does not concern any alleged consistent phenomenon, but rather varied practices spread between places and temporalities. Compiling these scraps, however, I construct a speculative image that, although it is not evidently factual, seems to be worth noting.

The second process is easier to grasp and relates to the social mobility that is relatively recent and widely documented by varied sources. This process is associated with the current economic migrations and geopolitical shift within colonial territorial context. This shift is caused by a set of new economic relationships based on the international capitalist economy in south-east Africa. I describe this social mobility utilizing historical sources and data from the fieldwork I conducted between 2016 and 2019 in Northern Malawi. I am interested in how economic migrations from Northern Malawi to South Africa construct the new set of relations. These relations influence the religious life and reconstruct its previous forms.

In conclusion, I argue that to theorize the religion we have to comprehend it as emplaced in certain territories of political and economic power.

Keywords: religion, anthropology, Malawi, ethnography, mobility, possession cults.

Chapter 8.

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HOW CAN MIGRATION INFLUENCE A DEVELOPMENT OF ART AND CULTURE? AN ANALYSIS OF SELECTED CASES

> *Immigration is not necessarily a movement to another country (…), it is rather a shifting to another culture, interacting with different values and standards which are expressed by distinct behavior or different way of being*[1].

Introduction

What does Migration mean? Migration is a phenomenon which arouses the interest of humanities scholars since time immemorial. Despite a lack of consolidated theory, a research in this field is defined by tradition-based regularity and a desire for continuous methodological improvement. By investigating this phenomenon through the interdisciplinary prism, it is not surprising that methodology in this subject is very diverse.

[1] H. Mamzer (2002), *Tożsamość w podróży. Wielokulturowość a kształtowanie tożsamości jednostki*, Poznań: Wydawnictwo Naukowe Uniwersytetu im. Adama Mickiewicza, p. 134. [own translation].

Since the beginning of its existence, humankind has had a desire to travel; that is why migration is a part of humanity. Without a doubt, migration is constantly evolving, changing its nature, form and scale[2]. Around 90% of native Europeans consist of Proto-Indo-European people who migrated on this continent from Anatolia (Asia Minor).

In order to fully comprehend this study, it is important to outline the essential migration related terminology. Migration in a broad sense is about a constant or recurring movement of people from one place to another. Such movement is not restricted to territory and thus it involves moving to another country or continent. It is worth noting that migration is a wide concept, that is why it refers to both individual entities and whole nations. This phenomenon has an influence on human fate as it strips people from their inherent living conditions and may transform into social issue or identity crisis. Another important term is called emigration. It is about leaving one's homeland permanently or temporarily in order to live abroad. Immigration, on the other hand, involves permanent or temporary movement from one place to another from the perspective of a person who is arriving at a new destination[3].

Therefore, an emigrant is a person who leaves his location and immigrant is an individual who arrives at a new area. Another term which is worth mentioning is remigration which involves returning to one's original or previous destination.

[2] J. Strzelczyk (2006), *Migracje w naszym kręgu cywilizacyjnym doby preindustrialnej*, in: A. Furdała, W. Wysoczański (eds), *Migracje: dzieje, typologia, definicje*, Wrocław: Wydawnictwo Uniwersytetu Wrocławskiego, p. 22.

[3] W. Wysoczański (2006), *Siatka pojęciowa migracji w ujęciu językowym*, in: A. Furdała, W. Wysoczański (eds), op. cit., p. 131.

Different types and causes of migration

The first question which emerges when researching migration is – which factors are important in making a decision to leave one's homeland? We can consider voluntary migrants and those who were forced to migrate as a most rudimental criterion of division[4]. Of course, this classification is too simplified to be used in accurate research. Peter Mailander pointed out nine prominent motives affecting emigrational processes. To make this study more convenient the motives will be presented in a chronological order proposed by the author. A decision to analyze only selected cases was objective.

1) Ethnic conflicts – e.g. A migration of Makonde people
2) Civil wars and political anarchy – e.g. Civil War in Liberia in the 80s' and 90s' (half of the entire population emigrated)
3) Natural disasters – e.g. Montserrat Island
4) Human caused disasters – e.g. Chernobyl
5) Slave trade
6) National Politics – e.g. Post-World War II Migration
7) Religious persecution
8) An escape from social exclusion, marginalization or social disadvantage
9) Tough economic conditions

The following analysis applies to points number 8 and 9 of Peter Mailander's classification i.e. to escape from social exclusion, marginalization or social disadvantage and tough economic conditions.

[4] T. Ferenc (2012), *Artysta jako obcy. Socjologiczne studium artystów polskich na emigracji*, Łódź: Wydawnictwo Uniwersytetu Łódzkiego, p. 17.

Artists who leave their homes have to face numerous difficulties while migrating. Their fate is no different to those who settle into new area. Nonetheless, there is a factor which differs artists from other migrants, factor which transforms them into a more romantic type of travelers – the artistic imperative. It is quite difficult to accurately determine the characteristics of an artist. Needless to say, it is based on a belief that artists are a specific group of people dependent on certain stimulants required for creation of artistic pieces rather than Karl Marx's model which suggests that a mere craftsman can become an artist. In his study "Mythology of an Artist", Andrzej Osęka points out that it is difficult to define the term 'an artist':

> "It is difficult to determine who you mean by saying 'an artist'. Do you mean a painter, a poet or a composer? Can you treat an actor or a stage singer or a label designer as an artist? Do you need a permission of commonality to call someone an artist? Or maybe you just need your own self-belief? Are we just interested in most accomplished artist who will be perceived as a genius by generations to come? Or maybe we are also interested in painters and writers who are unable to attract the attention of the general public"?[5]

This issue was repeatedly analyzed over the years[6]. Researcher Nathalie Heinich explains its multi-perspective difficulty in defining the term[7]. A solution to this problem was proposed by sociologist Marian Golka:

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[5] A. Osęka (1975), *Mitologia artysty*, Warszawa: PIW, p. 12 [own translation].

[6] The term artist has been analyzed by many researchers over the years, including: P. Bourdieu (2005), *Dystynkcja. Społeczna krytyka władzy sądzenia*, Warszawa: Scholar; Brassaï (2001), *Rozmowy z Picassem*, Kraków: Dęby Rogalińskie; N. Heinich (2017), *Być artystą. Rzecz o przekształceniu statusu malarzy i rzeźbiarzy*, Warszawa: Vizja Press & IT; M. Walis (1964), *Autoportret*, Warszawa: Wydawnictwa Artystyczne i Filmowe; F. Znaniecki (1971), *Nauki o kulturze: Narodziny i rozwój*, Warszawa: PWN.

[7] N. Heinich (2007), op. cit., p. 76.

> "An artist is someone whose creation is characterized by individuality, proficiency, creation which accentuates its creator's talent and imagination – characteristics treated as a peculiar social function accepted by people in the wake of a search for specific values"[8].

On the basis of previously mentioned research we can assume that artistic creation is something we do not fully comprehend, an act with unknown aftermath. We can compare this act of understanding art to visiting a fortuneteller. An act of creating art assumes there is a future which might influence its development or decline.

In his diary, Tadeusz Makowiecki wrote: "Everything which is beyond ability to define introduces art"[9]. Witold Gombrowicz, on the other hand, wrote in his diary that: "Art is so personal that each artist is making it from scratch – and one creates it for one's sake – it takes one existence, one fate, one individual world to create it"[10].

Migration and its results

Artistic mythology persuades us to believe in uniqueness of not only art but also artists themselves. While enjoying art viewers feel a natural urge to learn about the artist. This phenomenon acts as a natural stage of discovering the artist whose work we are beginning to appreciate. While enjoying movies directed by specific director we will sooner or later feel a desire to get to know the author better.

Artists' work is based on their uniqueness, talent, visual communication, artistic skill and ability to convey meaning. But is it right to search for mutual schemes for such diversified social group?

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[8] M. Golka (1999), *W poszukiwaniu socjologicznej teorii sztuki*, in: K. Zamiara, M. Golka (eds), *Sztuka i estetyzacja. Studia teoretyczne*, Poznań: Humaniora, p. 77 [own translation].

[9] M. Golka (2008), *Socjologia sztuki*, Warszawa: Difin, p. 65.

[10] Ibidem, p. 63.

Having in mind that each life is different we can observe certain universal mechanisms which are distinctive for artists as a specific social group. By narrowing it down to migrating artists it becomes apparent that there are certain interesting similarities between them. Naturally, it must be noted that every human being has its own, individual story but our reactions or circumstances which we are under can lead to specific similarities.

Migrant artist settling into a new country is encumbered with a feeling of strangeness. This strangeness is often shaping his or her artistic power, broadening one's horizons and (under favorable conditions) enhancing artistic efficiency. But without a doubt a new reality can become an obstacle. Migrant artist who is constantly interacting with a new culture, language, mentality is confronting his own distinctness. Nonetheless, an artist is always perceived as "the unique one" regardless of a place he or she lives in. Its due to the need of expressing one's emotions and influence on particular medium. This specific distinctness is a reason why this social group is interesting to examine further.

Artistic migration – selected cases

Migration is a phenomenon which all artists are familiar with. However, our attention will be focused on 19th and 20th century artists. This choice is reflecting certain migration tendencies in contemporary art. Selected examples are based on individual preferences.

The first example is a life story of one of the change advocates in art. It can be assumed that if not for Paul Gauguin's talent, art would not have transformed to such extent during 19th century. One can love or hate his work, but one simply cannot ignore it. His life can be described as a constant change and he was no stranger to migration. He can be treated as an exemplary world citizen who feels at home wherever he created his art.

Paul Gauguin was born in Paris in 1848. Since his mother was a socialist with Peruvian roots, Paul's family was forced to leave Paris after the coup in 1850. The family sought peace but unfortunately his father, Clovis Gauguin died during their journey to Peru. The family's migration lasted for at least 6 years until they decided to come back to Paris. During that time, the artist was barely speaking French which was problematic during his school years. Probably that was the main reason he signed on as a pilot's assistant in the merchant marine sailing to Rio De Janeiro. After the journey, a close family friend Gustave Arosa, who was a financier and a livid connoisseur of art, offered to help young Paul. Gustave got him a well-paid job at a stock-broker office in France. During this period, Paul Gaugin met a painter named Emile Schuffenecker with whom he drew his first sketches. In 1876 Gauguin married a young Danish woman who was a daughter of a wealthy court officer. The couple had five children over the next ten years.

When he was 26, Gauguin took part in artistic workshop conducted by Filippo Colarossi. His career breakthrough happened in 1876 soon after he exhibited his first painting in Parisian Salon. After this event, the artist became very prolific in terms of artistic pieces. Over the next years he painted under Camille Pissarro's supervision who was his friend. During that time, he was acquainted with Paul Cezanne who influenced his future art.

During his time in Pont-Aven he developed a new painting technique collectively with Emile Bernard. This new technique, called *synthetism* was distinguished by aesthetic considerations of line, color and form. Since then, Paul Gauguin was using this technique in his art.

The year 1888 was very meaningful for the artist. He exhibited his work at Boussod and Valadon and Sérusier, who was inspired by Paul Gauguin's art, painted his famous work *The Talisman.* What is more, Gauguin together with Vincent Van Gogh tried to establish the Pont-Aven School but the attempt was unsuccessful due to some unknown disagreement between the two painters.



Illustration 1. Paul Gauguin, *Two Tahitan*, 1988.



Illustration 2. Paul Gauguin, *Faaturama*, 1991.

After coming back to Paris, Gauguin planned to open a workshop in a country with a tropical climate – Tahiti became his desired destination. In 1889 he met 30 years younger Teha Mara who became his model. The woman appeared on many paintings including *Faaturama*.

Unfortunately, due to the lack of funds Paul Gauguin temporarily returned to France. He travelled back to Tahiti in 1895, choosing a Punanni coast as his destination. In 1987, when his daughter died, the artist experienced an existential crisis. During this difficult time, he painted *Where Do We Come From? What Are We? Where Are We Going?* which is considered as his testament. This painting was exhibited in 1898 in Volard's gallery and quickly became acknowledged by the public.



Illustration 3. Paul Gauguin, *Where Do We Come From? What Are We? Where Are We Going*? Paul Gauguin, 1897–1898.

Paul Gauguin suddenly died from a heart attack in 1903, aged 55. Unaware of his death, the Vollard's Gallery in Paris organized his exhibition which consisted of 50 paintings and named one of the lounges after the artist's name[11].

On the basis of his biography, it can be assumed that Paul Gauguin's art was heavily influenced by his migration periods – starting with his journey to Bretania, Denmark or finally a journey to Tahiti. Each journey granted him a new artistic stimulus.

The life of Marc Chagall is another example. He was a Jewish artist with Belarusian origins. His real name is Mosze Segal, he was born and raised in Vitebsk. His family was devoted and poverty-stricken – after all, his parents had to raise eight children. Even though his parents were illiterate, they worked hard to provide their son with proper education. Chagall wanted to become a painter since childhood. A local artist named Jehuda Pen was his first painting teacher. When he was 19, Marc decided to travel to Saint Petersburg where he enrolled in a prestigious art school. He met Bella Rosenfeld, his future wife in 1909. Her father ran a jeweler's shop in Vitebsk. The artist published his first painting *The death* in the summer of 1908. The piece was influenced by Paul Gauguin's art.

[11] G. Crepaldi (2006), *Gauguin*, transl. H. Cieśla, Warszawa: HPS.



Illustration 4. Marc Chagall, *The death*, 1908.

Marc Chagall was granted a scholarship in 1910 which allowed him to travel to Paris. This temporary migration completely changed his life and heavily influenced his future career. During that time Chagall cooperated with Montparnasse artistic group which consisted of most prominent avant-garde artists such as Guillaume Apollinaire, Robert Delaunay who co-founded the Orphism art movement or *Ballet Mécanique* creator Fernand Léger. Thanks to his acquaintanceship with Apollinaire he had a chance to exhibit his work in 1914 at *Der Sturm* gallery in Berlin. He returned to his homeland the same year. In 1915 he finally married Bella Rosenfeld and his first daughter was born a year later. Marc Chagall was also a founder of Vitebsk Arts College. In 1922 he had to leave Russia due to his Jewish origins when the Soviet Union was established[12].

[12] E. & R. Slater (1996), *Great Jewish Men*, New York: Jonathan David Publ., pp. 84–87.

The artist received French citizenship in 1937. During that time, he wrote a number of articles, diaries and poetry in Yiddish language; fragments of which were published in the press.

In 1941 he emigrated to the USA with his family where he lived until 1948. During his time in the USA, Chagall worked with Pierre Matisse (a son of a famous fauvist Henry Matisse) who became his art dealer. In 1944 the artist suffered a mental breakdown caused by his beloved wife's death who was included in many Chagall's paintings. A year later, his daughter Ida introduced him to Virginia Hoggard who later became his wife and bore him a son. The couple parted ways in 1952, soon after they emigrated to Provence. In the same year the artist got married again, this time to Valentine Rodksy. Chagall lived in Saunt-Paul de Vence from 1966 until his death in 1985. He was 98 years old[13].

Marc Chagall's art was without a doubt influenced by Judaism. Surprisingly, he was not a religious person. His childhood was one of the themes he used in his work but not the only one. Migration was also a vital part of it. His art would not be recognized by the worldwide public if not for his migration possibilities.

The next artist whose life will be presented is Andy Warhol (real name – Andrew Warhol). The artist was born in 1928 in Pittsburgh, he was a son of Slovak emigrants. His parents changed their surname to Warhol soon after settling into the USA.

Young Warhol had a possibility to study in America thanks to his parent decision to emigrate. He graduated from Carnegie Mellon University in Pittsburgh. He moved to New York in 1949, to a city which emerged as the center of contemporary fine art after World War II. While in New York he pursued a career as a commercial illustrator. Since the 60's Warhol adopted the silk screen printmaking process to create a series of illustrations about consumerism. His art created during that period elevated him to a status of famous pop-art

[13] D. Marchesseau (1995), *Chagall, ivre d'images*, Paris: Gallimard.



Illustration 5. Andy Warhol, *Coca-Cola,* 1962.

icon. With time, he founded a studio called *The Factory.* Warhol's studio associated a wide range of young and talented artists engaged in production of prints, books, movies and shoes.

Each artistic piece created by Warhol conveyed an imperative meaning which was related to Mass Culture and American citizens characterized by it. His opinion on *Coca-Cola* was often quoted by the press: "What's great about this country is that America started the tradition where the richest consumers buy essentially the same things as the poorest. You can be watching TV and see Coca-Cola, and you know that the President drinks Coca-Cola, Liz Taylor drinks Coca-Cola, and just think, you can drink Coca-Cola, too. A Coke is a Coke and no amount of money can get you a better Coke than the one the bum on the corner is drinking. All the Cokes are the same and all the Cokes are good. Liz Taylor knows it, the President knows it, the bum knows it, and you know it"[14].

[14] E. Bielecki (2011), *Andy Warhol: Geniusz czy szaleniec?*, wiadomosci24.pl, 2 February 2011 http://www.wiadomosci24.pl/artykul/andy_warhol_geniusz_

To this day critics are debating whether the art presented by Warhol was a product of his own beliefs, observations, his tribute to Mass Culture or just an ironic banter.

Andy Warhol was a very religious person, he regularly attended liturgy which is quite surprising given the fact that he was homosexual. Many of his works included a religious theme, most of them were discovered after the artist's death. His background and the internal conflict he was experiencing throughout his life were probably the sources of artist's religious devotion. Warhol died in 1987 aged 58 after sudden postoperative complications[15].

Warhol's art changed our perception of everyday objects. Warhol and other artists like Marcel Duchamp elevated everyday objects to the rank of pieces of art. The artist managed to connect artistic expression with celebrity culture by including pop stars in his paintings. In the end, Warhol himself was considered as a celebrity by many people.

Owing to the fact that the author of this paper is familiarized with African art, it is worth presenting one more example of migration as a source of artistic medium.

Makonde People case is a good example of ethnic migration caused by social issues. Makonde People migrated from Mozambique to Tanzania, initially settling into areas surrounding the Rovuma River. This migration undeniably played a part in development of Tanzania's art and culture. Makonde artists are recognized by their exceptional talent. People from this ethnic group believe that their talent was inherited from their ancestors. A sculptor was considered an important figure in the tribe **since time immemorial**. Artists creating everyday objects, figurines and masks were appreciated and respected by the tribe. Such artist was considered as not only a craftsman but also as a medium between material and immaterial world. It is evident when

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czy_szaleniec_180372.html [accessed 20 June 2019].

[15] V. Bockris (1997), *Warhol: The Biography*, New York: Da Capo Press.



Illustration 6. Atanasio Fokasi*, Shetani*, Mozambik 1983, own photography.



Illustration 7. Constantino Mpakulo, *Ujamaa*, Mozambik 1997, by Piotr Sadurski.

looking at helmet masks which were used during various rituals (nowadays called *shetani*).

While analyzing contemporary art of Middle East Africa we can observe that Makonde blood is flowing in many African artists' veins. It is important to mention a migration phenomenon here. Makonde artists found their safe haven in Tanzanian lands, they have lived and worked there to this day. Favorable conditions they found in Tanzania are enhancing their artistic productivity. The most renowned styles: *shetani* and *ujamaa* were created in *Dar* Es Salaam where we can find remarkable Makonde pieces of art[16].

[16] A. K. Wiśniewska (2003), *Styl* shetani. *Nowoczesna rzeźba ludu Makonde w Tanzanii*, Warszawa: Neriton.

Summary

All forms of emigration undeniably change people's lives, no matter the circumstances. At first, migration causes disorientation and communication challenges. During that time, an individual is still living by his indigenous standards whereas a new reality requires a change in perception. Creative work can help artists in accustoming themselves to new surroundings. Artistic activities are especially important for artists living abroad, as Zygmunt Bauman said: „your actions, your whole life (...) have to prove that you really belong to a class you argue agree with"[17].

However, a migration process often lasts so long that it engages different generations. By looking at Andy Warhol case we can see that migration affected not only his parents but the artist himself. One must be aware of an influence migration can have on one's life.

Migration is a broad term which involves different issues connected to the movement of people. This phenomenon is dependent on many economical and cultural factors. The purpose of this study was to familiarize the reader with migration terminology and present it in different contexts. One of the aims was to present the extent to which migration can affect human lives. Under right circumstances, these changes can affect not only a migrating individual but also other people as we can observe by looking at the Paul Gauguin's case. Similar reliance can be observed in Chagall's case, whose extraordinary talent was acknowledged by the worldwide public after his decision to emigrate.

As can be seen from above mentioned examples, migration affects a development of artists which can be a topic of further studies.

[17] Z. Bauman (2007), *Tożsamość. Rozmowy z Benedetto Vecchim*, Gdańsk: GWP, p. 48.

Presented analysis merely outlines certain tendencies supported by personal aesthetic sense and aims to grab the reader's attention.

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ILLUSTRATIONS

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Illustration 2. Paul Gauguin, *Faaturama*, 1991, https://commons.wikimedia.org/wiki/File:Paul_Gauguin_-_Faaturuma_(1891).jpg [accessed 20 August 201)].

Illustration 3 Paul Gauguin, *Where Do We Come From? What Are We? Where Are We Going*? Paul Gauguin, 1897-1898, https://es.wikipedia.org/wiki/Archivo:Gauguin_-_D%27ou_venons-nous_Que_sommes-nous_Ou_allons-nous.jpg [accessed 21 August 2019].

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Illustration 6. Atanasio Fokasi, *shetani*, Mozambik 1983, own photography .

Illustration 7. Constantino Mpakulo, *ujamaa*, Mozambik 1997, photography by Piotr Sadurski

How can migration influence a development of art and culture? An analysis of selected cases

Abstract

Migration is a phenomenon which considerably affects human lives, no matter the circumstances. New reality requires us to switch our perspective, change our understanding of surroundings and ourselves. Artistic activity can be useful in this process as it helps in accustoming to new surroundings. It seems this process is crucial for migrating artists who must cope with strong emotions when moving abroad.

Artists need favorable conditions to be prolific in creating pieces of arts. Migration can bring change for anyone regardless of social status, religion or values. Many artists were fortunate enough to develop their artistic skills by travelling and seeking different opportunities abroad.

The presented analysis of selected biographies can make migration more clear and understandable, more humane. By observing lives and fates of selected artists whose choices resulted in different outcomes one might feel certain connection with grand artists.

Keywords: migration, culture, art, cultural code

Chapter 9.

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THE ROLE OF SUDANESE DIASPORA IN SUCCESS OF THE REVOLUTION THAT OVERTHREW THE REGIME OF DICTATOR OMAR AL-BASHIR

Introduction

Protests erupted in Sudan due to high prices of bread in December 2018, but quickly turned into a massive popular revolution that overthrew President Omar al-Bashir who himself took power as a result of the coup of officers linked to the Muslim Brotherhood in 1989, and for about 30 years he managed to preserve the authoritarian regime with extended powers of the security services, especially the Internal Intelligence and tribal militias.

The main driver of this popular revolution was the Sudanese youth and women sector, which demonstrated unrivalled courage and resilience. Demonstrators in many regions of Sudan and in the capital, Khartoum, opposed the policies of the ruling National Congress Party in general, but in particular they strongly criticized the widespread financial and administrative corruption in the country, and the favouritism and control of all economic institutions by members of the families of influential figures of the ruling party (the National Congress)[1]. This was combined with rejection of the policy of

[1] H. Medani & A. Ahmed Aziz (2019), *The Third Sudanese Revolution Reinstates Women from all Walks of Life onto the Map of Sudanese Public Life*, "Noria Research",

perpetuating tribal divisions and marginalization of certain ethnic groups. The intensity of demonstrations was preserved thanks to coordination with the Sudanese Professionals Caucus (the Union of Lawyers, Doctors, and Lecturers), and later with what is known as the forces of the Declaration of Freedom and Change, which includes, in addition to the Sudanese Professionals Caucus, a large number of traditional Sudanese political parties such as the Umma Party, the Federal Democratic Party, the Communist Party, and a multitude of movements. Armed forces signed a joint document called the Declaration of Freedom and Change which supports the revolution and aims to overthrow the national conference system. This resulted in negotiations with the Transitional Military Council that assumed power in Sudan after the fall of the Al-Bashir regime and the defunct Salvation Government, and signing what is known as the constitutional document which resulted in the formation of a sovereign council composed of military and civilian personnel and a rotating presidency[2].3. Sudanese who live abroad also played an important and prominent role in the success of this revolution and in putting pressure on Western countries and international institutions to adopt a position in support of the Sudanese revolution. As a result, the appointment of the Sudanese Prime Minister to the transitional government Abdullah Hamduk and a large number of his ministers in the new transitional government include Sudanese cadres from abroad, for example the Minister of Justice, and the Minister of Finance who lived in the United States of America.

1 January, retrieved from http://www.noria-research.com/the-third-sudanese-revolution-reinstates-women [accessed 12 May 2020].

[2] Y. Zaidan (2019), *How to Make Sudan's Revolution Succeed*, "Foreign Policy", 9 September. retrieved from https://foreignpolicy.com/2019/09/09/how-to-make-sudans-revolution-succeed-hemeti-burhan-tmc [accessed 16 May 2020].

The role of the Sudanese diaspora

Sudanese migrants and expatriates around the world played an important role in supporting the December revolution that toppled the regime of Omar al-Bashir, the dictator who had ruled Sudan for more than 30 years. Immigrants and expatriates had a large role and impact on politics of their homeland since the 1989 coup that brought the regime of the National Congress Party and ousted president Omar al-Bashir to power with direct support from the Muslim Brotherhood movement that was led by its late leader Sheikh Hassan al-Turabi[3].

Because most of them left Sudan involuntarily as a result of the harassment of the former regime, their position on the popular revolution was amazing, and just as all the cities of Sudan rose up against the Bashir regime, the Sudanese anger in the countries of the Diaspora exploded and provided unspeakable support to the revolution, especially in countries where there is a lot of space for freedom such as the United States of America, the United Kingdom, France, Australia, Germany, Canada, Sweden, the Netherlands, Belgium and Poland, some African countries and the Gulf states, where the national sense among this segment continued until the fall of the regime in April 2019, and that what happened between the Sudanese abroad created a national cohesion. In a very short time national affiliation increased and surpassed all the failures and accumulations that occurred during the past thirty years[4].

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[3] A.H. Fadlalla (2019), *The role of diaspora in revolution*, "Africa Is a Country", 8 October, retrieved from https://africasacountry.com/2019/08/rethinking-the-role-of-diaspora [accessed 17 May 2020].

[4] E. Graham-Harrison (2019), *Sudan's displaced citizens stir revolt from the sidelines*, "The Guardian" 21 April, retrieved from https://www.theguardian.com/world/2019/apr/21/sudan-diaspora-stir-revolt-from-overseas [accessed 20 May 2020].

With the development of the Sudanese revolution extending from December 19, 2018, crowds of thousands of Sudanese in the Diaspora participated in marches in a number of Western capitals in a paradigm shift that has cast a shadow over the internal political scene in Sudan. Protests escalated as a result of failure, for the third month in a row, in achieving their demands as well as in light of the media blackout and the international community's disregard and support for some Arab regimes afraid of the Arab Spring infection of the Al-Bashir regime. This resulted in demonstrations in London, Paris, Amsterdam, Toronto, Berlin, Melbourne, and Washington, which helped in breaking the stubbornness of the regime clinging to power[5].

Almost 90 days after the outbreak of protests in various Sudanese cities, the movement shifted its activities abroad, as many capitals in the world witnessed massive demonstrations in which tens of thousands of Sudanese and some Arab communities resided there, in the United States a march toward the White House in Washington, lifted banners which read "falling down," chanting slogans demanding the departure of the ousted Sudanese president. A few days before it, the streets of London were crowded with a number of marching protesters that demanded the government of British Prime Minister Theresa May to take a stand on what was happening in Sudan. Protesters demanded that Bashir should be transferred to the International Criminal Court, calling on the British Parliament to support the Sudanese revolution and the popular will. In the Netherlands, the situation was also burning, as a delegation of demonstrators met with the Dutch Foreign Ministry Undersecretary, and they handed him a memorandum to the Ministry of Foreign Affairs demanding that the European Union intervene to force the Sudanese regime not to face peaceful protesters with live bullets. At

[5] N. Karamalla-Gaiballa, (2019) *How did the Sudanese revolution affect the strategic balance in the Horn of Africa*?, "Al Jazeera" 26 May, retrieved from https://bit.ly/3fca7Ni [accessed 26 May 2019].

the same time, there were demonstrations in Amsterdam with slogans calling for Bashir to step down. Almost two weeks ago, and precisely last January, the Sudanese community demonstrated in Paris, chanting slogans of "a revolution until victory ... a revolution that guides the palace" and "revolution is the people's choice", and they also handed over a note to the French foreign ministry rejecting the visit of the Sudanese foreign minister as well as demanding the overthrow of the president and the formation of a transitional government[6].

The demands of the Sudanese Diaspora revolutionaries

The demands of the protesters in the western and Arab capitals revolve around intervention to pressure the regime to respond to the demands of the street protesters and stop the mechanism of targeting the opponents, and that the specific points that the protesters targeted in Western capitals reflect the nature of the message to be delivered. The main aim of the protesters in their marches in Western capitals were the decision-making circles in those countries, unlike the side meetings that were held with some officials there to explain the point of view and try to convince them of the legitimacy of the demands of the Sudanese revolution.

The external movement coincided with the continuation of the internal protests and resulted in an international position towards the situation in Sudan, and although it was not at the required level, it was an acceptable beginning in the eyes of some to launch a more resolute and stronger position. On January 8, 2019 and in a joint statement issued by the United Kingdom, Norway, the United States

[6] M. Al-Taye (2019), *Sudanese abroad: the unknown soldier in the protests against Bashir*, "Al Ain News", 11 April, retrieved from https://al-ain.com/article/expatriates-unknown-soldier-sudanese-protests [accessed 26 May 2020].

and Canada, they expressed deep concern about the response of the Government of Sudan to the protests in Sudan, and the detention of a number of politicians, activists and demonstrators without charge or trial. The statement at the time affirmed the Sudanese right to peaceful protest as guaranteed by Sudanese and international human rights law to freedom of peaceful assembly, association and expression, calling on the government to release all journalists, opposition leaders and human rights activists[7].

Diaspora and their national role remain Positive

The research I conducted in the period from December 2019 to March 2020, which covered 654 respondents including Sudanese revolutionaries and in general the Sudanese citizens about the revolution; whether it achieved its goals for which it was carried out, as well as the role of the Sudanese from abroad in the success of this revolution, showed that about 60% of the respondents believe that the role of the Sudanese diaspora was positive, while 15% think that this role may be positive, while about 26% of the respondents believe that their role was not positive. About 38% of them believed that this revolution did not achieve its desired goals and about 54% felt that it had achieved only some of the goals. Most of those who participated in this questionnaire were male (74%); 35% of them ranged between 25-35 years old, 20% of them ranged between 18-25 years old, while 15% ranged in age from 40-55. 55% of these respondents were from the national capital, Khartoum[8].

[7] M. Hassan & A. Kodouda (2019), *Sudan's Uprising: The Fall of a Dictator*, "The Journal of Democracy" 30(4). retrieved from https://www.journalofdemocracy.org/articles/sudans-uprising-the-fall-of-a-dictator [accessed 28 May 2020].

[8] Own study based on data collected from December 2019 to March 2020, 654 Sudanese revolutionaries Survey Questionnaire.

The results of the referendum indicate that, despite the great frustration among the respondents with regard to the revolution and its results, especially in the economic and living standards- 94% of them indicated their dissatisfaction with the economic situation in the country after a year of the revolution- their view of the Sudanese in the diaspora and their national role remain positive. See figure number (2).

Although Figure (1) illustrates the view of Sudanese citizens towards Sudanese Diaspora, the second figure (2) shows the extent of frustration with the deteriorating economic situation, and we can say that there is a great dependence and hope on the diaspora to advance development and complete the path of economic reforms in the country .

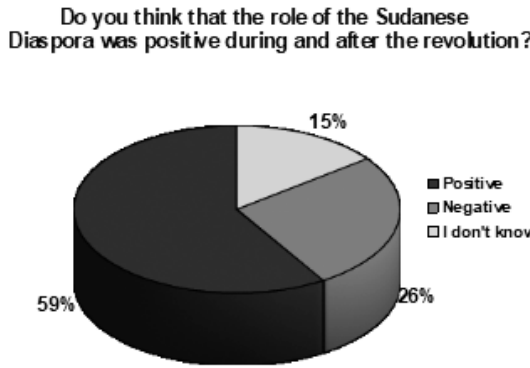


Figure 1: The role of Sudanese diaspora in the revolution.
Source: Own study based on data collected from December 2019 to March 2020, 654 Sudanese revolutionaries Survey Questionnaire.

It is worth noting that the remittances of the Sudanese expatriates in 2018 were about 160 million dollars, which is a relatively small number compared to the number of Sudanese abroad, which is estimated between six to seven million, due to their reluctance to transfer through the official banking channels of the former regime's policies, failures as well as the lack of confidence. The Sudanese authorities are now seeking to absorb between $ 10 and 11 billion dollars a year in remittances from expatriates, especially those working in the Gulf countries, through a project coordinated with the Ministry of Finance and the Bank of Sudan[9].

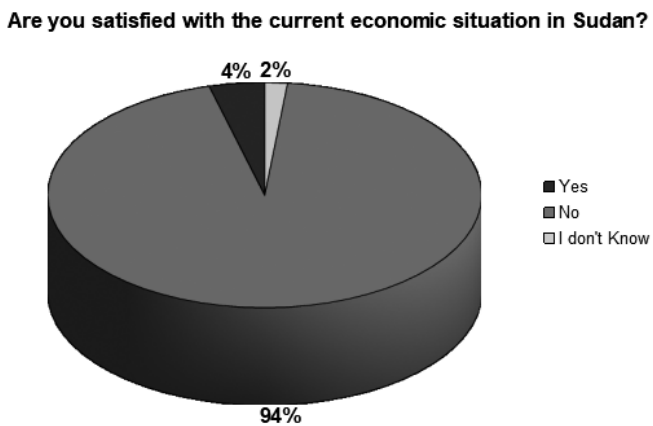


Figure 2: The satisfaction with the current economic situation in Sudan.
Source: Own study based on data collected from December 2019 to March 2020, 654 Sudanese revolutionaries Survey Questionnaire.

[9] I.M. Ali (2020), *Sudan is suffering from illegal immigration in 3D: The anger of the diaspora erupted and provided indescribable support to the revolution*, "Independent Arabic", 6 April, retrieved from https://bit.ly/2MKQPCz [accessed 9 June 2020].

Abdalmageed Saleh Haroun, one of the Sudanese immigrants from the Darfur region in the United States (Personal interviews, June 12, 2020), believes that there is no doubt that the Sudanese from various regions played an effective role in the fall of the conference system and the uprooting of the government of Omar Al-Bashir in 2019. He stresses that the Sudanese migrants from the Darfur region and the Nuba Mountains and Blue Nile played a major role in sparking the revolution abroad, due to the presence of a burning war, which was sparked by the government in these regions. Thus, they were at the forefront of the protests in front of United Nations headquarters in Geneva, Switzerland, and New York in the United States, as well as in the countries of the European Union. The main motive for the people of these regions is to stop bloody massacres that took place there, especially in the Darfur region, which was classified as genocide and ethnic cleansing.

Dr. Anwar Fateh Al-Rahman Ahmed Dafa Allah, a Sudanese expatriate in the State of Qatar, (Personal interviews, June 10, 2020), says that "Sudanese immigrants played a big role in supporting the revolution on the financial, media and political levels, and women's ties also played an active role". Dr. Anwar adds that: „the work of Sudanese activists in Qatar was through social media in Qatar, and its role was significant in providing moral support to the rebels on the ground. There are also those who participated in processions, needs and demonstrations in Sudan, and I was among them. I was arrested in a procession on January 6, 2012 and released. There was financial support from the Sudanese covering the needs of the demonstrators which was arriving through indirect transfers of protesters in Sudan". Anwar adds that: „one of the methods used by the Sudanese diaspora to reach their goals was the social media, and some creators, artists and others excelled in producing works that the public and revolutionaries interacted with in an excellent way. This together with the financial support that reached the revolutionaries in Sudan had a great impact on the success of the revolution".

Adam Bishr, a Sudanese immigrant from the Darfur region in Norway (Personal interviews, June 13, 2020)says: "The role of Sudanese from abroad was greater than one could expect from previous experiences in solidarity and movement in supporting the revolution and stripping the regime, in my opinion. There was a lot of violence, which was expected from the regime because the regime was besieged and was somewhat anxious that the region and the international community would not be tempted against it more than it was. There are strong Sudanese organizations with significant influence or a common denominator among all the Sudanese diaspora. Their role was positive as far as both financial support and presence in the media. Moreover, Sudanese living abroad had space to participate in the media outlets without fear that the regime is able to reach them abroad, and this has provided them with an opportunity to demonstrate some facts, analyses and information to media channels.

Conclusion

In conclusion, we can say that Sudanese diaspora communities, regardless of the countries in which they live, even in countries where there was not enough space for freedom and expression of opinion, played a positive and important role in bringing down the government of the Sudanese dictator Omar al-Bashir and the regime of the "rescue" government that had been ruling Sudan for about three decades. This is through supporting them morally and financially, or supporting them through their accounts on social networking sites, in particular Facebook, or denouncing the government's violations in demonstrations in front of the Sudanese diplomatic missions in the countries in which they reside, especially in the countries of Western Europe and the United States of America. However, the biggest challenge facing the Sudanese expatriates, especially those who participate in governance now in Sudan after the success of the revolution, is how to reform

the economic and political tracks and fight poverty and corruption that prevailed in the last decades of defunct rule as well as reforming educational structures. But above all, the biggest dilemma facing them in front of all the Sudanese elites is how to bring peace to the conflict areas, especially in Darfur, the Blue Nile and South Kordofan, and to reach with the armed movements a comprehensive peace agreement that ends all wars and conflicts in these marginalized areas and other areas in the east, especially that most of these immigrants are from these regions. Also, it is important for them to transfer technology and modern methods of sustainable development to their motherland, Sudan.

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The role of Sudanese diaspora in success of the revolution that overthrew the regime of dictator Omar al-Bashir

Abstract

In this paper, I will evaluate the role of the Sudanese diaspora in the success of the Sudanese revolution that broke out in the year 2019 in Sudan. I will analyse the role and methods utilised by Sudanese migrants to aid the revolution; the extent of their effectiveness; and their contribution to the political and economic reforms in the new Sudan.

Sudanese expatriates formed a strong support for demonstrators in their country of current residence, against the regime of ousted President Omar al-Bashir, throughout the protests that took place on December 19, 2019. Sudanese communities abroad organized demonstrations in many

cities and capitals of the world in front of headquarters of Sudanese diplomatic missions in support of the protests.

The largest demonstrations of the Sudanese expatriates began in London, Washington, Brussels and Paris, and they started petitions calling for the support of their families in Sudan to the representatives of those countries. Expatriate groups have formed a continuous support for the protests by publishing posters, videos and news on social media. As for the financial support, the Sudanese expatriates did not spare their money, as they gathered funds in most community places to financially support the protests, to help the wounded in hospitals and to send many young people who were seriously injured to receive treatment abroad[10].

Keywords: Sudan, diaspora, expatriates, revolution, revolutionaries, demonstration, Omar al-Bashir.

[10] M. Etienne and A. Franck (2019) '*The Mechanisms of the revolutionary Movement among the Sudanese of the Diaspora*', Noria Research, 1 January. Retrieved from https://www.noria-research.com/the-mechanisms-of-the-revolutionary-movement-among-the-sudanese-of-the-diaspora [accessed 13 May 2020].

Chapter 10.

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RELIGIOUS FREEDOM IN POLAND. A THEOLOGICAL AND SOCIOLOGICAL STUDY

Introduction – Poland is an open country

The understanding of the concept of religious freedom in Poland in the historical perspective is in constant development. Comparing with other countries that are culturally close to Poland, this country is quite positive, especially if we talk about international standards. It is extremely important to get to know each other. This is often emphasized in the press on this subject – getting to know another religion or denomination eliminates prejudices. It can therefore be stated with great certainty that a lack of knowledge of others causes tension. Such a claim is confirmed in the history of Poland, which has always been multi-religious and multi-faith. Because Poland is geographically located between East and West Europe, religious conflicts were also avoided for this reason.

This situation may be caused by insufficient knowledge of other religion. A good reflection of this thesis are the words of the evangelist Bogdan Tranda "unfortunately, for us evangelicals, being an evangelist often means the same as being a Catholic for an average Catholic. To be born in a given religion, not to meet others, not to ask for anything. In such a perspective it is difficult to develop and

accept"[1]. Another obstacle may be the fear of a lost identity – it often results from the uncertainty of knowing one's own doctrine.

So, there are many tasks for religious leaders, but also for scientists who understandably promote the necessary content.

Pluralism determines the coexistence of the Catholic Church and other religious denomination. More than 80% of Poles are Catholics. Dominance does not mean taking a decision at all costs. There are many spaces of interfaith and Interreligious dialogue.

Polish society has a unique history of religious freedom. The first document in Europe to guarantee religious freedom was the Warsaw Confederation, proclaimed in 1573. In this document, Poland was a "country without stakes"[2]. Since 1945 Poland has been one of the most monolithic countries in terms of ethnicity and religion. International reports assess Poland as a "free country" in general in terms of religious life (Pew. US State Department). Religious freedom is guaranteed by Polish legislation. The Constitution of the Republic of Poland of 1997 in Article 25 states that "Public authorities in the Republic of Poland shall maintain impartiality in matters of religious, philosophical beliefs, ensuring freedom of expression in public life". In turn, Article 53 of the Constitution states that: (1) "Everyone shall be guaranteed freedom of conscience and religion; (2) Freedom of religion shall include freedom to profess or accept the religion of one's own choice and to manifest, individually or with others, publicly or privately, by worshipping praying, participating in rites, practice and teaching. (3) Parents shall have the right to ensure that children are educated and taught morally and religiously in accordance with their beliefs; (4) The religion of a church or other religious association with a regular legal status may be taught at school, but the freedom

[1] Parafia Ewangelicko-Augsburska Przemienienia Pańskiego w Nowym Sączu, *Kim naprawdę są ewangelicy*?, retrieved from http://www.nowysacz.luteranie.pl/kim-naprawde-sa-ewangelicy [accessed 16 September 2019].

[2] J. Tazbir (1967), *Państwo bez stosów. Szkice dziejów tolerancji w Polsce w XVI i XVII w.*, Warszawa:Iskry.

of conscience and religion of others shall not be violated. (5) The freedom to manifest one's religion may be restricted only by law and only when necessary to protect national security, public order, health, morals or the freedom and rights of others; (7) No one shall be obliged by public authorities to disclose his or her worldview, religious beliefs or religion[3].

Strategic forecasts in the perspective of global processes indicate that religious identity will gain in importance[4]. Growing migration, not only from Ukraine, opens up new challenges related to religious freedom. Religious freedom is threatened not only with regard to religious minorities. As it was presented in the book "Religious freedom. Selected topics": "Religious freedom is a complex and interdisciplinary issue, combining philosophical, sociological, psychological, political, theological and legal aspects" [5].

The new geopolitical situation is undoubtedly affecting social life. Migration is a phenomenon that can also make a significant contribution to change in this area.

Constitutional guarantees of freedom of conscience and religion

The Basic Law – Constitution of 1997 aims at providing foreigners with the scope of freedoms and rights similar to those enjoyed by Polish citizens. Pursuant to Article 37(1) of this Act, anyone, being under the authority of the Polish State, shall enjoy the freedoms and rights ensured by the Constitution. This principle applies not only to

[3] *Constitution of the Republic of Poland of 2 April 1997* (Journal of Laws No. 78, no. 483).

[4] National Intelligence Council (2017), *Global Trends. Paradox of Progress*, USA.

[5] W. Sadłoń, W. Cisło & M. Olszówka (2018), *Wolność religijna. Wybrane zagadnienia*, Warszawa: ISKK, Pomoc Kościołowi w Potrzebie, Ordo Iuris, p. 8.

one hundred persons on the Polish territory, but also on board of Polish aircrafts and seagoing vessels, and even on the territory of Polish diplomatic and consular missions, enjoying the privilege of inviolability. In correlation with Article 37(1) of the Constitution, the general provisions of Article 32(1) and (2) stipulate that all persons shall be equal before the law; all persons shall have the right to equal treatment by public authorities. Therefore, no one can be discriminated against in political, social and economic life for any reason whatsoever.

In the case of restriction of the freedom to manifest one's religion by a foreigner, the premises for possible restrictions were formulated in a different way. They should be established by law and necessary to protect national security, public order, health, morals, or the freedoms and rights of others (Article 53(5) of the Constitution). The contemporary Polish political system, while defining the subjective scope of freedom of conscience and religion has resigned from restrictions based on the criterion of citizenship. Both freedom of conscience and religion (Article 53(1)), freedom of expression (Article 54(1)) and freedom to express religious, philosophical and philosophical beliefs in public life (Article 25(2)) have been referred to the individual as such. Detailed constitutional guarantees in the area of freedom of conscience and religion concerning: children (Article 48(1)), freedom of religion (Article 53(2)), the right of parents to ensure religious and moral education in line with their beliefs (Article 53(3)), the prohibition to force children to participate or not participate in religious practices (Article 53(6)), or the so-called right to remain silent in religious and philosophical matters (Article 53(7)) have not been restricted by the Constitution on the basis of nationality.

A detailed analysis of the contemporary Polish legal system indicates that in the area of freedom of conscience and religion foreigners do not have fully the same rights as Polish citizens. Such a situation is legitimised by the Constitution of 1997, which allows

for the possibility of limiting the freedoms and rights of foreigners in comparison with Polish citizens by way of a constitutional act. The principle of egalitarianism in the treatment of both groups is expressed in the most important acts of international law ratified or signed by Poland, concerning freedom of conscience and religion. It is also advisable for the Republic of Poland to accede to the most important legal acts securing the status of stateless persons (of 1954 and 1961). On the other hand, the 1993 Concordat requirement for bishops in Poland to have Polish citizenship some critically assess as interference with religious freedom, but the universality of this state of affairs, at least in Europe, does not seem to be very negative.

The most far-reaching restrictions on the religious freedoms of foreigners include the ban on their membership in Jewish religious communities and, above all, the inability to apply for the registration of a religious association. The indicated statutory restrictions deserve to be lifted as soon as possible. They do not correspond to the reality of social relations, especially in the international context. Their maintenance threatens to cause Poland to fail before the international bodies for the protection of freedom and human rights. Restrictions on the freedom of foreigners in religious matters are also of a material and non-discriminatory nature, i.e. they apply to them on an equal footing with Polish citizens. They result, in particular, from the social and political conditions of contemporary Poland. We are still a fairly homogeneous country in terms of ethnicity and religion. This factor continues to affect Polish legislation after 1989. It should be noted, however, that the Polish Constitution defines moderate relations between religionists with institutional acceptance. The preamble to the constitution refers to God as the source of only three virtues: justice, truth and beauty, while theologians want to talk about all values rather than just only three.

Religious freedom in the Doctrine of the Church

The Second Vatican Council, on *Declaration on Religious Freedom,* states: "A human being has the right to religious freedom. Such freedom implies that all persons should be free from coercion on the part of individuals, social groups and any human authority, so that in religious matters no one is compelled to act contrary to his conscience or to interfere with his conscience, privately and publicly, individually or in association with others, to a decent extent (...). This right of the human person to religious freedom should be recognized in the legal system of society in such a way as to constitute civil law"[6]. In this term, the Second Vatican Council states that religious freedom is a subjective right, a right of the human person. It also gives the power to require other entities to be free from coercion or from acts of a religious nature. This is not only a private matter for citizens, as some legislation upholds, but above all a public right, because it concerns the legal relationship between a human being and other communities and the state, which is mainly public. Religious freedom also means the freedom to seek, accept and publicly profess the truth in society and in the state[7]. The Code of Canon Law speaks of the right and obligation to seek the truth: "All men are bound to seek the truth about God and His Church, and of known duty and right under God's law to accept and to keep", and of freedom from coercion: "People must not be forced by anyone to accept the Catholic faith against their conscience"[8].

In the doctrine of the Church, it usually stands out when determining religious freedom: "freedom of conscience", "freedom of worship"

[6] Declaration on Religious Freedom no. 2.

[7] H. Misztal (1999), *Wolność religijna i jej gwarancje prawne*, in: H. Misztal (ed.), *Prawo wyznaniowe w III Rzeczypospolitej*, Lublin–Sandomierz: Wydawnictwo Diecezjalne.

[8] Can. 748 §§ 1,2 of the Code of Criminal Procedure.

and "freedom of the Church" (Declaration on the religious freedom of the Second Vatican Council). Freedom of conscience means the right of a person to self-determination, whether positive or negative, in relation to activities expressing his or her religious beliefs. This is about freedom without any external pressure, be it physical or legal. In the positive sense, it means the choice of faith in God and leads to external acts of this faith, while in the negative sense, it means the negation of the existence of God (it also implies the choice of the atheistic worldview). Freedom of worship includes the unrestricted right of every person to self-determination in relation to the performance of external acts of worship. Thus, the material object of the freedom of worship is external acts, whether individual or together with others (social), resulting from the acceptance of some kind of religion. Acts of worship may be private (worshiping God by individuals and through activities performed in their own name) or public (worshiping God officially by a religious community or by persons authorized to do so, e.g. ministers of worship). Finally, the religious freedom of religious communities is sometimes referred to in literature as the freedom of the Church as a typical community, but it does, of course, apply to all recognised religious denominations that have an institutional character[9].

Religious freedom in sociological research

One of the first attempts to measure the scale of religious freedom in Poland was made in 2015 by the Institute of Statistics of the Catholic Church SAC named after Fr Witold Zdaniewicz (ISKK), conducting a survey of Catholic parishes in the years 2012-2014. The pilot study showed that "in those years, Catholic priests from 12.1% of parishes experienced acts of discrimination consisting mainly in offensive

[9] H. Misztal, op. cit., p. 207.

comments (77% of cases), while in 4% of Catholic parishes, people who claimed that they were treated unequally because of their religious beliefs reported to pastors. Also, in almost 9% of Catholic parishes at that time, acts of profanation of holy places were recorded[10].

The next stage of the study of religious freedom in Poland is the 2019 report of the Institute of Statistics of the Catholic Church. It includes a review of available administrative data, data on public statistics and results of social research on religious freedom (primarily the Police Headquarters, the Ministry of Internal Affairs and Administration, the Ministry of Justice, the Social Cohesion Survey of the Central Statistical Office); a press search – analysing press releases on religious freedom in our country, both reporter and journalist; informing the public about new scientific studies on religious freedom; analysis of legislative changes in this area in Poland.

Religious freedom in the perspective of the Penal Code and the Civil Code (selected cases)

The information contained in the Local Data Bank shows that in recent years the number of crimes against "freedom, freedom of conscience and religion, sexual freedom and morality" has been increasing. This category includes crimes of a very diverse nature, ranging from deprivation of human liberty to trafficking in human beings, sexual exploitation to crimes directly against freedom of conscience and religion, i.e. related to Article 194 of the Penal Code on religious discrimination, Article 195 on preventing the execution of a public religious act and Article 196 on insulting religious feelings. In 2015, the Main Police Headquarters in Poland recorded 27,661 crimes

[10] W. Sadłoń (2016), *Społeczne podstawy wolności religijnej*, in: M. Such-Prygiel, K. Novikova (eds), *Społeczeństwo polskie w drugiej dekadzie XXI wieku: wymiary, problemy, idee*, Józefów: Wyższa Szkoła Gospodarki Euroregionalnej, pp. 269–286.

confirmed in completed preparatory proceedings against freedom, freedom of conscience and religion, sexual freedom and morality. In 2016 and 2017, there were 31,144 of them each year. In 2018, however, 33,310 such crimes were recorded.

The detection rate for these crimes was 86.9% in 2015, 87.6% in 2016 and 88.6% in 2017. The ratio of crimes stated by the police against freedom, freedom of conscience and religion, sexual freedom and morality per 1,000 inhabitants in these years amounted to an average of 0.78. In 2018, per 1,000 inhabitants, the highest number of crimes against freedom, freedom of conscience and religion, sexual freedom and morality was recorded in the zachodniopomorskie [West Pomeranian] (2.38), lubuskie [Lubuskie] (1.49) and dolnośląskie [Lower Silesian] (1.06) voivodships. It should be noted, however, that the above data contain the sum of offences against freedom, which refers to various aspects of freedom, not only religious.

Statistical data, directly related to the number of proceedings concerning infringement of religious freedom made available by the Police Headquarters, specify the proceedings instituted and confirmed on the basis of the Penal Code. They concern cases of religious discrimination (Article 194), hindering public performance of a religious act or mourning rites (Article 195) and images of religious feelings (Article 196). To these directly relevant articles on religious freedom, Article 119, on the use of physical violence or threats based on discriminatory motives based on national, ethnic, racial, political, religious or non-confessional grounds can be added, Article 119, on the use of physical violence or threats based on discrimination on grounds of nationality, ethnicity, race, political or religious origin or on grounds of lack of religion. Article 256 concerning the promotion of a fascist or other totalitarian state system or incitement to hatred on the grounds of nationality, ethnicity, race, religion or because of lack of religion and Article 257, concerning behaviours detrimental to human dignity and integrity, consisting in public insults on the grounds of nationality, ethnicity, race, religion or because of its lack

of religion or for such reasons, violates the physical integrity of another person. It should be noted that these three articles also cover acts not directly related to religious freedom.

Violation of religious freedom may also consist in violation of personal rights, i.e. relate to Articles 23 and 24 of the Civil Code. The Institute of Justice conducted a survey of files concerning images of religious feelings in terms of violation of personal rights, which was carried out on the basis of an analysis of files of selected courts dealing with such cases. In the drawn sample there were 16 cases dealt with after 2007[11]. In the studied cases of violation of personal rights by offending religious feelings were associated with the Christian faith in 75%. In most analyzed cases, plaintiffs accused Christianity believers of violating religious freedom. "They considered the placement of the Latin cross in public places, such as the building of the Sejm of the Republic of Poland or the municipal office, to be such actions. In addition, they pointed out that, against their will, they were given sacraments related to the rites of the Catholic Church. Only in two cases was it pointed out that it was impossible to practice the Christian faith. The first case was related to the request for permission to exhume the body and bury the deceased in the rite of the Catholic Church, while the second case concerned the situation in which the prison authorities prevent the plaintiff from practicing in the Pentecostal Church, inter alia, by refusing to grant permission to wear religious symbols[11]. Islam was the second largest religion connected with the accusation of insulting religious feelings, in 18.8% of cases his followers pointed to the lack of possibility to cultivate religious practices in prisons.

The Department of Migration Analysis and Policy (DAiPM) of the Ministry of the Interior and Administration (MSWiA), in cooperation with the Police Headquarters (KGP), monitors crimes motivated by prejudice. It includes information on preparatory proceedings in hate crimes cases conducted by the Police throughout the country. The notion of hate crimes is understood as crimes related to: (1) Article

119 of the Criminal Code, i.e. the use of physical violence or threats based on discriminatory motives because of national, ethnic, racial, political, religious or religious affiliation or because of its lack of religion; (2) Article 119 of the Criminal Code, i.e. the use of physical violence or threats based on discriminatory motives due to national, ethnic, racial, political or religious affiliation or because of its lack of religious beliefs; (3) Article 119 of the Criminal Code; (4) Article 257 on behaviours detrimental to human dignity and integrity, consisting in public insults on account of their national, ethnic, racial, religious or religious affiliation or on account of their lack of religion, or for such reasons violates the physical integrity of another person. Local units and the Police Headquarters (KGP) prepare monthly reports on such proceedings and then send them to the DAiPM, where they are supplemented with information on convictions handed down in individual proceedings.

Religious freedom in Poland is also presented in international reports. They most often refer to Polish administrative data sources. The Annual Report of **Amnesty International**, documenting the situation of human rights in the world, in 2015/2016 drew attention to the actions of the Constitutional Tribunal of Poland, which in October ruled on the constitutionality of a regulation penalizing the offense of religious feelings[11]. According to the judgment of the Constitutional Tribunal of 6 October 2015, Article 196 of the Criminal Code providing for a fine, penalty of restriction of liberty or deprivation of liberty up to 2 years as a sanction for offending religious feelings does not violate the Constitution. The Penal Code also prohibits public statements that offend religious feelings. In the case of violation of this prohibition, the law provides for a fine of PLN 5 thousand.

The US Department of State, in turn, refers to the Organisation for Security and Cooperation in Europe and the Ministry of the Interior and Administration. According to them, in 2015; "There were 50 anti-Semitic hate crimes and incidents in Poland compared to 39 in 2014, 42 anti-Muslim hate crimes and 12 such crimes against Christians

compared to 14 in 2014. In 2015 the government recorded 44 acts of vandalism against Jewish religious objects, 27 against Muslims, 12 against Christians and other religions. The National Prosecutor's Office reported that in the first half of 2016 it investigated 102 hate crimes against Jews (142 were recorded in the same period of 2015), 252 such crimes against Muslims (69 in the same period of 2015) and 23 against Christians (22 in the same period of 2015)[11]. The U.S. Department of State report for the following year states that data provided by the National Prosecutor's Office show that prosecutors conducted 582 investigations into religiously motivated incidents in 2016. The number of hostilities towards Muslims almost doubled in comparison with the previous year and amounted to 363 cases, while the number of anti-Semitic behaviors decreased to 160 (a decrease of 23%)[12].

A report by the Organization for Security and Cooperation in Europe shows that the most common motivations for hate crimes are racism and xenophobia (68%) and prejudice against Muslims (13%). On the other hand, prejudices against Christians account for less than 3% of the motivation for these crimes[13].

Religious freedom in social perception

The modern research indicates that freedom is a value in the life of Poles. The reports of the Centre for Social Opinion Research indicate that "freedom of expression of one's own views" is one of the 10 most important values for Poles. In 2019 18% of Poles declared that "freedom of expression of one's own opinions" is a value for them. Research

[11] *Report on Observance of Religious Freedom in the World in 2015*, U.S. Department of State.

[12] Ibidem.

[13] http://www.hatecrime.osce.org/poland. Cases include hate crimes and hate speech.

shows that in recent years this value has been growing significantly in the lives of Polish people[14].

Among 47% of Poles who said that the Constitution was not observed, 7% said that the lack of observance concerned freedom of conscience and expression[15]. Satisfaction with the state of democracy in 2016, (39% of Poles were satisfied with democracy in Poland), is most often justified by freedom of speech (19%), but also freedom of belief, religion and conscience (3%)[16].

The Social Cohesion Survey 2015, which was carried out by the Central Statistical Office, took into account the issue of social discrimination and looked at the main causes of it. The analysis shows that religious faith is the reason for unequal treatment in Poland, although among all the groups mentioned in the questionnaire, discrimination of believers was indicated only in 7%. In order to conduct a thorough analysis and to find an answer to the question of how discrimination based on religious beliefs or world views is perceived in Poland, respondents were asked to assess the worse treatment of three groups: firstly, persons of religions other than Catholic ones, secondly, catholic people were assessed, and thirdly, non-believers and atheists. The largest part of the surveyed Polish residents expressed the opinion that the reason for the worse treatment is non-Catholic religion (23%), discrimination against non-believers and atheists was pointed out by 13.9% of respondents, and 7% by non-believers. One in twenty Polish citizens aged 16 and over (5%) witnessed discrimination against non-Catholic religions, and one in thirty-third (3%) non-believers, atheists and believers[17].

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[14] R. Boguszewski (2019), *Rodzina – jej znaczenie i rozumienie*, CBOS 22/2019.

[15] A. Głowacki (2017), *20th Anniversary of the Constitution of the Republic of Poland*, CBOS 37/2017.

[16] M. Feliksiak (2016), *Opinions on democracy*, CBOS 17/2016.

[17] GUS (2017), *Jakość życia w Polsce. Wyniki badania spójności społecznej* (Quality of life in Poland in 2015. Results of the Social Cohesion Survey), Warszawa: Central Statistical Office.

Worse treatment, contributing to the occurrence of social exclusion, was noticed first of all by relatively young people, having higher education and coming from the largest cities.

For several years now, the Ordo Iuris Institute of Legal Culture has been monitoring the press for cases of violation of religious freedom. In 2014, 28 cases of violation of religious freedom were identified, including 18 cases of verbal abuse and 10 cases of profanation of holy places. In 2015, 39 cases of violation of religious freedom were identified, in 2016: 27 cases and in 2017: 34 cases.

It is also worth noting that the US Department of State's studies on religious freedom in Poland, available in Polish on the website of the US Embassy in Poland, states that "According to a survey by the Pew Research Center published in June, 56% of the population had a negative attitude towards Muslims and 38% had a negative attitude towards Jews[18]. The 2017 report states that "According to the Pew Research Center survey, two thirds of respondents had a negative perception of Muslims"[19]. Unfortunately, the source of this data was not provided. The data may come from the May 2017 ISKK report of the Pew Research Center on religiosity in Central and Eastern Europe. It shows that 31% of Poles declare that they would not be willing to accept a person of Jewish origin as a member of their family, 21% as a neighbour and 19% as a Polish citizen[20]. Polish attitudes, which could be considered negative towards representatives of various religions, are estimated by the Centre for Social Opinion Research. The most negative attitude was characteristic of Polish towards Muslims. 44% of Poles had a negative attitude. Negative attitudes towards Judaism were characteristic for 19% of Poles. It is worth

[18] U.S. Department of State (2015), op. cit., p. 5.

[19] Ibidem, p. 14.

[20] Pew Research Center (2017), *Religious Belief and National Belonging in Central and Eastern Europe*, Washington D.C., p. 162

noting that according to the same data in 2015, 88% did not know any Muslims[21].

The issue of migration, in many cases, has today become a tool for political struggle. However, it is worth noting that every person who, for various reasons, takes the risk of leaving his or her own country and going into the unknown, carries with them a specific set of norms and beliefs. It has to be said that it is a kind of autonomous "culture". At this point, there is a creative possibility for each of the parties: the migrant and the person and the host nation. Despite religious differences and cultural heritage, it is possible to live together, build common good and create social life. Differences do not always have to be divided, but sometimes they can become an element of enrichment. In order for this positive migration to become a reality, many complex relationships must be fulfilled. It must not become a mere slogan, but a kind of commitment for each of the parties. There are many initiatives in Poland that aim to deepen the bond and respect for others, regardless of their religion. There are numerous prayer meetings, scientific conferences, and at the University of Cardinal Stefan Wyszyński there is an Institute for Interreligious dialogue. The museum exhibition "Wegrów – a city of many cultures and religions" was created in Wegrów. Its aim is not only to tell about the history of the city in the dimension of religious diversity, but also to make contemporary people aware that diversity can be a development factor. It is worth noting that on the initiative of the Polish Government, this year the UN General Assembly has designated 22 August as the International Day of Commemoration for the victims of acts of violence on account of religion or belief. These activities show the great sensitivity of the Polish society to the issues of religious diversity.

[21] M. Feliksiak (2015), *Attitudes towards Islam and Muslims*, CBOS 37/2015.

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Religious freedom in Poland. A theological and sociological study

Abstract

A concept prior to religious freedom was religious tolerance. The issue of religious tolerance was alien to the Mosaic religion and pre-Christian antiquity. Christianity, as a monotheistic religion, tolerated a different religion of those who were born in that religion, that is, only pagans and Jews. St. Augustine and St. Thomas of Aquinas professed the principle that freedom is granted only to the truth and therefore they did not recognize tolerance towards heretics, schismatics and apostates. In their opinion, those who departed from the Catholic faith had to be forced to return by force. Consequently, these theses led to inquisition judgments. Also, the Reformation did not change the attitude of the Catholic Church on this subject. In spite of this official position of the Church, which for centuries opposed religious tolerance, it was within the Church that views based on love of neighbour and justifying the need for tolerance were born. It is appropriate to recall here Marselius from Padua and the Polish scholar Paweł Włodkowic (address at the Council in Constance in 1415). After the Reformation, the principle of religious tolerance was promoted by Andrzej Frycz Modrzewski and Arians (Rakowiecki Catechism of 1605). Poland belongs to those European countries which introduced the earliest official principles of religious tolerance (in 1573 the Warsaw Confederation proclaimed religious freedom for the nobility and bourgeoisie). Tolerance (tac. tolerare = endure) is the admission of foreign views, customs and beliefs provided that they do not violate human rights. The Second Vatican Council (1962-1965) emphasized the freedom of conscience and religious practice for all[22]. Today, the Church sees its special task in maintaining and developing unity and love among people and nations. Although the boundaries between good and evil are defined differently – depending on the circumstances of life's education, environment and historical influences – there is, however, a general conviction that everyone must

[22] *Declaration on religious freedom "Dignitatis Humanae".*

do what he or she considers good after consideration and abandon what he or she believes to be bad. Freedom of conscience, as one of the fundamental human rights, is the right to do or not to do something in accordance with one's own conscience, without succumbing to external pressure. An erroneous conscience is a conscience that does not comply with objective value norms. From a moral point of view, a person who follows his conscience, even if he is wrong, cannot be condemned. Freedom of conscience and religion is a right which also includes freedom to possess, accept or change one's religion or belief as well as to manifest (individually or in community with others) one's religion or belief through teaching, worship and observance. At the same time, it is also stated that freedom to manifest religion or belief may be subject only to such limitations as are prescribed by law and are necessary in a democratic country for reasons of public security, public order, health, morals or the protection of the fundamental rights and freedoms of others. Freedom of conscience and religion shall extend to religious communities, churches and other religious associations. They are constitutionally guaranteed equal rights and public authorities are bound to maintain impartiality in matters of religious and philosophical beliefs, ensuring their freedom of expression in public life. It is also stressed that relations between the State and Churches and other religious associations are based on respect for their autonomy, mutual independence and cooperation for the benefit of man and the common good.

Chapter 11.

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MIGRATIONS OF THE GIDAR – A PEOPLE OF NORTH CAMEROON

The Gidar[1] mainly inhabit the lands of the North Cameroon plateau, covered in the shrubbery of the savanna and small, isolated mountain ranges such as Hossere[2] Sorawel, Hossere Faourou or Hossere Bidzar and Hossere Heri. Through its center runs the Mayo Louti (Angry River) – which in the dry season almost completely disappears while in the rainy season its powerful current gathers water from several dozen other seasonal rivers, channeling them to the Mayo Kebbi and beyond, to the great Benue River. From the northeast, the Gidar neighbor upon the lands of the Mundang and Tupuri; from the north, with the land of the Giziga; from the northwest with the homeland of the Daba, and the home of the Fali on the west. In the southwest, Gidar villages overlap with the few Mambay villages in the region. The country of the Gidar straddles the border between Cameroon

[1] The term "Baynawa" (compatriot, tribesman, "speaker of our language" – "Makada") may be used as an endonym for the Gidar. The name "Gidar" most likely originates from French researchers, who spelled it "Guidar", after the name of the town "Guider", derived from the Gidar "g'dar" – "tireless", "restless". Other notations and names: "Guiddar", "Giddar", "Gidr"; "Koudak" ("Kudak") in Daba and Giziga; "Marbun" in Fali.

[2] *Hosseré* – in Fulfulde, "mountain". "Hosseré" became part of the name of individual mountains.

and Chad, encompassing many kilometers of savanna in the direction of Lake Léré. Currently their population in Cameroon is approximately 170,000, and approximately 15,000 living in the territory of Chad.

The greatest concentrations of the Gidar can be found in two cities of this region: Guider, seat of the Mayo Louti Prefecture, and Figuil. Other large clusters of the Gidar are found around the villages of Lam, Djougi, and Bidzar, on the banks of the Mayo Louti (from Mayo Loue all the way to Figuil), and around Sorawel.

There is only a rather modest amount of literature dedicated to the Gidar. The first extensive publication on the history of the region was the work of colonial administrator Jacques Lestringant[3]. The next important publication was authored by Chantal Collard, who conducted sociological research among the Gidar from April 1970 to April 1971[4]. The most extensive study of the culture (especially religious) of the Gidar was the publication of Antoni Kurek, OMI, entitled *Wierzenia i obrzędy Gidarów, ludu północnokameruńskiego. Studium historyczno-hermeneutyczne* [Beliefs and rituals of the Gidar, people of North Cameroon: a historic-hermeneutic study] (Warsaw 1988), based on research of that region conducted from 1976-1977. Also worth mentioning is the contribution of Polish missionaries to the development of literature in the Gidar language[5]. A fruit of this was the publication of a Gidar-language grammar, first published in

[3] J. Lestringant (1964), *Le pays de Guider au Cameroun. Essai d'histoire régionale*, Versailles.

[4] The fruit of her research was a doctoral dissertation submitted at the Paris X Nanterre University, entitled Ch. Collard (1977), *Organisation sociale des Guidar ou Baynawa* (*Cameroun septentrional*), [ms] Paris, and published articles: Ch. Collard (1980), *Du bon ordre des enfants. Etude sur la germanité guidar*, « Anthropologie et Société » 4(2), pp. 39–64; id. (1971), *La société guidar du Nord-Cameroun. Compte rendu de mission*, « L'homme – Revue Franēaise d'Anthropologie » 11(4), pp. 91–95; id. (1973), *Les «noms-numéros» chez les Guidar*, « L'homme – Revue Franēaise d'Anthropologie » 13(3), pp. 45–59.

[5] The evangelization of the Gidar began in 1948. In 1970 the Polish Oblates of Mary Immaculate joined in this very actively.

only a dozen or so copies on a mimeograph in Figuil in 1993[6]. That same year a new translation was begun in Lam of the Mass readings for Sundays and feast days. The outcome of this years-long work of the Polish missionaries and their co-workers was the publication of three liturgical lectionaries and an abbreviated Roman Missal as well as translations of the New Testament[7] and the Psalter.[8] The first professional grammar in the Gidar language came out in 2008. Its author was the linguist Professor Zygmunt Frajzyngier of the University of Colorado, USA[9].

Migrations of Legend

Many researchers when speaking of the Lake Chad basin emphasize that it is a territory "populated from antiquity." Certainly, it was terrain conducive to herding and farming. Over the centuries numerous migrations swept through it from regions of the Sahara as well as from east to west and back again. It is, however, impossible to reconstruct the history of these numerous migrations due to their doubtless great number and complexity, their remaining for centuries on the sidelines of major civilization centers, and also because of many centuries of slave hunting.

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[6] W. Kozioł & J. Manglé (1993), *Grammaire guidar*, Figuil.

[7] *Əmanman Meleketeni. Nouveau Testament, guidar*, Traduction, rédaction et révision linguistique: Loucien Bouba, Théophile Doulaneni, Władysław Kozioł, Jean Maingle, Maurice Oumarou, Jarosław Różański, Krzysztof Zielenda, Pelplin: Bernardinum 2008.

[8] *Psaumes na Makada* (*gidar*), Traduction, rédaction et révision linguistique: L. Bouba, T. Doulaneni, W. Kozioł, A. Madi, J. Maingle, B. Haman, M. Oumarou, J. Różański, K. Zielenda, Figuil (Cameroun)–Varsovie (Pologne): Missionaires Oblats de Marie Immaculée 2015.

[9] Z. Frajzyngier (2008), *A Grammar of Gidar*, Frankfurt am Main: Peter Lang.

In West Africa, messages from *griots* and sojourners' tales help to reconstruct the history of individual ethnic groups. On the other hand, in the case of the Kirdi[10], from northern Cameroon, it is not possible to speak of a one, single history, because they never had one. Their history is the story of individual tribes or even families. The inhabitants of that corner of the world did not know writing, nor did they build houses capable of surviving the centuries. Their daily lives and the products of their work were primarily intended for the immediate, localized needs of the family or village. Because of this, all travelers, researchers, and historians turned their attention instead to the ancient powers of the savanna belt, which had created a solid military and economic organization. With them, or rather with the history of their expansion, are connected the oldest known historical facts of this region.

Migration in these areas intensified in the 17th and 18th centuries, in a period of growing dominance of Muslim powers in the neighboring regions. The first mentions of individual ethnic groups also originate from this period, passed along mainly by invaders and those traveling with them.

Numerous accounts of the Kirdi tell of their northern cradle. There is for example the Megdara (Mukdara)[11], one of the Gidar tribes, which connects its origin with a leader who came from the ancient kingdom of Bornu, from the village of Badagaza, and having left it went to Meme near Mora, and then to Gudur (Goudour, Goudoul)

[10] The name "Kirdi", given to them by Muslim invaders, has become quite common in European literature. It includes Negretic tribes classified by J.H. Greenberg in the Adamawa sub-group of the Congo-Kordofanian macrofamily as well as ethnic groups using Chadian languages from the Afro-Asiatic macrofamily. Cf. J. Różański (2008), *Przemiany w systemie społeczno-politycznym północnokameruńskich Kirdi*, in: A. Żukowski (ed.), *Forum Politologiczne*, vol. 7: *Przywódcy i przywództwo we współczesnej Afryce*, Olsztyn: Instytut Nauk Politycznych Uniwersytetu Warmińsko Mazurskiego, pp. 309–340.

[11] Living mainly in the Guider – Libe region.

on the eastern side of the Mandara mountains. Chantal Collard, the Canadian researcher from Quebec, distinguished 38 Gidar tribes, giving various places of their origins. Ten of them remember Gudur as their place of origin; others often name the kingdom of Mundang in Chad, or also the neighboring land of Giziga. Each of them has its own origin history[12].

Gudur was located in the fertile Gaouar valley. Due to its out of the way location this valley was an ideal place of refuge, with good soil and water[13]. In the 17th and 18th centuries increasing numbers of Paleo-Negretic refugees streamed into the valley[14]. Some of the Daba, Giziga, Kapiski, and Mofu tribes also descend from Gudur.

The Gidar Melketin tribe, today living mainly in the villages of Djugi and Batao in the tradition cited by the abovementioned Chantal Collard, "lived in Margi-Wandala together with the ancestors of the Matakam[15] people. Between Hina and Mokolo is the small village of Gudur, where the Melketin and Matakam lived". Their story tells about a peaceful life and work until one day a dog ate a large part of the meal prepared for the men working in the fields. The son of the Melketin chief was accused of this act. There was an argument and the boy's stomach was opened, and he died. In the end, it was found

[12] Cf. C. Collard (1977), op. cit., pp. 377–383.

[13] For more on Gudur: C. Jouaux (1989), *Gudur: Chefferie ou royame ?*, « Cahier d'étude africaines » 114, pp. 259–288; C. Jouaux (1991), *La chefferie de Gudur et sa politique expansionniste*, in: J. Boutrais (ed.), *Actes du quatrième colloque Méga-Tchad: 3. Du politique à l'économique: études historiques dans le bassin du lac Tchad*, Paris : Éditions de l'ORSTOM, pp. 193–224; C. Seignobos (1991), *Le rayonnement de la chefferie théocratique de Gudur* (*Nord Cameroun*), in: J. Boutrais (ed.), *Actes du quatrième colloque Méga-Tchad: 3. Du politique à l'économique : études historiques dans le bassin du lac Tchad*, Paris: Éditions de l'ORSTOM, pp. 225–317.

[14] Cf. R. Vorbrich (1989), *Daba – górale północnego Kamerunu. Afrykańska gospodarka tradycyjna pod presją historii i warunków ekologicznych*, Wrocław: PTL, pp. 42–43.

[15] Mafa.

that the dog was the guilty one. "When the truth came to light, the Matakam did not know how to apologize to the Melketin. They had the humility to ask for forgiveness, but the Melketin did not accept their apologies and they swore revenge". War broke out. The Melketin murdered Matakam children. "After committing this crime, the Melketin gathered up their belongings and fled in haste. (…) The Melketin walked backwards all the way to the road from Mokolo to Guider. After that they walked normally, in battle formation: women, children, and the elderly gathered in the center, with armed warriors walking on the sides". The fugitives "reached the very fertile lands at the foot of a certain hill. The elders wanted to rest in this place. A boy asked in the Melketin language, which became Gidar, 'Tiki in libbe de baharye?' – why is this place so exceptionally fertile? From these words the place later came to be called Libe. (…) The parents, however, chose to settle in another place, the Guider of today. The children wanted to go after the parents but lost their way. They returned therefore to Libe. They settled there and marriages were formed among them. One group, having reached Guider, went on in the direction of Gombo and arrived in Kakala. They settled there, creating a community later known as Mambay. In Guider, meanwhile, Tizi, the warrior commander and the chief of the Tumba, announced: 'These lands will belong henceforth to us and to our descendants. We will not give them to any invaders: we are the masters of these lands.'"[16]

The account of Giziga cited by French colonial administrator J. Fourneau says that Bildinguer – the Giziga leader – came from the nation of Bagirmi to Gudur. Following "misunderstandings," Bilginguer departed from there and founded the Moutouroua dynasty[17]. This

[16] Cf. C. Collard (1977), op. cit., pp. 366–376. Polish translation: A. Kurek (1988), *Wierzenia i obrzędy Gidarów, ludu północnokameruńskiego. Studium historyczno-hermeneutyczne*, Warszawa: ATK, pp. 473–477.

[17] Cf. J. Fourneau (1937), *Notes de tournées dans subdivision de Kaélé*, p. 2. Cited by: G. Pontié, *Les Guiziga du Cameroun septentrional. L'rganisation traditionnelle et samise en contestation*, Paris: Éditions de l'ORSTOM 1973.

took place probably at the end of the 17th century or in the first years of the 18th century.[18] It may be that it was at this time that the already mentioned dispute between the Melketin (Gidar) tribe and the ancestors of the Matakam people broke out which ended in war and the Melketin leaving that fertile valley.

The conflicts in Gudur mentioned here did not necessarily result from ethnic differences. The fertile and defensively strategic valley of Gouar favored a significant increase in population. Over time it became incapable of feeding its many inhabitants. This certainly led to clashes between individual tribes and resulted in an exodus of the population. These migrations went on for years. As indicated by the oral tradition of various Gidar tribes, the origins of this ethnic group were not homogenous; this is affirmed also by the deep diversity of their language dialects. As an example, the Gidar of the Duva and Gidi villages are Gidaraized Gizigans; the Gidar of the village of Djugi, Gidarized Mundang. All indications suggest that the Gidar have numerous common roots with the Giziga and the Mundang.

Migration during Fulbe and European rule

The Fulbe[19] began penetrating northern Cameroon quite early, beginning in the 16th century. At first the Fulbe did not come into

[18] Such a hypothesis is put forward by, among others, B. Lembezat (1961), *Les populations païennes du Nord-Cameroun et de l'Adamaoua*, Paris: P.U.F., p. 24.

[19] Fulbe – in the language *fulfulde*, adopted by the majority of groups speaking this language, although in Guinea the term *fulde* can be found, and in Senegal, *pulaar*. The French *peul* was sometimes written as *peulh*; it comes from Wolof (*pøl*). The English *fulani* remains under the influence of Hausa. Some German-speaking authors have used *ful*, and Anglosaxons, *fula*. In the Fulfulde language: the singular is *Pullo*; the plural, *Fulbe*. Cf. P.-F. Lacroix (1981), *Le puel*, in: J. Perrot (ed.), *Les langues dans le monde ancien et moderne*, vol. 1, Paris: Éditions du Centre National de la Recherche Scientifique, pp. 19–31. Many ethnic groups in Chad call them *Fellata*. The Mbororo are closely related to the Fulbe.

conflict with the local communities. That situation changed at the beginning of the 19th century, when in 1806 Usman dan Fodio declared a "holy war" against the infidel in the territory of today's northern Nigeria[20]. Remaining in feudal dependence upon the sheik of Sokoto, Modibbo Adama subordinated the local Fulbe chiefs in the Garoua, Maroua, and Ngaoundéré areas (the Adamawa Plateau), receiving the title of Emir. He made the city of Yola (Nigeria) the capital. Around 1830, Adama, Emir of Yola, who personally commanded the Fulbe cavalry, invaded Guider. His army conquered the Mayo Louti valley with no difficulty. Muli Madi (Tidji), Gidar chief in Guider, was killed. His oldest son fled towards Libé, forcing its occupants out, and later sheltering in the mountains. The German sojourner Kurt Strümpel writes thus about the events: "Adama reached Mayo Tiel, crossed the Mandara Mountain range, went through the Popolgozom pass and struck at the pagan city. Madi bled to death between Djougi and Doubi, wounded by the sword of a Fulbe warrior. His son Gilim escaped to the hills west of Guider and settled in Libé. With Guider one of the most important pagan resistance spots had come into the

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On the topic of the Mbororo see. H. Bocquené (1986), *Moi, un Mbororo. Autobiographie d'Oumarou Ndoudi peul nomade du Cameroun*, Paris: Karthala. Cf. also: J. Różański (2013), *Fulbe w strefie Sudanu. Migracje, władza i pieniądze*, in: W. Cisło, J. Różański, M. Ząbek (eds), *Bilad as-Sudan – kultury i migracje*, Warszawa: Polskie Towarzystwo Afrykanistyczne, Międzynarodowe Centrum Dialogu Międzyreligijnego i Międzykulturowego UKSW, pp. 47-64.

[20] Usman dan Fodio lived in the Hausa country Gobir. He was a scholar who had been educated in Arabic. He had quickly become disappointed by the mixing of Islam with pagan practices. He declared a holy war (*jihad*) against the Islamized leaders of the Hausa, whom he treated as "black pagans". When his brother on June 21, 1804 broke the forces of the rulers Gobir and Tuareg, the followers of Usman dan Fodio proclaimed him "Leader of the Faithful" (*Sarkin Musulmi*). Under the aegis of a return to strict observance of the Koran, he subordinated large areas to his authority. Cf. S. Piłaszewicz (1994), *Potęga Księgi i Miecza Prawdy. Religia, cywilizacja i kultura islamu w Afryce Zachodniej*, Warszawa: Wydawnictwo Naukowe PWN, pp. 99–119.

hands of Fulbe"[21]. Adama established a *lamidat*[22] in Guider. After Guider was taken by the Fulbe, many Gidar families took refuge in the villages of Bidzar, Djougui, and Lam and their environs. Gilim, son of Chief Muli Madi of Guider, escaped with a significant group of warriors to the uninhabited Pologozom massif[23].

Paradoxically, German and French colonization favored the expansion of individual Fulbe *lamidat* territories, strengthening the authority of the *lamibe* as well as the broadscale Islamization by force of the local population.[24] For example, in the Matafal – Lam – Kongkong – Boudva – Bidzar region the Gidar tribe formed a powerful pagan enclave. The response to their resistance were bloody pacifications, which particularly affected the inhabitants of Lam and Bidzar, who were pacified in 1924 by Captain Mayer. On July 26, 1925, Lieutenant Sempéré attacked the village of Balia. In 1927, in response to the armed resistance of the Gidar, seventeen persons were killed; in May 1931 Fulbe warriors and French soldiers pacified the village of Libé. J. Lestringant – the last colonial administrator of Guider – mentions several dozen revolts of the local population, mostly ended through bloody military intervention, in the territory

[21] K. Strümpel (1912), *Die Geschichte Adamauas nach mündlichen Überlieferungen*, "Mitteilungen der Geographischen Gesellschaft in Hamburg" nr 26, Hamburg: De Gruyter, p. 64, as cited in: A. Kurek (1988), op. cit., p. 95.

[22] *Lamidat* – derived from the root *laam*, which in Fulfulde means "to rule," "to lead". Hence, the *lamidat* in the feudal structure of Fulbe is the area managed by a *lamido* – in Fulfulde *laamiiɗo* (pl. *Laamiiɓe*). The lamido is a political and religious leader; he presides over prayers in the mosque, and has judicial power.

[23] More in: J. Różański (2015b), *Kształtowanie się tradycyjnych struktur społeczno-politycznych w kraju Gidarów* (*północny Kamerun*), in: Kubicki R., Saletra W. (eds), *Ewolucja społeczeństw i państw afrykańskich. Polityka, bezpieczeństwo i historia*, Kielce: Uniwersytet Jana Kochanowskiego, pp. 231–245.

[24] As D. Barretau writes, "Islamization remains a very important dimension of spread of Fulfulde to this day. Because converting to Islam is tantamount to adopting the Fulbe way of life and language, and to rejecting – in most cases – one's former practices and language. D. Barretau (1984), *Les langues*, in: *Le nord du Cameroun, des hommes, une région*, Paris: Éditions de l'ORSTOM, p. 178.

of the Guider prefecture alone[25]. These struggles resulted in local migrations, though to a very limited extent.

The region of today's Figuil, almost uninhabited at the end of the 19th century, can serve as an example of these migrations. When in around either 1894 or 1902 the ardo[26] Balehi settled with his family on a small hill opposite Hosseré Héri, about four kilometers east of Mayo Louti, he found there a small village, of the Gidar or Mundang, called Figuiri[27]. Refugees and migrants from other territories, mainly Gidar and Mundang, had come to this area willingly. The Mambay also returned to the right bank of the Mayo Kebbi, having in the past been driven from these territories by the Fulbe. The Fulbe also arrived, establishing in 1936 the village, among others, of Barkao.

Refugees and migrants, mainly Gidar and Mundang, came eagerly to these areas from other regions. The Mambay also returned to the right bank of the Mayo Kebbi, having at one time been driven from these lands by the Fulbe. The Fulbe also returned, establishing the village of Barkao, among others, in 1936. A steady increase in migrations to the Figuil lamidat territory can be observed beginning in 1935. At the start of this the Gidar arriving from the villages of Guidar and Biou had primacy. Some of the other villages were Pelgué on the border with Chad, and Kéreng, north of Figuil. Most of the inhabitants followed traditional religions[28].

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[25] Cf. I. Baba Kake (1977), *Les grandes résistances: L'Afrique occidentale au XIXe et au XXe siècle*, Paris: ABC, pp. 35-43.

[26] *Ardo*– for the Fulbe and Mbororo, political-religious leader. The title was given especially to military leaders in time of war.

[27] *Figuiri* – in the Gidar language, "hyena" (in Mundang, *monguiri*).

[28] For more information: on the history of the Figuil lamidat – J. Lestringant (1964), op. cit., pp. 307–314; on the history and contemporary times of the Figuil – J. Różański (2015a), *Figuil – zarys dziejów miasta i centralnej misji polskich oblatów Maryi Niepokalanej w północnym Kamerunie*, in: W. Cisło, J. Różański, M. Ząbek (eds), *Bilad as-Sudan – dziedzictwo przeszłości*, Pelplin: Bernardinum, pp. 163–197.

In the second half of the 1930s major changes in the colonial administration (with it being taken over by civil servants) meant an end to the period of pacifications. In turn, pagan cantons, independent from the Fulbe *lamidats*, were established. The colonial administration began to fluctuate more and more between two modes of control and management in North Cameroon: direct and "indirect" administration. Over time, the state administration restrained tribal warfare and the lamentable slave trade, established trade relations between tribes, introduced a road system and an education system, and developed a European type economy. This was conducive to local, unprompted migrations of the Gidar.

Towards the end of the colonial period – in the 1950s – planned migrations began, which were closely connected to the spread of cotton cultivation. Cotton companies, such as the subsequent Cameroonian corporation *Sodecoton*[29], undertook to support the development of villages under the Center-North Project, financed by the World Bank. It would even seem that this same enterprise was the main driving force behind the creation of a widescale resettlement project from the, in fact, overpopulated Mandara Mountains to the sparsely populated plains. The basic motive behind this undertaking was, however, to increase the amount of cotton grown.

Migration projects after independence

In 1957 Cameroon gained the status of an "internally autonomous" country. André Mbida was named first prime minister. After a year he was replaced by a Muslin leader from the north, Ahmadou Ahidjo.

[29] *Sodecoton* – Société de Développement du Coton au Cameroun – the company which replaced the French Company for the Development of Textiles (CFDT – *Compagnie Francaise pour le Développement des Textiles*) in July, 1974. In the newly created company, the Cameroon State retained 55% of shares, and CDFT, 45%.

In January 1960 Cameroon proclaimed its independence. The prime minister at that time, Ahmadou Ahidjo, became the first president. At the time of French Cameroon's acquisition of independence, the Fulbe were in a situation of great privilege. Their institutions remained intact. Until 1983, all civil servants in the northern part of the country were Muslim. These forms of oppression of the Kirdi, including the Gidar, however, are slowly becoming more and more limited. Moreover, overpopulation in the Mandara Mountains led in 1967 to the beginning of migrations from the mountains also in the Gidar region. The so-called "Project Guider" migrations took place in two phases. In the first, from 1967-1970, many Fali from the Peské-Bori massif descended to the terrain along the Garoua-Guider road. This movement accelerated after 1970 due to drought. These migrants from the mountains – in this case highlanders from the Fala and Daba ethnic groups – were joined by people from the plains, mainly Gidera, Gizig, Mundang and Tupuri. This migration wave led several thousand Gidar to settle in the Boula Ibib area. The new settlers came from the areas of Guider, Lam and Dembo. Among them were also Gisiga from the Moutouroua and Midjivin areas as well as Mundang from the Lara and Mindjil areas. This was a new type of migration, in which various ethnic groups mixed together both in planned and spontaneous ways, and was conducive to new roads, clinics, wells, schools, and agricultural work.

In an effort to promote the country's agricultural development – including increasing the cotton harvest – in the 1970s, a program for developing fertile and sparsely populated terrain in the Bénoué River Valley was formed. Project North-East Bénoué was divided into three stages: in the years 1974-1978; 1978-1982; and 1982-1986. The goal of this project was to reduce population density in the Far North province by resettling populations in the Bénoué River valley. Agricultural supervision of the relocated peoples was carried out by the previously mentioned cotton company *Sodecoton*. The settlement sector, bounded in the beginning on the east by the border with Chad,

on the west by the Bénoué valley, on the south by Bouba Ndjidda National Park, and on the north by the Mayo Kébi, had an area of 7282 square kilometers, and then was enlarged in 1982 to 11,480 square kilometers with the transfer of the western border to the Garoua-Ngaoundere asphalt road. Under this organized campaign, and also in spontaneous settlements, around 90,000 migrants settled in these areas in the years 1976-1992. Meanwhile the native population (Fulbe, Bmbu and mostly Laka) in these areas numbered about 23,000. The main towns in this area are Bibémi, Padermé, Lagdo, Pitoa, Béré, and Ray-Bouba.

This widescale resettlement project also included the population of the Mandara Mountains as well as the plains. It is, however, noticeable here that not many of the Gidar participated in this project; they preferred to settle along the Garoua road.

The next organized migration project under the auspices of *Sodecoton* was the South-East project, covering territory south of the Mayo-Rey area. From 1984-1991, 17,350 persons were resettled there from the Far North province, including 53% of the mountain population (Mafa, Mada, Muktele) and 47.4% of those from the plains, mainly the Tupuri. The participation of the Gidar in this project was minimal.

The West Bénoué Project involved migrations mainly to the Garoua administrative areas and on the border between Faro and Tcholliré. From 1976-1989 the population in this territory rose from 40,000 to over 100,000 persons. In this group of migrants, was a large number of Gidar, especially in the areas of Ngong and Touroua, where they dominated among the new arrivals[30].

[30] For more on the resettlement projects: L. Boutinot (1999), *Migration, religion et politique au Nord Cameroun*, Paris–Montréal: L'Harmattan, pp. 80–90. Cf. also: A. Beauvillain (1989), *Nord Cameroun. Crises et peuplement*, vol. 1–2, (Doctoral thesis [PhD]), Université de Rouen; J. Boutrais, A. Beauvilain & P. Gubry (1984), *Les données. Aproches de la mobilité géographique – les types de courants migratoires*, in: *Le Nord du Cameroun. Des hommes. Une région*, Paris: Éditions de l'ORSTOM, pp. 305–324; J. Boutrais (1984a), *Les causes de départ*, in: *Le Nord*

Another, spontaneous direction of migration was to Cameroonian cities. Few Gidar settled in Maroua in northern Cameroon. Most of them chose the city of Garoua, where they formed a vibrant community. One group – mainly civil servants and police officers – made their way to the country's capital, Yaoundé.

Characteristic traits of contemporary migrants

In migrations after independence, Gidar deciding on this step usually chose *lamidat* areas where the relatively weak power of the Fulbe prevailed – which also can explain their absence from the areas adjacent to the Rey Bouba lamidat, and even their negligible presence in the Bibemi *lamidat.* On the other hand, in the West Bénoué project, the Gidar belonged to the first tier of the settlements in the Ngong and Touroua areas.

Although young, married men predominated in the immigrant population, this is not at all to say that they had migrated with their families from the start. As a rule, only the men first moved to the new areas, in small groups. After taking care of the formalities of preparing a dwelling and reserving a cultivated field, they would then bring their families to the new settlement.

Emigration, which was now associated with life in a multi-ethnic environment, was chosen more readily by Christians than by followers of traditional religions. The Gidar who emigrated maintained their language and tribal customs.

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du Cameroun. Des hommes. Une région, Paris: Éditions de l'ORSTOM, pp. 325–333; J. Boutrais, G. Pontie & Y. Maruerat (1984), *Analyse de courants migratoirs*, in: *Le Nord du Cameroun. Des hommes. Une région*, Paris: Éditions de l'ORSTOM, pp. 335–360.

Among Gidar immigrants – and not only them – the high position held in the literacy rate for all those in the region is maintained. For years it has been higher than the average for northern Cameroon.

The criterion of ethnicity clearly dominated in the forming of new marriages, with the exception of a few Muslims who decided on inter-ethnic unions. The majority of marriages were monogamous. Close ties were also maintained with relatives remaining at the place of origin.

The cultivation of cotton, and a commercialized economy associated with this, held a special place in the agriculture of the new location. This also had an impact on new economic relations, primarily in the circulation of money. This was apparent for example in the traditional matrimonial payment, where money began clearly taking the lead over traditional fees and services. The cultivation of cotton also influenced the social status of the migrant. As a cotton producer, a migrant legitimized his residency in the new territory, being at the same time dependent on and supervised by national institutions and the company producing the cotton. Therefore, the immigrant, regardless of his ethnicity, as a non-Fulbe and non-Muslim, was involved in the local governing structure of people and territory developed by the resident Fulbe. And consequently, the Muslim law practiced by the Fulbe towards the "infidel" (Kirdi, Habe) could not replace the state legal system. This was at the same time a factor in supra-tribal political and social ties being formed, encompassing all of the Kirdi. Ongoing ambiguity as to the political division between public authorities and traditional Muslim leaders, inherited from colonial history, nevertheless, still raises many practical problems. State administration under the influence of businesses (primarily *Sodecoton*) urges the *lamibé* to improve the lot of immigrants, but very often these urgings go unheeded. The *lamido*, like his new "subjects" (immigrants), very often gets into conflicts. One of the main problems is the issue of division and ownership of land, which operates on religious, Muslim law.

Migration to large cities is a separate set of problems. Their causes as a rule were varied. Most often such migration draws its attraction in the form of greater ease of life in contrast with the prevalent poverty in the villages and the low profit margin of farming. Sometimes conflicts, family disputes, or accusations of witchcraft are at the root of migration. Sometimes it is an escape from a local political leader's abuse of power. Among those migrating to cities there is a large group of young people who have completed at least secondary school. In the big cities, which in a way negate the Gidar – or Kurdi in general – culture, relationships are less personal, characterized by multi-ethnicity, anonymity, uprooting of tradition, and individualism[31].

The migrations of the Gidar and other peoples of northern Cameroon are therefore not only an economic or social issue, but also form a challenge for creating a new cultural identity as well as a new type of society and state.

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[31] Cf. J. Boutrais (1984b), *Les conséquences des migrations*, in: *Le Nord du Cameroun. Des hommes. Une région*, Ed. ORSTOM (Coll. Mémoires N°102), Paris, pp. 362-372.

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Migrations of the Gidar – A People of North Cameroon

Abstract

Northern Cameroon is one of the age-old migration zones. Migration of the Gidar – one of the peoples of northern Cameroon also contributes to this migration movement. According to legendary accounts, the Gidars came to the areas inhabited mainly by them probably at the end of the 17th century from more northern areas (Gudur). Their lives were significantly influenced by the holy war waged by Fulbe and the dominance of this ethnic group in the region, which persisted also during European (German and French) colonization. Modern Gidar migrations began in the mid-twentieth century, with only local coverage. Their largest group benefited from the government's resettlement project (West Bénoué) migrating from the mid-1970s around Ngong and Touroua, traditionally farming there. A significant group of them also moved to Garoua – the largest city in northern Cameroon. A smaller

group lived in Yaoundé – the capital of Cameroon. Today, migrations of Gidar and other peoples of northern Cameroon are not only an economic or social problem but are also becoming a challenge to create a new cultural identity as well as a new type of society and state.

Key words: migrations, northern Cameroon, Gidar, Fulbe

Chapter 12.

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THE 'DOCUMENTS PROBLEM' AND THE 'SEA WAY': GLOBAL MOBILITY, WITCHCRAFT AND CLANDESTINE MIGRATION FROM GUINEA-BISSAU AND THE GAMBIA TO EUROPE

Contemporary world is a mobile one: information, images, ideas, objects as well as people move round the globe daily in a seemingly limitless flow. Yet, in a striking contrast to such a vision, a pervasive feature of recent years have also been clandestine migrations of Africans to Europe: its southern shores have become the desired destination for thousands who attempt to cross the Mediterranean Sea on board of flimsy boats and overcrowded dinghies. Many never make it.

Labour migration has been indispensable for certain sectors of European economy for many decades[1] and it is vital to the economic survival of many of West African households. Due to a range of

[1] S. Castles & M. J. Miller (2011), *Migracje we współczesnym świecie* [The Age of Migration], Warszawa: Wydawnictwo Naukowe PWN, pp. 127–160, 272–299; K. Brinkbäumer (2009), *Afrykańska odyseja* [African Odyssey], Wołowiec: Wydawnictwo Czarne, pp. 238–239; B. Hlebowicz (2020), *Kto pozbiera włoskie owoce*? *Koronawirus "uziemił" nielegalnych imigrantów* [Who will pick Italian fruit? Corona virus has "grounded" illegal immigrants], "Gazeta Wyborcza" 07.05.2020.

factors – from the consequences of colonial domination through the impact of globalisation to economic necessity to diversify income in the face of uncertainty of neoliberal global economy – travel to Europe has become the principal trajectory in the aspirations and collective imagination of Guineans[2] and Gambians[3]. Yet this journey is never easy: on the contrary, it is always characterised by uncertainty, difficulty and often by risk.

Based on my research in Guinea-Bissau and the Gambia[4], I attempt to present in this article a fragment of West African experience and imagery of global mobility, suggesting that moving to the northern hemisphere is experienced as well as conceptualized here as manoeuvring around or a struggle against obstacles. Furthermore, I illustrate how the metaphysical layer of reality is integral to those conceptualizations and argue that it illuminates the actual experiences of West Africans travelling to Europe: especially the idiom of witchcraft, which relates both to the experience of enforced immobility, to the trauma of clandestine migration attempts as well as to agency on the global arena. It frames global mobility in terms of human envy and rivalry, exposing it as a valuable scarce good.

I draw on interviews conducted during my anthropological fieldwork in Guinea-Bissau starting from 2002, then in 2010-2011,

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[2] M. Brzezińska (2017a), *W cieniu europejskiej twierdzy. Obraz Zachodu wśród Afrykanów w Gwinei Bissau* [In the Shadow of the European Fortress. The Image of the West among Africans in Guinea-Bissau], Warszawa: Wydawnictwa Uniwersytetu Warszawskiego.

[3] P. Gaibazzi (2014), *Visa Problem: Certification, Kinship, and the Production of 'Ineligibility' in the Gambia*, "Journal of the Royal Anthropological Institute" 20(1), pp. 38–55; P. Gaibazzi (2015a), *Bush Bound: Young Men and Rural Permanence in Migrant West Africa*, Oxford: Berghahn; P. Gaibazzi (2015b), *The quest for luck: Fate, fortune, work and the unexpected among Gambian Soninke hustlers*, "Critical African Studies" 7(3), pp. 227–242.

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2016 and 2017 and in the Gambia in 2016 and 2017, with fieldwork carried out in urban and semi-urban multi-ethnic settings, in the towns of Bissorã and Canchungo, and the city of Bissau in Guinea-Bissau, and in the urban areas of Bakau and Serrekunda in the Gambia. In the Gambian part of the fieldwork in 2017 I headed an ethnographic research team of anthropology students as part of this research project, which enabled us to conduct a large number of recorded interviews. In Guinea-Bissau I conducted the research in Kriol, which is spoken by the majority of the population and is used as the primary language in urban settings, while in the Gambia it was conducted in English, which is widely known in the city. The research also included contact via the Internet with my key interlocutors over the years, which enabled its continuation despite the geographical distance. In this article I examine the perception and consequences of European immigration restrictions for the Guineans and Gambians, before analysing the experience of clandestine migration, based on an interview with a young Guinean man who had undertaken it.

Clandestine migrations from Africa to Europe

The form and scale of contemporary African migrations to Europe in themselves say a lot about the way the global geographical space is experienced by Africans in the era of the supposed global mobility. Clandestine migrations from West Africa to Europe were a steadily growing phenomenon for over a decade at least and its scale rose sharply in the 2010's. In 2015, the peak year of what has often been referred to as the Migrant Crisis, the number of West Africans who entered the European territory illegally reached over 64.000, as recorded by Frontex, the European Border and Coast Guard Agency[5].

[5] It must be noted that this number pales amidst the general numbers of the recent migrant crisis in Europe, in which 2015 saw over a million migrants and

Since then, due to a series of large scale operations undertaken by Frontex, including the repatriation of migrants and targeting the smugglers, the number of clandestine crossings at the borders of European Union has decreased and in January 2019 was the lowest in five years, although the numbers are still considerable[6]. In the first decade of the 21st century, the most commonly used illegal route led around the western part of the African continent via the Atlantic Ocean, connecting Senegal, Mauritania and Morocco with the Spanish Canary Islands. Frontex referred to it as the Western African route, Guineans called it kaminhu di mar – 'the sea way'. In 2006, over thirty thousand migrants (mostly from Morocco and Senegal, Niger, Nigeria and Mali) travelled that route, braving the ocean in wooden fishing boats and arrived on the islands. Over the years, due to a stricter border control around Europe facilitated by cooperation between Spain, Mauritania and Senegal, that route became less and less frequented. In the second decade of the century most Africans who decided to take up an illegal journey have used the route which involves crossing the Sahara and then the rough sea waters from Libya to Italy or Greece (called the Central Mediterranean or the Western Mediterranean route by Frontex, depending on the point of crossing). In Guinea-Bissau people refer to it with the words 'going to Libia' (bai Libia) while in the Gambia they call it 'going backway', with the phrase emphasizing the secret character of the journey.

Migration by sea is by far the most common means of illegal immigration. It is also fraught with danger. The International

refugees from the war-torn Syria, as well as from Iraq and Afghanistan. West Africans comprise a significant part of illegal migrants, however, with the Gambians (the nationality was identified by Frontex), being one of the largest single national groups among illegal migrants reaching European shores, comprising 3.1% in 2015 and 10% in 2017. See: Frontex (2015), *Annual Risk Analysis*, p. 57; Frontex (2016), *Annual Risk Analysis 2016*, p. 16–17; Frontex (2017), *Africa Frontex Intelligence Community Joint Report 2017*, p. 18.

[6] See Frontex (2020), *2019 in Brief*, pp. 1–3, 9.

Organization for Migration estimates that in 2015 alone almost 4,000 people drowned or went missing crossing the Mediterranean in flimsy dinghies or unsafe fishing boats. Many others died during the journey through the desert, which is organised by smugglers and during which migrants are vulnerable to abuse and attacks from ransom-seeking criminal groups[7] and risk being sold into slave labour[8]. The illegal routes, even though lethally dangerous, are considered by many Gambians and Guineans. During my research stay in 2010-2011 people in the region discussed 'the sea way' and in 2016 and 2017 they talked about the route through the Sahara. Some of them planned to undertake it, a few of the people I and my research team interviewed had in fact undertaken it.

Theoretical frame: global mobility in the era of globalisation

While with the dawn of the era of globalisation in 1990's a lot of literature written in social sciences was very optimistic, describing the world of global flows – of cultural contents as well as of people, highlighting the intensive and unprecedented mobility of both and

[7] M. Brzezińska (forthcoming), *The 'lower path' or backway: uncertainty, risk, 'luck', and witchcraft in migration to Europe from the Gambia and Guinea-Bissau*, "Journal of the Royal Anthropological Institute".

[8] See *Libya: The migrant trap*, "Al Jazeera", People & Power, 08 May 2014, retrieved from https://www.aljazeera.com/ programmes/peopleandpower/2014/05/libya-migrant-trap-20145483310400633.html [accessed 31 May 2020]; C. Quackenbush (2017), *The Libyan Slave Trade Has Shocked the World. Here's What You Should Know*, "Time" 1 December 2017, http://time.com/5042560/libya-slave-trade/ [accessed 31 May 2020]; N. Elbagir et al. (2017), *People for Sale. Where lives are auctioned for $400*, "CNN", https://edition.cnn.com/2017/11/14/africa/libya-migrant-auctions/index.html [accessed 31 May 2020].

heralding an end to the 'centre–periphery' division of the world[9], since then scholars' attention has shifted to other, less positive phenomena. Global material inequalities have been exacerbated in the era of globalisation and economic neoliberalism of the last several decades[10]. At the same time, the consequences of globalisation have been described as internally contradictory[11]. Global circulation of mediated images and cultural artefacts ensure that even in the most remote places the imagination of people is suffused with visions of other worlds, especially of the West. On the other hand, those other worlds often remain inaccessible. Consequently, people often construct their 'life projects' in faraway places but, as is the case with many poor regions of the globe, they are trapped in an 'enforced immobility'. Especially researchers in much of Africa have described the condition of 'involuntary immobility' and of 'waiting for emigration'[12] or,

[9] A. Appadurai (2005), *Nowoczesność bez granic: kulturowe wymiary globalizacji* [Modernity at Large], Kraków: Universitas; W.J. Burszta (1998), *Antropologia kultury*, Poznań: Wydawnictwo Zysk i S-ka, pp: 159–160; J. Clifford (2004), *Praktyki przestrzenne: badania terenowe, podróże i praktyki dyscyplinujące w antropologii*, in: E. Nowicka, M. Kempny (eds), *Badanie kultury. Elementy teorii antropologicznej. Kontynuacje*, Warszawa: PWN, pp. 139–179; M. Kearney (1995), *The Local and the Global: The Anthropology of Globalization and Transnationalism*, "Annual Review of Anthropology" 24, p. 549; G.C. Spivak (2011), *Strategie postkolonialne* [Postcolonial strategies], Warszawa: Wydawnictwo Krytyki Politycznej, p. 56; A. Tsing (2000), *The Global Situation*, "Cultural Anthropology" 15(3), p. 340.

[10] S. Castles & M.J. Miller (2011), op. cit., pp. 73–106; J. Ferguson (2006), *Global shadows: Africa in the neoliberal world order*, Durham, N.C.: Duke University Press.

[11] M. Herzfeld (2004), *The Body Impolitic: Artisans and Artifice in the Global Hierarchy of Value*, Chicago: University of Chicago Press, p. 421.

[12] J. Carling (2002), *Migration in the age of involuntary immobility: Theoretical reflections and Cape Verdean experiences*, "Journal of Ethnic and Migration Studies" 28(1), pp. 5–42; L. Bordonaro (2007), *Living at the Margins: Youth and Modernity in the Bijagó Islands* (*Guinea Bissau*), Ph.D. thesis, Lisbon: ISCTE, pp. 205–226; P. Gaibazzi (2014), (2015a), op. cit.; C. Piot (2010), *Nostalgia for the future*, Chicago: University of Chicago Press.

metaphorically speaking, of 'living in the shadow of a European fortress'[13]. That people have an extremely varied share in global flows and mobility is well illustrated by the concept of 'power geometry', introduced by Doreen Massey. She argues that the particular conditions of modernity that have produced time-space compression places people "in very distinct locations regarding access to and power over flows and interconnections between places"[14], with some individuals and groups, such as world business elite or global media corporations, initiating flows and movement while others, such as local citizens of tourist destinations or sex tourism workers, are only on the receiving-end of it, and some, like refugees or victims of human trafficking, are effectively imprisoned by it. Globalisation is notoriously uneven, as Ulf Hannerz put it, „different worlds, different globalisations"[15].

For West Africans, the key features of global mobility are barriers and uncertainty. For most people the northern hemisphere is largely inaccessible. This article explores the consequences of that situation in terms of how obstacles to travel to Europe are perceived by Guineans and Gambians – at the level of bureaucratic restrictions and of the physical clandestine journey – and how they are interpreted on a metaphysical level. I have elsewhere analysed the perception of risk and uncertainty of the 'backway' journey through the Sahara by the Gambians, exploring their interpretations in terms of the philosophical and metaphysical notion of 'luck'[16]. In this text I focus on how barriers, uncertainty and danger of the 'sea way' are interpreted from the perspective of religious beliefs, including witchcraft. Beliefs in witchcraft have been thoroughly researched in anthropology from

[13] M. Brzezińska (2017a), op. cit.

[14] P.R. Pessar & S.J. Mahler (2003), *Transnational Migration: Bringing Gender in*, "International Migration Review" 37(3), p. 816.

[15] U. Hannerz (1996), *Transnational Connections. Culture, People, Places*, London and New York: Routledge, pp. 18–19.

[16] M. Brzezińska (forthcoming), op.cit.

various angles[17], above all with regards to rationality of thought: from the classic work by E. Evans-Pritchard[18] through later debates including the much criticised Robin Horton and African philosophers[19] up to some of their most recent continuations[20]. They have also been analysed in terms of their relationship with morality, kinship and social structure[21]. Most importantly for this analysis, witchcraft has been found to be an enduring interpretative model on the African continent, which, despite some earlier expectations of its quick disappearance, continues to relate to vital contemporary issues, such as capitalism and modernity, colonial transformations and postcolonial politics,[22] global economy and historical memory as well as inequalities of the era of globalisation[23]. Notions of witchcraft have proven

[17] F. Bowie (2000), *The Anthropology of Religion. An Introduction*, Malden: Blackwell Publishing, pp. 219–258.

[18] E.E. Evans-Pritchard (1976) [1937], *Witchcraft, Oracles, and Magic among the Azande*, Oxford: Clarendon Press.

[19] R. Horton (1994), *Patterns of Thought in Africa and the West*, Cambridge: Cambridge University Press; G.S. Sogolo (1998), *The Concept of Cause in African Thought*, in: P.H. Coetzee & A.P.J. Roux (eds), *The African Philosophy Reader*, London, New York: Routledge, pp. 177–185.

[20] M. Brzezińska (2014), *„Kontrakt z duchami". Czary i religia w Gwinei Bissau*, Sopot: Sopockie Wydawnictwo Naukowe; S.J. Tambiah (2007), *Magia, nauka, religia a zakres racjonalności*, Wydawnictwo Uniwersytetu Jagiellońskiego, Kraków.

[21] L. Mair (1974), *African Societies*, London: Cambridge University Press.

[22] J. Comaroff & J.L. Comaroff (eds) (1993), *Modernity and its Malcontents: Ritual and Power in Postcolonial Africa*, Chicago: University of Chicago Press; E. Gable (2006), *The Funeral and Modernity in Manjaco*, "Cultural Anthropology" 21(3), pp. 385–415.

[23] J. Stadler (1996), *Witches and Witch-hunters: Witchcraft, Generational Relations and the Life-cycle in a Lowveld Village*, „African Studies" 55(1), pp. 87–110; I. Niehaus (1993), *Witch-hunting and Political Legitimacy: Continuity and Change in Green Valley, Lebowa, 1930–91*, „Africa" 63(4), pp. 498–530; T. Sanders (2003), *Reconsidering Witchcraft: Postcolonial Africa and Analytic (Un)Certainties*, "American Anthropologist" 105(2), pp. 338–352; R. Shaw (1997), *The Production Of Witchcraft / Witchcraft as Production: Memory, Modernity, and the Slave Trade in Sierra Leone*, "American Ethnologist" 24(4), pp. 856–876.

exceedingly flexible. As it turns out, the idiom also serves as an interpretative model with regards to the much-desired global mobility.

The Setting

In Guinea-Bissau and the Gambia, like in most of West Africa, the desire of migration to the West is very common, almost universal[24]. The reasons for that are primarily economical, whereas they also stem from political history, the postcolonial condition and the cultural impact of globalisation, entailing a certain degree of idealisation of the West. The way these factors affect the wish to migrate is similar in both the Gambia and Guinea-Bissau, while there are differences in the specific historical circumstances that shaped them. Both countries are located in close vicinity to each other, with only a hundred kilometres of Senegalese territory separating them and have a partly overlapping ethnic composition. The first country used to be a Portuguese and the latter a British colony. While some ethnic groups have had a long history of regional male economic migration[25], which supplemented family income from agriculture through trade or paid labour for at least two centuries, recently labour migration has encompassed the whole society in both countries, becoming a widespread practice. The direction of that migration has been dominated by Europe and, to a lesser extent, North America.

In Guinea-Bissau labour outmigration as a common strategy of dealing with hard conditions of life emerged in the colonial period, in response to paternalistic political economy and the oppressive

[24] L. Bordonaro (2007), op. cit.; P. Gaibazzi (2015a), (2015b), op. cit.; C. Piot (2010), op. cit.; H. Lucht (2012), *Darkness before daybreak: African migrants living on the margins in Southern Italy today*, Berkeley: University of California Press.

[25] E. Gable (2006), op. cit.; P. Gaibazzi (2014), (2015a), op. cit.

Portuguese colonial administration[26]. The twelve-year-long war of liberation (1963-1974), which finally brought down the colonial rule, ruined the economy, endangering the labour-intensive rice production which used to make the region self-sufficient in terms of food for thousands of years. The post-colonial period, despite a very promising beginning, soon, after the murder of the prominent leader of the liberation war, Amílcar Cabral, turned into a twenty-year long dictatorship of general Nino Viera. In 1998, the country went through a civil war and more recently it has seen a number of coups d'état and frequent changes in the government, all of which was catastrophic for the economy. The 'development' of Guinea-Bissau has been declared the main goal of the postcolonial state and it is a common aspiration among Guineans but following the political turmoil of recent decades they have largely lost hope in the possibility of achieving that goal in their own country in any imaginable future[27].

In the Gambia, economic and ecological degradation of the country's rural economy have been among the main reasons for an increased migration to the West[28]. Migration for trade purposes accompanied agricultural livelihoods here for a long time, following ancient regional Muslim routes and during the diamond fever of the 1950's those migration networks were expanded to include a number of West and Central African countries[29]. The situation changed in the 1970's, however, when worsening ecological conditions of agricultural production along with political turmoil in popular trade

[26] R.E. Galli (1995), *Capitalist Agriculture and the Colonial State in Portuguese Guinea, 1926–1974*, "African Economic History" 23, pp. 51–78.

[27] M. Brzezińska (2017a), op. cit.; L. Bordonaro (2007), op. cit.

[28] P. Gaibazzi (2014), (2015a), op. cit.

[29] A. Bellagamba (2016), *Solo Darboe, Former Diamond Dealer: Transnational Connections and Home Politics in the Twentieth-Century Gambia*, in: J. Knörr, C. Kohl (eds), *The Upper Guinea Coast in Global Perspective*, New York, Oxford: Berghahn Books, pp. 280–298; P. Gaibazzi (2015b), op. cit.

destinations in Africa profoundly affected the diversification of Gambian livelihoods and their circuits of travel[30].

Guinea-Bissau and the Gambia shared the fate of many African countries in having their economies deeply affected by the neoliberal reforms of the 1980's. The structural adjustment programmes imposed by the International Monetary Fund, which entailed opening the local markets to the global economy, resulted in the impoverishment of the majority and a growing class divide, with foreign goods available but unaffordable for most, mass youth unemployment as well as a spiralling insecurity and marginalization in the world market[31]. Both countries are rated today among the fifteen poorest and, according to the criteria of the UN, the least 'developed' countries of the world[32]. In this situation, economic migration is for Guineans and Gambians primarily a way to diversify family income and ensure its material security[33].

On the other hand, there is a considerable idealisation of Europe and North America as a driving force behind contemporary intense migrations[34]. While global economic inequalities are made all the more apparent in the era of globalisation, Guineans and Gambians, like people around the world[35], are attracted by the allures of

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[30] P. Gaibazzi (2015b), op. cit., p. 229.

[31] L. Bordonaro (2007), op. cit., pp. 206–211; P. Gaibazzi (2015b), op. cit., p. 229.

J. Ferguson (2006), op. cit.; C. Groes-Green (2014), *Journeys of patronage: moral economies of transactional sex, kinship, and female migration from Mozambique to Europe*, "Journal of the Royal Anthropological Institute" 20(2), pp. 290–292.

[32] UNDP (2018), *2018 Statistical Update: Human Development Indices and Indicators*, New York: United Nations Development Programme, p. 24.

[33] P. Gaibazzi (2015a), op. cit.; E. Gable (2006), op. cit.

[34] M. Brzezińska (2017a), op. cit.

[35] J. Cole (2004), *Fresh contact in Tamatave, Madagascar: Sex, money, and intergenerational transformation*, "American Ethnologist" 31(4), pp. 573–588.

M. Herzfeld (2004), op. cit., p.: 421.

modernity, dreaming of such material goods as nice cars and well-furnished houses, as well as computers, mobile phones and fashionable clothes[36]. Some youths are drawn by the hope of gaining education and leading a very different life in the 'developed' world of the West than the one they would be able to lead locally. Europe has certainly taken a prominent place in the collective imagination of these societies[37]. It "has become routine", especially for young men, "to imagine their future away from their country"[38]: to plan to 'go outside' (sai fora), as Guineans say in Kriol or to 'travel', as they say in the Gambia. For Gambian youths, that aspiration has become, in the words of a Gambian commentator, M.L. Jallow, the 'apotheosis of a whole generation'[39]. To put it differently, travel to the West has become the main route of the hoped-for economic security as well as the trajectory of modernity in dreams and plans made by Guineans and Gambians today.

While migration to Europe, America or Canada is a nearly universal aspiration, it is a highly gendered practise. The duty to support the extended family financially falls mainly on the shoulders of young men[40] and culturally men are also granted greater mobility and independence than women. Consequently, these are mostly young men who undertake migration, whether legal or clandestine. These are also young men who plan it, make strategies and discuss it.

[36] L. Bordonaro (2007), op. cit., pp. 188–204; M. Brzezińska (2017a), op. cit.; P. Gaibazzi (2014), op. cit.

[37] M. Brzezińska (2017a), op. cit.

[38] P. Gaibazzi (2014), op. cit., p.: 42.

[39] Ibid.

[40] Ibid., p. 41; R.E. Galli (1995), op. cit.

The 'documents problem'. European immigration restrictions

That geographical mobility is central in the aspirations of contemporary West Africans, and that it is at the same time unachievable for most, is revealed not only in the scale of the illegal migrations but also in the preoccupations of those who stay behind. For Guineans and Gambians, the issue that encapsulates it is the 'documents problem' (purblema di dokumentus), as Guineans phrase it, or, as Gambians put it, the 'visa problem'[41]. Even though plane travel to Europe is costly for people living in these countries, which rate as the poorest of the world, it is not the money for the journey that poses the greatest challenge. The funds can be accumulated by some families, often with the help of a net of relatives, including emigrants abroad. The greatest barrier, however, are 'the documents', i.e. a passport with a valid visa granting access to the territory of either Europe, America or Canada. Obtaining those papers is a long, costly and extremely difficult process, and the positive outcome is unlikely. Rejection rates for visa applicants from West Africa are the highest in the world and what is more, they have been growing in recent years[42]. To even obtain a visa interview at an American embassy for example, one must pay a high fee, as many Gambians complained to me, and it is nonreturnable, even if the applicant is rejected. As a consequence, the number of those who apply for a visa reflect only a small minority of those who actually wish to migrate.

For a lot of young men in Guinea-Bissau and the Gambia then, the 'documents problem' embodies their main problem – the enforced immobility they are dealing with. The issue emerged in numerous

[41] P. Gaibazzi (2014), op. cit.

[42] Frontex (2017), *Africa-Frontex Intelligence Community Joint Report 2017*, pp. 30–31.

conversations and was vividly discussed. Various aspects of the journey and immigration procedures were analysed and deliberated upon. Sometimes a friend confided in me about their own hopes and worries in this area, at other times it appeared in the form of a story about someone else – a friend of a friend. I was told about numerous cases in which someone had obtained his papers, bought his or her airplane ticket and everything seemed prepared for the journey but when that person attempted to embark on a plane the documents were declared 'incomplete' (i ka kompletu). As a result, they were not allowed through immigration point. Someone apparently got as far as the European airport, someone else was not even allowed on board of the aircraft in Bissau or Dakar. In each case the person ended up being sent back. In one such case discussed, a man apparently reached an airport in Portugal and was then denied entry. He fainted when he understood that – as is usually the case in such circumstances – he had lost all the money spent on the flight ticket and all his long-time efforts were ruined. A young man, Issufo[43], who was telling me about this, informed me about the kind of intense and unpleasant interrogation an African is subjected to at European borders. He spitted out aggressive questions reportedly uttered by immigration officers: "What are you going to do here?! Where are you going to work? There's no work here!" Through a word of mouth such aspects of travel to Europe become common knowledge.

According to the Guineans I talked to, even people who are established as migrants, having already lived and worked in Europe for a couple of years, can never be sure that after a visit home they will be granted access to Europe again. Issufo told me about a man who had been working in France and came to see his family in Guinea-Bissau. On his way back he was stopped at the airport in Portugal, on account that there was 'a problem with the documents' (purblema

[43] For reasons of privacy, the names of some informants have been changed in this text.

di dokumentus) and he was returned to Guinea-Bissau as a result. The man was distraught. He went back to his village for some time. Eventually, thanks to the help of his French employer, he managed to go back. When an emigrant is leaving Europe, Issufo commented bitterly, whites do not trouble themselves with his documents. They do not care if they are complete and will allow the emigrant to return or not.

The 'documents problem' therefore lies not only in the inaccessibility of these papers but also in their perceived unreliability. Many Guineans and Gambians I talked to saw it as somewhat unpredictable whether these documents, if issued, would in fact ensure travel to Europe. Decisions of immigration officers on European borders seem likewise arbitrary and unpredictable.

Similar stories to the ones related above circulated among young men and were discussed over long evenings spent brewing warga (or ataya in the Gambia), the strong sugary tea, when hopes, dreams and problems were frequently talked about. When young men discussed the subsequent steps in the immigration procedures, it was with such an emotional engagement and was so visually suggestive that it seemed as if they had almost been there themselves. Yet none of those discussing the issue had ever travelled to the European airport. That they analysed that journey and its obstacles in such detail, reveals the extent to which it was part of the collective social imagery. Those were the obstacles on the path they envisaged for themselves.

Dreams and strategies of migration

The dream of migration to the West shapes many people's lives, often for years. The young man cited above, Issufo, aged thirty at the time of that conversation, had been developing the aspiration of going to Europe for a very long time. He had put a lot of effort over

the years in strategies aimed at realising that dream, which included primarily gaining education (he succeeded in completing the secondary school, which is rare in Guinea-Bissau), as it linked directly to his dream of white-collar work in the 'developed' and 'civilised' world of the West, as he saw it. He also enthusiastically made friends with Westerners (NGO's employees, occasional travellers) over the years, partly out of curiosity and partly with a hope that having a network of European friends would one day help in travelling to or establishing a life in Europe. Like many other young people, he moved to the capital city of Bissau, half-hoping it would bring him closer to the realisation of that dream and expecting to find a job but could only find short term and poorly paid employment. He remained unemployed most of the time and dependant on relatives and friends for his daily living. His focus on the goal of migration to Europe was not exceptional. His aspirations, as well as his circumstances, were more or less typical for most young men in the Gambia and Guinea-Bissau.

While migration to the West is driven primarily by economic need, it is also partly idealised. Guineans and Gambians have some knowledge of the often very difficult living and working conditions of African immigrants in Europe but it is usually only quite general and limited; migrants themselves, having undergone the hardships of the migration process and having gained a high social status as successful migrants, tend not to share it in detail[44]. In terms of financial renumeration, on the other hand, those who succeed in finding regular employment in Europe or Northern America, obtain a far greater income than is possible for most Africans locally, which often enables them to build a house, buy a car and invest in a business activity in their home country. Those visible signs of success sustain the hopes and aspirations of young men who otherwise have very limited opportunities of employment, not to mention of the

[44] M. Brzezińska (2017a), op. cit., pp.: 99-117.

accumulation of capital for investment and are consequently unable to fulfil social expectations of earning money and supporting a family.

As epitomized in the 'documents problem', travelling for work in the West is a challenging, costly and lengthy process, however. Migration strategies of Guineans and Gambians include relying on family networks above all. Help in the financial cost and bureaucratic meanders of the process is expected especially from older migrant relatives who have worked in Europe or America for many years. Thus, the migration chain is sustained, ensuring continuity of this source of income for the wider family[45]. Some young men I talked to considered the question of obtaining the desired but elusive documents with roundabout means, although it is known to be very expensive and uncertain, too. In some regions in West Africa there is a whole organised document fabrication industry operating[46]. Like in some other African countries[47], intimate relationships with Westerners are also perceived by some young men and women as a possible path to the West, as they hope they would lead to marriage and a visa. Such means are taken up mostly by Gambians in tourist resorts on the Atlantic coast although young Guinean men also sometimes travel to the seaside with that hope[48]. Likewise, friendships with white people – tourists, local NGO's employees, anthropologists – occasionally raise similar expectations.

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[45] S. Castles & M.J. Miller (2011), op. cit., pp. 47–51; P. Gaibazzi (2014), op. cit.

[46] C. Piot (2010), op. cit.; P. Gaibazzi (2014), op. cit.

[47] J. Cole (2004), op.cit.; C. Groes-Green (2014), op. cit.; G.P. Meiu (2009), *"Mombasa morans": embodiment, sexual morality, and Samburu men in Kenya*, "Canadian Journal of African Studies" 43(1), pp. 105–128.

[48] M. Brzezińska (2015), , *Do Europy przez plażę. Relacje z białymi turystkami jako strategia migracyjna Afrykanów* (*Gambia, Senegal, Gwinea Bissau*) [To Europe via the Beach. Relationships with white tourists as a migration strategy of Africans], in: W. Cisło, J. Różański, M. Ząbek (eds), *Bilad as-Sudan. Dziedzictwo przeszłości*, Warszawa: Wydawnictwo UKSW, pp. 257–285; P. Gaibazzi (2014), op. cit., p. 50.

As much as all these strategies are aimed at overcoming the huge bureaucratic obstacles on the routes to the West, all of them are characterised by uncertainty. Waiting for one's 'legitimization' by kin as a suitable candidate for migration, one who is deemed hard-working and responsible enough for the family to invest in him, is a lengthy process. It is also full of tensions and often hidden rivalry among the prospective candidates, siblings and cousins, over who will be actually chosen as the most suitable migrant candidate and subsequently granted the necessary support[49]. In attempting the less common strategies, on the other hand, such as trying to obtain false documents, one is likely to fall victim to fraud from the dishonest intermediaries in the paper forging business, as some of my Guinean friends complained. Finally, intimate relationships with Westerners often do not bring the fulfilment of the dream of migration[50]. Some of these strategies obviously guarantee more likelihood of success than others, but whichever is undertaken, the result is largely uncertain. Consequently, the process of migration to the West is perceived, both in the Gambia and Guinea-Bissau, as utterly unpredictable. At the same time all of those strategies require a lot of effort, family connections and extensive financial means or other personal attributes. Considering the above, some people – primarily young men, motivated to work but deprived of opportunities and ready to take the risk – decide to bypass the 'documents problem' by attempting illegal migration.

[49] P. Gaibazzi (2014), op. cit.

[50] J. Cole (2004), op. cit.; C. Groes-Green (2014), op. cit.

The 'sea way': clandestine migration, witchcraft and *irans*

Most West Africans, who undertake clandestine migration in recent years, 'go backway', as Gambians call it – they take the route through the Sahara. I have analysed the experience and perception of the 'backway' journey undertaken by Gambian young men elsewhere[51], based on interviews conducted by me and my co-researchers between 2016 and 2017. In this text I will focus on the experiences of a young Guinean man, interviewed by me in December 2010 in Bissau, who made an attempt of travelling the ocean around the western part of the African continent. That precarious passage to Europe was referred to by him and the other men who discussed it as 'the sea route' (*kaminiu di mar*). It was the most frequented illegal route at the time, used or considered not only by Guineans, but also by young men in the Gambia, Senegal and Cape Verde and other countries of the region. Bafódi had been living in his village before his family raised the enormous, in local standards, but necessary sum of 450.000 CFA (around 670 Euro at the time) to send him on the journey. The money was paid to the trafficker by each passenger in advance, regardless of the final result of the journey. He left along with some eighty other people on a boat which departed from the port of Ziguinchor in the neighbouring Senegal and soon they were joined by another one, from Cape Verde. The boats they were using were simple wooden fishing boats (called *kanua*) equipped with an engine – the kind which could be seen in the port of Bissau, and which looked old and rickety. It was going to take eleven days, as the organiser had asserted, to reach Europe. They were aiming at the shores of Spanish Canary Islands.

[51] M. Brzezińska (forthcoming), op. cit.

The journey turned out to have tragic consequences, however. The boat from Cape Verde sank on the way. All of its passengers, over eighty people, drowned. The accident was not reported by the media and, as Bafódi assessed, even the families of those migrants remained unaware of their death for a long time. Bafódi's boat was more lucky but never got as far as the European shores. It was seized and forced to turn back by Moroccan border patrol as soon as it reached the territorial waters of Morocco. Forced to turn back, they headed south again and arrived in Mauritania. They had run out of fresh water supplies. When I met Bafódi, which was a few months after that travel, his skin was covered with numerous scars from the ulcers which, as he explained, appeared after he got sick from drinking the salty water from the sea.

Bafódi told me about the dramatic experiences that had become his share in the company of our two mutual friends, who had already heard his story before. He talked about the relentless scorching sun on the boat and the lack of drinking water, about the technical challenges of the journey resulting from the boat's faulty navigation appliances, and about the tragic sinking of the other boat. One of the aspects he elaborated on most was the supernatural layer, which he saw as underlying the events that unfolded. He started his story with the following:

> Bafódi: On the boat sometimes you come across many things which are different (diferente) – the kind of things that you have never seen before. Sometimes a monkey appears. It plays. After five minutes it disappears. Sometimes in place of the engine suddenly you see three engines. All right, you look at them all... But sensible people ("people with a head on"; jintis ke tene kabesa) know that the two of them are not normal. Sometimes you will see a frog. It jumps – like this [he gestures]. It jumps inside the boat, it becomes big, enormous [he sketches the giant size of the creature in the air – it is up to his chest]. If you get scared, you will fall out into the water – it will then disappear.

> (…) You will die. It will get you and then it will go. Sometimes the boat is running and suddenly you see that something gets hold of a man in the boat and throws him inside the boat – tsss... – and then out into the water. Well, it is someone else from the family who knows that a member of his family is on the boat. He [or she] transforms into an animal in order to come and catch him.
>
> Issufo [adds from himself]: That type, we call them witches (futseru). (…) This person, this member of the family – in every family there is someone like that. If he [or she] doesn't like you, he doesn't want you to go abroad ('to go outside'; bai fora), and so he transforms (transforma) into something – to get you. To kill you. (…)

This vivid, lurid account of witches' activity on the boat of migrants headed for Europe astonished me. It was not what I expected to hear in an interview on clandestine migration attempt. I knew that the visions described by Bafódi were as much a reflection of the characteristic religious imagery of the region, including the belief in the ability of transformation of witches into animals[52], as of general African philosophical underpinnings of the sources of evil. I wondered to what extent the visions were a result of prolonged stress and precarious conditions of the journey: the passengers of the boat spent many days travelling the ocean, with nowhere to hide from the

[52] According to witchcraft beliefs prevalent across the African continent, the transformation into inconspicuous animals like a dog, a spider or a bird usually facilitates the invisible attack carried out by the witch with his or her psychical powers by making it easier for them to get closer to the victim, which later manifests itself in the form of an illness, followed by death. In other beliefs witches are thought to be able to control the actions of animals, leading them to a physical attack on a person, like in E. E. Pritchard's classical account of the Azande explanation of an elephant attack (1976). What is particular about witchcraft beliefs in Guinea-Bissau and the region is that witches are also thought to transform themselves into dangerous predatory animals in order to utilise their (crocodiles', hyenas', snakes') physical attributes as a weapon in a direct, visible physical attack against their enemy. The vision described by Bafódi is yet another variant of the religious imagery of the region.

scorching sun, with not enough food and drinking water. It might explain the way beliefs translated into actual experiences of the supernatural. Most importantly though, as I sensed then and realised later, describing the actions of witches on the boat was Bafódi's way of dealing with the trauma of that journey: with how hard that journey was – how stressful, unpredictable and utterly dangerous. It was a way of telling about exhaustion and overwhelming fear, the intensity of which threw adult men in the depths of the ocean. Above all then, the idiom of witchcraft provided the language for describing the struggle and expressing trauma.

To my interlocutors, the metaphysical dimension presented the deepest layer of the events, explaining the cruelty of random deaths. The murderous activity of witches was responsible, in Bafódi's view, for the drowning of several people. On the other hand, the beliefs also revealed the value ascribed to that migration. It becomes poignantly clear that travel to Europe is not just an ordinary journey. It is the journey, the most desired one. It becomes the object of intense envy – strong enough to kill.

It followed in Bafódi's narrative that the boat, haunted by witches, was also visited by benign creatures:

> Bafódi.: Sometimes you see a dove. (…) It turns up occasionally. But it is someone from your family, it is your family who came to see how you are… To check if everything is all right… and then [he clapped his hands for emphasis] – it disappears. It turns up sometimes. It stands like this, close to you, you can see it.

The family – interestingly, in fact emblematically for the collectivist, egalitarian society – appears in Bafódi's narrative in two contradictory roles: symbolized as the giant frog, the ultimate deadly threat as well as its opposite, the benevolent caring dove which alights on the boat to check on the travelling relative. The figures seem a mutual contradiction and yet, in the inner logic of the collectivist culture, the roles they represent are inescapably intertwined with each other:

the care and security offered by the kin group with its dark reverse side: the fear of envy and fierce punishment for individual success[53]. The causation inherent in these, like in all witchcraft interpretations, is comprised of primary and secondary causes for misfortune[54]. The chain of events becomes shortened to highlight the secondary causes, the hidden driving force behind the visible occurrences which draws misfortune to a particular person at a particular moment in time (rather than to anyone else or at any other time and place). That force is associated with the destructive power of envy of particular people, usually the kin. As a result, the attention is shifted away from the arbitrary aspects of the situation and directed towards the socially relevant causes[55]. At the same time, however, the responsibility for the consequences of European immigration barriers are transferred to African kinship structures as well[56]. The philosophy underlying witchcraft interpretations is that of limited good[57]. It entails a vision of the world where the amount of human well-being is finite and its levels for particular individuals are interconnected: its increase for one person entails its decrease for another. As a result, people are thought to be constantly competing for various forms of wealth, health and general prosperity. In the context of contemporary global economy, which relies on transnational labour migration and – despite all the dangers and hardships involved – entails disproportionate financial gain for those involved, the success in migration also becomes the object of jealousy, envy which is believed to find its extension on the metaphysical plane. Above all, in pointing to the numerous invisible dangers threatening the migrants, on top of the obvious visible ones, the beliefs sketched above highlighted the complete uncertainty of that journey and the consequent terror of it.

[53] E. Gable (2006), op. cit.
[54] E.E. Evans-Pritchard (1976), [1937], op. cit.
[55] F. Bowie (2000), op. cit., pp. 222–225.
[56] P. Gaibazzi (2014), op. cit., p. 38.
[57] F. Bowie (2000), op. cit., pp. 219–220.

In Bafódi's story, the technical challenge of traversing the vast expanse of water in a small boat with unreliable equipment was also framed in the metaphysical dimension. Among the obstacles encountered on the way he related not only those of human origin but also those caused by spirits of nature. According to the religious beliefs of the region, entering bush, a river or the sea, is regarded as venturing outside the safe domesticated territory of human settlements, and stepping into an area of nature populated by spiritual beings[58]. Those spirits, called irans in Kriol, are considered capricious and dangerous. Sea water is the terrain of some of the most powerful *irans* and an even greater being, serpenti. Even a casual stroll into the domain of a spirit is considered somewhat risky and caution must be exercised to show respect so as not to provoke their anger. Accidents in the sea or a river are often explained as a result of offending the iran of the place[59] although natural, technical reasons are also considered. Fishermen, who spend their entire lives at sea, use special amulets prepared by religious specialists and mounted on the boats for protection. During the journey undertaken by Bafódi disturbing the spirits was interpreted as the reason for a series of technical problems and for further visions experienced by the passengers:

> Bafódi: Sometimes, as you go, you see a city. You think you have reached Europe. But when you get closer, the city disappears. (…) All of that happened there [on the boat]. (…) There is an appliance on the boat – it shows the way. But sometimes it refused to work.

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[58] M. Brzezińska (2014), op. cit., pp. 51–72; M. Brzezińska (2017b), *Nowoczesność dzięki kontraktom z duchami. Postrzeganie Europejczyków, Zachodu i pomocy rozwojowej w Gwinei Bissau*, in: A. Żukowski (ed.), *Forum Politologiczne. Tradycja i nowoczesność w Afryce. Społeczeństwo – polityka – gospodarka – kultura*, t. 19, Olsztyn: Instytut Nauk Politycznych UWM, s. 119–142; I. Callewaert (2000), *The Birth of Religion among the Balanta of Guinea-Bissau*, Lund: AAR, pp. 148–152, 160.

[59] E. Gable (2002), *Beyond belief? Play, scepticism, and religion in a West African village*, "Social Anthropology" 10(1), p. 41.

M.B.: Did it break down?

B.: No, it didn't break down. But sometimes it just didn't work. It's because of those irans, which are on your way. They confuse it. They lead the boat another way.

M.B.: Probably into the sea, not to Europe...

B.: Not to Europe. But out into the sea. Sometimes, if you wait, it starts working all over again. But then you go some more – and it stops again.

While the belief in the supernatural sphere of the spirits added another layer of apprehension, it also expressed the anxiety undoubtedly experienced by the migrants for natural and technical reasons in yet another form. It is also worth noting that the religious imagery of Guineans is a dynamic one[60]. The beliefs, whether in witches or spirits of nature, remain flexible and up to date with humans' most central preoccupations. When irans of the ocean are deluding the passengers with false visions or by tinkering with the compass of the boat, the spirits hit right in the centre of human desire and efforts, undermining one of the most inspiring goals for West Africans today. The tantalizing mirage of a European city conjured up by spirits may in fact serve as a metaphor of the entire relationship with the West in the era of globalised media: the enticing yet elusive world, visible on multiple electronic screens but impossible to get close to.

Europe seemed very close, almost reachable to Bafódi and his companions. They were only a single day's journey away from their desired destination, as he and his friends emphasized wistfully. My interlocutors were of the opinion that if they had reached the Spanish coast, the police there could have been bribed and the passage could have been a success. As Bafódi put it, a relative who is working in Spain can "pay for his brother who is coming via the sea route" in

[60] I. Callewaert (2000), op. cit., pp. 150, 155, 174.

advance. Forced to turn back, they headed south again and arrived at the shore of Mauretania. There they had to deal with another imminent danger: of being captured into forced labour. Bafódi elaborated at length on the inhuman conditions of slavery in which people are kept by 'the Arabs', as he referred to inhabitants of Northern Africa, and forced to work in quarries, among other places. This type of criminal practice, which profits from sub-Saharan migrants' illegal and thus vulnerable status, occurs until today, as my Gambian interlocutors confirmed, especially in Libya, on the 'backway' route frequented by many migrants. Luckily Bafódi's group escaped that threat. They managed to go back to Guinea-Bissau. Their journey, however, ended with a fiasco.

Bafódi finished his story with a sigh: "What can you do... But... oh, it is difficult. If you get through – you are happy. But to get through – oh, it is difficult. You will sacrifice a lot". After he left, we sat in the quiet of the hot afternoon, pondering about what we had heard. "It is a difficult story...", I commented. "He lost all the money", was Issufo's immediate reply. To him, a man who had been dreaming of Europe for years, what was most striking in Bafódi's story was the lost opportunity of achieving the goal. I protested: "But he was lucky that he'd come back. He didn't die at sea. Like those eighty-four people there..." There was a long pause. Baté, who had remained silent throughout most of the narration, nodding occasionally or adding brief remarks, did not share his friend's aspirations. He had a stable job in the family tailoring enterprise and his attitude was different. "Africans – a lot of them die", he said. "In Europe, at sea...". Our conversation ended with that sad reflection.

To both men, at the time, the 'sea way' attempted by Bafódi was out of question. "*Kaminhu di mar*", they commented, "ah! No. I wouldn't do it!" A few years later Issufo got close to fulfilling his long term dream of going to Europe when a European friend, a traveller who reached his small town and spent a couple of days staying with his family, apparently promised to help with the formalities. Things

did not work out, however, his documents were rejected at the airport, as he wrote me later in an online communication, turning the whole undertaking into a fiasco. When I saw him again in 2016 and 2017, he told me he had decided to 'go to Libya'. Despite my fervent arguments against it he sounded determined. Baté, whom I also visited in 2016, was also considering that option, although tentatively, because of the dangers involved. As opposed to Issufo, he had not invested so much, mentally, in his 'life project' in the West. He was quite settled in his local life, still working as a tailor and about to get married.

In 2010 it seemed that not many people in Guinea-Bissau had more than a vague idea of the dangers of the illegal migration. Only a fraction of the population had access to the Internet then, smartphones were not in use, it was not a frequently discussed topic. It was clear from Bafódi's story that the difficulties certainly exceeded his expectations. One of the men in his boat gave up at an early stage of the journey, frightened of the risk. Others, more determined, continued, especially after they had paid the great sum of money to the smugglers, or else, when they wanted to give up, it was already too late. In 2016 and 2017, after the Migration Crisis had been well covered in the world media and the Internet had become widely available to people commonly owning a smartphone, the awareness of the dangers of clandestine travel was much greater. Images of the overcrowded boats in the Mediterranean Sea were passed on, some of my interlocutors in the Gambia as well as in Guinea-Bissau showed them to me on the screens of their mobiles. Still, the determination of some young people, who saw no other opportunities for themselves in their own countries, was such that they were willing to take the risk.

Conclusion

Contrary to the vision of intense unlimited global mobility which was supposed to characterise the era of globalisation, clandestine migrations from West Africa to Europe in recent years have demonstrated a reality far removed from that vision. A set of factors – including colonial domination, political and economic problems of post-colonial states, the neoliberal economic reform and global material inequalities made all the more apparent in the age of globalisation – has mapped out a distinct trajectory in the minds of West Africans: the path that leads to Europe. It is the journey, the main destination of travel – commonly dreamed of, widely aspired to, regarded a path to a 'better life' and to economic security for a wider family. The era of globalisation brought a global reach of desires, however, and not of the de facto mobility. For Guineans and Gambians, the main features of travel to Europe are obstacles, uncertainty and risk.

Whether it is the meanders of the 'documents problem' – the scarce availability of legal channels of migration, the associated costs, the necessary waiting and dependence on one's kin for the crucial support in dealing with European immigration barriers, or the unreliability of the visa, if finally obtained – the whole process is perceived and experienced as lengthy, difficult and ultimately always unpredictable. The same applies to other, less common migration strategies, those involving document fabrication or relying on intimate relationships with Westerners to overcome the bureaucratic barriers. Above all, and in obvious ways, the key features of clandestine migration, which aims at bypassing the 'documents problem', are obstacles, risk and complete uncertainty.

Struggling against or manoeuvring around obstacles is therefore at the core of the experience and conceptualizations of travel to Europe by Guineans and Gambians[61]. I have demonstrated in this

[61] M. Brzezińska (forthcoming), op. cit.

text how Guinean notions of the supernatural are integral to those conceptualizations. They reflect that for them, moving in the global space is equivalent to struggle or manoeuvring – in all layers of reality. Witchcraft beliefs are a striking reflection of the West being desirable and, at the same time, largely inaccessible. The supposed metaphysical rivalry for the success of an emigration endeavour which, it is believed, becomes lethally intense, points to the value ascribed to that migration. The idiom of witchcraft also provides a way of understanding the dramatic events of clandestine migration and, by virtue of a personalized vision of the world, of dealing with trauma. At the same time, framing those events with witchcraft interpretations effectively conceals the arbitrariness inscribed into larger legal-political structures of mobility[62]. It transfers the responsibility from European immigration restrictions to local social relations – kinship structures.

Speaking more broadly, notions of witchcraft project human rivalry for resources into another, metaphysical dimension. While Guinean interpretations of failure in migration ostensibly place the blame on fellow Africans rather than Europeans, unexpectedly, the underlying philosophy of limited good appears quite adequate here as an idiom to frame the global situation. It points to the fact that global mobility is a desired but limited good.

[62] P. Gaibazzi (2014), op. cit.

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The 'documents problem' and the 'sea way': global mobility, witchcraft and clandestine migration from Guinea-Bissau and the Gambia to Europe

Abstract

The text discusses European immigration restrictions and clandestine migration from the perspective of people in Guinea-Bissau and the Gambia, focusing on witchcraft beliefs illuminating their perception of global mobility. Struggling with obstacles, uncertainty and risk are the key characteristics of global mobility for Guineans and Gambians. While the desire of migration to the West is almost universal among them, for reasons related to the global economy, political history and the cultural impact of globalisation, the barriers, which are unsurmountable for most, are epitomized in the 'documents problem'. Some, primarily young men, undertake the illegal journey as a result. The text discusses the experiences of a Guinean man on the so called 'sea way', a clandestine migration route by boat along the Western coast of Africa. It focuses on the metaphysical interpretations of tragic events, analysing how the idiom of witchcraft and other religious notions are deployed by Guineans in dealing with what is perceived as arbitrary, unpredictable and cruel. As a result of these notions, the responsibility for the consequences of European immigration restrictions is transferred to the realm of the supernatural and to African kinship structures, whereby larger legal-political structures of (im)mobility become partly concealed. At the same time, the idiom of witchcraft, with its notions of human rivalry for limited resources, provides a commentary to global relations, exposing mobility as a scarce good.

Chapter 13.

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XEER – THE SOMALI CUSTOMARY LAW AS A TOOL OF INTERNATIONAL REFUGEE REGIME

> 'The Somali legal system greatly resembles the Internet. Like over the Internet, nobody exercises power over it. (...) Every Somalian can join it as a judge, policeman, guarantor, legal counsel or the person seeking justice.'
>
> (statement of an interlocutor from Hargeisa)

Somaliland – a silent partnership with the international community

The Republic of Somaliland, located in the Horn of Africa, until now has not received formal international recognition at the United Nations. However, the Somali Constitutionalists repeat like a mantra that the political fact of the functioning of a state does not depend on its recognition by other states. Adherents of the international recognition of a new African state constantly refer in their argumentation to Article 3 of the Convention from Montevideo of 26 December 1933, which did not consider the recognition of other states as the prerequisite of the state subjectivity. Somaliland has a constant population, defined territory, sovereign power and the ability to establish international relations.

The population of Somaliland amounts to 3 million, of which 55% are nomads, whereas 43% of the population live in towns and villages. The territory of Somaliland overlaps the colonial borders of the British Somaliland Protectorate, which functioned in the years 1884 - 1940 and 1940 - 1960. Borders are protected by the state authorities and the entry into the territory requires obtaining an entry visa from the foreign representative office. The parliamentary system meets the requirements of the tripartite separation of powers into judiciary, legislative (Senior Council and Representative chamber), and executive one (presidential system, where members of the Council of Ministers are appointed by the President. Ministers are not allowed to combine their ministerial functions with their seat in the Parliament). Somaliland took over the international obligations of Somalia and recognised all conventions whose party was Somaliland. In the territory of Somaliland function international organisations, including the United Nations (UN), with which Somaliland concluded a series of international agreements. Within the realm of bilateral relations, in March 2016, Somaliland concluded an intergovernmental agreement with Ethiopia concerning the use of the seaport in Berbera. These examples prove the recognition of *de facto* the ability to conclude international agreements by this country. The political experience of Somaliland and its elites in shaping international relations has its roots in the colonial politics of Great Britain, which in 1884 established its protectorate in the Horn of Africa, which lasted until July 1, 1960. During the period before the adoption of Islam in the Horn of Africa, according to the oral tradition, the system of customary law *xeer* was formed, which could be a way of leading to the settlement in the civil war-torn Somalia.

British Colonial Administration was governed by pragmatism in order to secure imperial interests and did not interfere with internal social relations if they did not pose a threat to the Empire. Clan elders Issak (the main tribe in Somaliland) represented the principle of ancestral selfishness and as the political elite they did not sustain

a loss on their authority by intervening in negotiations on seizing power. Many participants of this process found shelter in Great Britain as refugees fleeing from persecution by the regime of Siade Barre within the period of compulsory unification with Italian Somalia within the so called Somali Democratic Republic. Tragic experience from this period had a big impact on the effectiveness of techniques of functioning of power in exile and the consolidation of Issak clans towards the idea of independence as the best form of securing own ancestral interests.

The period of persecution, including mass resettlements, is linked to the forced introduction in Somalia of the principles of the 'scientific socialism'. The period of unlawfulness and chaos stemming from the escalation of the Somali Civil War in the years 1988-1991 deepened the traditional gulf between *waqooyi* (the North) and the remaining part of the former Italian Somalia, defined as *koonfur* (the South). The stabilising factor in the region hit by tribal fights became traditional ancestral bonds and the system of the 'living customary law' as a tool to resolve disputes.

Muhammed Haji Ibrahim Egal, the second President of the proclaimed Republic of Somaliland, in the period between 16 May 1993 and 3 May 2002, fell prey to the communist repression and traditionalists in support of the customary law system. Undoubtedly, thanks to his sturdy character in the period of persecution he received acclaim among the clan elders of Somaliland. His main asset was the fact that as the Prime Minister of Somalia in the 1960s he demonstrated experience and knowledge necessary to exercise such power. As a result, he was designated by the Council of Elders to be the head of the state, which split off from Somalia in 1991. The exit of Somaliland from the State Union with Somalia took place at the Congress of the clan's elders, held between April 27 and May 15, 1991 in Burao. Separation of Somaliland followed the decision taken by the Council of the Elders to reinstate the borders and law of the former British Protectorate. The re-try of this state to come into existence as a subject

of international law rested upon the assumption of the right of peoples to self-determination. The political decision on secession was taken by the Council of Elder Clans. The date of gaining independence became the national holiday in Somaliland. The day of re-gaining independence is an opportunity to demonstrate distinctiveness in relation to Somalia, which, contrary to Somaliland, enjoys full recognition of the UN with borders from before 18 May, 1991. Peter J. Schraeder, an American political scientist, published a paper supporting rationale for the statehood of Somaliland. The author states that one should not omit the fact that this country had already been recognised by the international community in July 1960. The acknowledgement was declared by the United States within the group of 35 states being the members of the UN. Several days later, on 1 July, 1960, Somaliland, linked to London by colonial ties, acceded the state union with the Trust Territory of the UN, which was previously under the administration of fascist Italy[1].

The formation of an independent state and a new nation rooted in the tradition of Issak clans is the result of the evolutionary process: the organic transition from the world of values of the pastoral culture towards the nailed model of the state power shaped by the pastoral tradition and trans-national nomadism.

Positive law, Sharia law, customary law *xeer*

In Somali communities in the Horn of Africa the same legal case may be considered from the perspective of various mechanisms defined by positive law, Sharia law or customary law *xeer*. The problem

[1] According to Mohamed Haji Mukhtar Italy spearheaded the idea of putting all Somali people under one administration, what the Italian media dubbed "la Grande Somalia," or "the Greater Somalia." M. Haji Mukhtar (2003), *Historical Dictionary of Somalia. New Edition*, "African Historical Dictionary Series" No. 87, Lanham, Oxford: The Scarecrow Press, p. 125.

concerning the collision of legal norms in the context of the state order and the choice of appropriate law is solved by Article 130 of the Somaliland Constitution, which stipulates that the code clauses incompatible with the civil rights and freedoms, and Sharia law should be omitted when applying law.

On the level of positive, substantive criminal law in Somaliland applies the Somali Penal Code of 1930 adopted in the fascist Italy . In its time, it was considered the modern legislative model to follow. In accordance with the explanations from the interview with Berihu Tewelde Birhan Gebre Selassie, the vice-president of the Ethiopia's Supreme Court, the history of the criminal law in Somaliland is closely linked to the influence of the colonial states: Great Britain and Italy. The codifications from the times of dependency on London and Rome remain in force until today. The impact of Italian substantive criminal law was petrified in the whole Somalia after World War II through the reception of this law within the UN Trust Territory. The merger of Somaliland with this territory was followed by the reception of the Italian model of criminal law in the whole territory of former Somalia[2].

According to the tradition and constitution, the superior source of law in Somaliland are the 'principles of Islam contained in the Koran, Muslim tradition (*hadisy*) and accounts of the Prophet Muhammad's life (*sunna*)'. Faith in the divine origin and revelation of law (*fiqh*) endows them with the highest authority. Secular positive law can regulate issues not mentioned in the Koran or can be constituted by virtue of such a provision which allows for the dynamic interpretation of the norm. On that basis, Muslim law was developed by the jurists from schools of law, whose binding interpretations are applied in jurisdiction.

[2] *Somaliland Criminal Laws Penal Code & other Special Criminal Laws*, retrieved from http://www.somalilandlaw.com/criminal_law.html [accessed 14 May 2020].

The rule of thought of such Sharia legal principle not subject to the interpretation is applied, for example, in ruling in cases regarding homosexuality where the sexual intercourse (adultery) between people of the same sex is punished by imprisonment from three months to three years (Article 409 of The Somali Penal Code) . Islamic law enumerates: adultery (punished in Somaliland by imprisonment to two years, Article 426 of Somali Penal Code, false accusation of adultery (punished pursuant to Article 451 of Somali Penal Code enabling the judge to rule up to ten years of imprisonment), drinking wine (penalty of detention to four months or a fine, Article 412 of Somali Penal Code), theft and mugging punished in Somaliland on the basis of Article 480 pursuant to Article 481 of Somali Penal Code with imprisonment from one year to six years as offences strictly punishable in public by the secular authorities. Common courts of law in civil and family cases comply with the prior decisions of the tribal elders. Judges rule independently from the influence of the elders only in cases of criminal offences against the activities of the public administration or the secular judiciary of Somaliland.

The Shafi'i, who for centuries have shaped the tradition of Muslim law in Somalia refer to the legal interpretation of their master Al-Shafi'i, famous for his moderation and eagerly referring to the analogy (*kiyas*) and universal consensus (*ijma*). The Shafi'i in Somalia and Djibouti ascribe great significance to the principle of universal consensus – in fact, the consensus of the Muslim community is to come from God – and its purpose is to strengthen the unity of believers. The Shafi'i managed to organise numerous legal precedents as a result of which Muslim law in Somalia is characterised by traditionalism, and simultaneously by rationalism based on logical jurisprudence.

In disputable matters, often associated with the damage to the person or property, in Somaliland is primarily applied the traditional system of customary law – *adat,* based on the consensus principle of the Muslim community. *Adat* (local customary practice) is a normative system stemming from the Arabic tribal traditions and understood

as 'customary law functioning within some Sharia schools in Muslim countries, mainly in Malay, Indonesia and Central Asia, but also in Maghreb (known there also as *urf*)[3]. It is mostly prevalent in the countries and communities that are superficially Islamised. Initially, *adat* constituted a component part of Muslim law, and later it was applied to cases to which Sharia did not respond. *Adat* is at fullest recognised by the Hanafi and Shafi'i school of law, and almost completely rejected by the Hanbali'. Pursuant to the definition adopted by the World Intellectual Property Organisation (WIPO): 'customary law is the collection of customs, generally adopted code of conduct, convictions adopted as compulsory principles of procedure by indigenous inhabitants and local communities'[4]. Customary law is for the Somalis the tool of individual protection as well as the tradition and knowledge passed on from generation to generation. In the context of social relations, customary law offers an effective and cheap instrument to settle disputes, guaranteeing an imminent application of sanctions in the event of breach of the code of conduct.

The organic nature of customary law and its autonomy is put by this system in opposition to the norms enacted by the state or religious authority. *Kadiriyyia,* the traditional Sufi brotherhood, which has a significant influence on the interpretation of customs of the *xeer* system in the Horn of Africa, was the target of attacks of new radical groups, like for example *saalhiya* – associated with Saij Muammad ibn' Abdil Hassan, called in the British historical sources 'Crazy Mullah' fighting with their protectorate, or contemporary terrorist group Al Shabaab.

In the Horn of Africa, adherents of the religious movement of Wahabis, financed by the Saudi Arabia, support the orthodox Sharia

[3] M. Dziekan (2001), entry: *adat*, in: M. Dziekan (ed.), *Arabowie. Słownik encyklopedyczny*, Warszawa: PWN.

[4] World Intellectual Property Organization (2016), *Background Brief no. 7, Customary Law and Traditional Knowledge*, Geneva, retrieved from https://www.wipo.int/publications/en/details.jsp?id=3876 [accessed 14 May 2020].

directly referring to the Koranic traditions. In the areas of Somalia controlled by Al Shabaab applies the absolute Sharia law, prohibiting the application of customary law. The prohibition of using drugs, by analogy (in Muslim law: *kiyas*) concerning the ban on drinking wine contained in Koran (Koran 7:80-84), is not respected in Somaliland where the influence of Koranic school of Wahabis is officially limited. Somaliland has adopted the interpretation which translates the role of tradition and custom in connection with the norms included in the Koran. The lawyer in Hargeisa explains:

'If such a customary social norm was shaped later than the Koran, then it has a higher legal significance than the law of sharia in order to preserve the consensus in the local Muslim community accordant with the will of Allah[5]'.

The practice of applying customary law is illustrated by the dilatation of the ulema, Muslim theologians having an impact on the religious code formed according to the Koran as regards legalising the custom of chewing gum in Somaliland prohibited by the law of sharia. *Catha edulis* (*khat*), being a mild stimulator or a drug, is here, thanks to this interpretation, widely available as a stimulant both for men and women. *Ijma*, or the unanimous order of the scholars in law, allowed for the desertion from the law of sharia and exclusion of this drug from the religious, sharia prohibition of consumption. Moreover, the ulema in Somaliland explain that chewing leaves of this plant leads to greater concentration while reading the Koran and praying. A similar interpretation was also adopted in Yemen. The Hanbali, from the most conservative school of law of the Sunni Islam, currently in Saudi Arabia, United Arab Emirates and in Kuwait, prohibit categorically the cultivation, trade and the consumption of khat.

Ioan Myrddin Lewis, a British researcher of the social structure of Somalia and shamanism points to the archaic sources of customary

[5] Record of an interview with a practising NGO project lawyer recorded on 21 February, 2016 in Hargeisa, Somaliland.

law in the Horn of Africa, referring to the type of culture which has evolved in the climate prevailing there and geographical conditions. According to the findings of this anthropologist, in the traditionally pastoral Somali societies pastures were not covered by the title of ownership. The right to grazing was related to the actual possession of control over the pasture. According to the adopted rule, pastures are the gift from God and man only has the right to benefit from this good. The right of access to the well was, however, assignable and protected with the use of power of its holder. The formation of the structure of norms resulted from the collective attitude to the practical functions of coexistence and the principles of nomadic pastoral economy[6].

In Somaliland, even in the time of Lewis research, customary law was developing among the largest and strongest there Issak clan. This process is being pursued after gaining independence by Somaliland, contributing to the consolidation of social peace, as opposed to the remaining regions of Somalia. Following Stéphan Voell, a German anthropologist, referring to the example of the Albanian customary law *kanun*[7]*, it may be assumed that the stabilising value of customary law has been proven: it supports more effectively than the religious and positive law the difficult process of regeneration of social bonds and organisations after historically difficult periods of the past revolutionary social experiments or contemporary humanitarian interventions.*

[6] M. Lewis (1961), *A Pastoral Democracy. A Study of Pastoralism and Politics among the Northern Somali*, Oxford: University Press.

[7] S. Voell (2003), *The Kanun in the City, Albanian Customary Law as a Habitus and Its Persistence in the Suburb of Tirana,* "Anthropos" 98(1), p. 85–101.

Xeer as a tool for resolving disputes

Xeer, a culturally defined system of folklore and habits (*habitus*), is subject to the international protection under the provisions of the convention of 1992 on biodiversity. In the Somali language, the word *xeer* means the consensus between the entitled groups having the ability to redeem themselves from the revenge of a bloody foreteller. The word *diye* is an Arabic synonym for the Somali expression *mag*, which signifies the redemption of the lineage from the threat of a bloody revenge. Each group having the ability to pay *mag* possesses its own, handed over from generation to generation, code of customary norms embracing subjectively only members of the clan (*tol*). Initially rooted in nomadism, system of norms referred to the grazing of camels, access to the well with water for shepherds and their animals. *Xeer* may also be understood as a process of mediation (*masalaxo*), or even arbitration (*gar dawe*).

The need to counteract, on the basis of *xeer*, the bloody revenge and the principle of talion is a customary law principle, 'according to which the criminal act (especially murder) committed by a member of one group on another group member of the same society gives rise to a social relation based on reciprocal murderous hostility ('being in blood') and is subject to the sanction of a direct bloody retribution[8]', and is the achievement of the ancestral-tribal culture of the Somali shepherds.

In the event of death caused by an act or the omission by a clan member, the system *mag – diye* (equivalent to the institution of were-gild and compensatory damages in the early medieval law, written down in the capitulars of Franconian kings) is applied, obliging to pay the compensation fixed by the elders of the clan negotiating an

[8] P. Contini (1971), *The Evolution of Blood-Money for Homicide in Somalia*, "Journal of African Law" 15(1), pp. 77–84.

amicable adjustment of the case. Norms of *mag – diye* are universal in the whole community and belong to the repertory *xeer guud*, respected in all communities and regions.

These norms are rooted in the pastoral culture of nomads who did not resort to the acts of violence when fighting for watering holes and the right to use pastures for their herds. The mechanism of amicable adjustment of disputes became the basis of the customary law, which has survived all crises of the contemporary Somali statehood. In the Muslim law of the Sunni tradition, consensus is one of the key tools of the Islam jurisprudence Islam. Traditional customary law *xeer* has never been codified and there are no existing written studies of this jurisdiction. The knowledge of traditions and principles of legal logic, passed orally from generation to generation, is of key importance here. Opponents of the customary law *xeer* were the Somali communists trained in the Soviet Union and contemporary jihadists from Al Shabaab or Wahhabis based on the Hanbali from the thought collective of the most conservative Muslim lawyers.

However, this does not mean that the judgments issued are based on arbitrary decisions of the judges. The nature of the ruling – settlement is based on the amicable adjustment of disputes, but the compromise is rigorously enforced. Somalis who apply *xeer* are not so much interested in establishing the suspect's guilt or innocence – it is important to reach consensus *(win-win situation)*. All participants of a dispute have to abandon it without 'losing face' and a sense of adequacy of a sanction being the inconvenience for the whole clan. Guardians of the tradition of customary law are members of the clan elders, distinguishing themselves by knowledge and trust *(xeer begti)*. The conclusion of a settlement between clans in cases of murder ends the case only after the payment of the *mag – diye* compensation. Compensation for the death of a man means the need to pay damages equal to the market equivalent of 100 camels, whereas for the murder of a woman was determined at the market value of 50 camels. The

diya-mag compensation is currently paid primarily in criminal cases (*dhiig*) for slander, theft, personal injury, rape or murder.

The principles of customary law *xeer* assume the principle of collective responsibility of the clan as part of the obligation to compensate for the waiver of a bloody revenge relating to all male, adult members of the clan (*mag – diye* payment). Under this system special protection was given to the elderly people, women respecting the principles of Sharia, children, poets and guests. Special messengers, who are to initiate the negotiation process, are treated with due respect, which guarantees them personal immunity. The murder case in Somaliland can be run based on a criminal procedure before a state court applying the legal norms contained in the Penal Code. The conclusion of an out-of-court settlement in the ordinary course of customary law *xeer* is a prerequisite for the quashing of legal proceedings, and even without a ruling on guilt and punishment. A traditional settlement between clans awarding damages to the injured is a more popular way of seeking justice. A court judgment may encounter obstacles to its execution or enforcement. The state does not have at its disposal due force of constraint, like the one guaranteed by the strength of tradition, although there is a prison in Somaliland visited by the United Nations, where convicted pirates, or foreigners-strangers serve a sentence of imprisonment ruled in the common court on the basis of legal norms of positive law. There are also those affected by the ostracism for the notorious violations of legal order and members of the families, unworthy of protection, for whom the tradition of the clan arbitration *xeer* did not stand in practice.

Xeer system also regulates civil torts (*dhaqan*) and contains a useful for this jurisdiction gradation of offence presented on a 12-grade scale measuring the scope of cause related to an injury. The amount of a compensation can be marked, taking into consideration the wealth of the clan and the circumstances of the case. This is a manifestation of recognition of caste system in social relations

binding in Somaliland. An aspect of civil cases of customary law *xeer* embraces, apart from civil cases, family law and the principles of hospitality belonging to the set of specific customary norms (*xeer gaar*) typical of the chosen lineage *tol*, or region *gobol* (here there are peculiarities of customary law in such regions as, for example, Somaliland, Saanag, Sool, Puntland, Jubaland, or even particular districts of Mogadishu, or Somali refugees camp in Dadaab, in Kenya).

The potential of *xeer* as a tool for resolving disputes in Somalia is appreciated by the United Nations. During field studies in 2016, the UN was interested in such issues of *xeer* as: *dhiig* – delicts; *dagaal iyo nabad* – the law of war customs; *shaqo* – labour law; *dhaqan* – civil law with inheritance law, but also family law. By virtue of the development programme UNDP, in 2016 it conducted in Somaliland and Somalia trainings harmonising legal values of *xeer* with human rights for legal counsels of customary law (*xeer beegti*) and judges of customary law (*guurti*) familiar with the customary jurisdiction of the regions and particular clans (*ugub*), and their economic specialisation. While Somaliland has developed the customary law of the shepherds – nomads, the Putland area was the seedbed for the genesis of the application of the *xeer* norms in agriculture, trade and maritime fisheries. *Xeer* of acquiring the main ingredient of the incense – is now a 'living law' in this historical part of Somalia and one can assume that the rules of international trade of incense have developed as a result of the reception of habits cultivated on the ancient 'trail of scents' related to the principles of growing trees and extracting the resin from the Boswellia tree, of the Burseraceae family. According to the accounts from hardly accessible areas Saanag and Bari, in these regions operate customary courts *xeer* resolving disputes over the title of ownership to particular trees producing valuable resin. The right to inherit Boswellia tree plantations is solely reserved for the male clan members.

Fishermen and sea carriers from Berbera in Somaliland, in talks conducted in 2016, referred to the existence of customary norms on

the use of the Ocean (*Uruf Alba'hr*) and the carriage of passengers. According to the shipowner transporting refugees from Yemen to Berbera in Somaliland, if a passenger drowns through the fault of the captain of the vessel, the customary law obliges his clan to pay *diya*. In the opinion of the informant from Berbera, the transport of refugees was a permanent and safe source of income in 2016 in view of the risk of piracy fought by the international community in the Gulf of Aden. The former pirates often saw themselves as the "guards of the coastline" of Somaliland, Saanag, or Puntland, pointing to the unlawfulness of foreign fishing fleets catching fish illegally in territorial waters[9].

Refugees in the system of Somali customary law

In April 2016, the UNHCR estimated the number of internally displaced refugees in Somaliland at about 84 thousand (which meant 23.059 families). In the very Hargeisa 45 thousand of displaced people found refuge. The UNHCR maintains that 15% of this population are internally displaced refugees from central and southern Somalia. The Somaliland authorities believe that they are foreigners subject to international protection under the UN system[10]. However, the High Commissioner for Refugees does not give assistance to those people by registering only refugees from Yemen, Ethiopia, Eritrea, Syria and Palestinians. According to the UNHCR statistics, in Somaliland in April 2016, resided refugees from the following countries of origin: Yemen – 3.025 *prima facie* refugees and 122 applicants; Ethiopia – 2.199 recognised refugees and 7.682 applicants; Eritrea – 34 recognised

[9] Opinion recorded during the interview with the lecturers and students of the Maritime and Fisheries Academy in Berbera held on 29 December, 2019.

[10] W. Trojan (2018), *Od Czeczenii do Somalilandu. Idea ochrony uchodźców w kontekstach kultury organizacyjnej i prawnej Urządu Wysokego Komisarza do Spraw Uchodźców*, Warszawa: WUW, p. 269.

refugees and 32 applicants; Syria – 132 *prima facie* refugees; Bangladesh – 6 refugees; Uganda – 3 refugees and 1 applicant; Democratic Republic of the Congo – 3 refugees; Congo – 2 refugees; Djibis – 4 applicants. In addition, a group of 15 Palestinian refugees lived in the country in 2016.

It can be assumed that, because of the personal nature of the customary law, the characteristic of *xeer* is an isolationism based on the principle that customary law is basically applied to 'countrymen', as in times of particularism of the tribal rights in Europe. Opening borders for refugees raises the awareness of the need to extend the patterns of finding settlements within the framework of traditional folk knowledge, also with their participation. Foreigners do not have legal capacity under *xeer* system and only those who are covered by the right of hospitality of the clan can be represented in a potential dispute as part of a specific guardianship of the elders. More often, this solution seems to be used by the Yemeni in the capital of Somaliland or the well-educated Palestinians. Other unqualified foreigners, mainly Ethiopians, seek asylum relying on the immunity as a result of the 'protection' granted by the UNHCR and aid organizations. The representatives of the Ethiopian community in Hargeisa draw attention in their talks to the issue of insecurity and frequent cases of abuse of power by the local police, whose officers know about the lack of access of forced migrants to the courts, where judges of customary law (*guurti*) rule:

> 'They arrest me whenever they want. They do not tell me why they shut me down and when I will be released. I don't know why they detain me'[11].

Detaining and keeping in isolation by policemen is a method of threatening the leaders of the Oromia refugee community in Ethiopia. One of them reported his bad experience with the police:

[11] Aliyi, a garbage collector in Hargeisa, refugee from Ogaden in Ethiopia.

> 'I was beaten without any reason by the policemen from the local police station. They came after me at night and they locked me in a dark cell. Later I was beaten. They told me I was the leader of the Oromo people in Somaliland and that I have to move out home. If I do not leave, they threatened me with death'[12].

Among the Ethiopian community prevails a specific intimidating atmosphere from the police, not only not responding to reports of crime, but also advising against complaining to the lawyers paid by the UNHCR:

> 'The policemen threatened to take revenge if I report being beaten to the lawyers in the law clinic. Every member of our community can make a statement that what I say is true'[13].

Female refugees, especially those deprived of their husbands' protection, often fell prey to sexual violence:

> 'I am alone without a man who would protect me. I have no means to rent a house and I live in the street.'[14].

Lack of any protection and sanctions for a crime threatens women being in such a position of constraint with stigmatization, through which 'they are perceived by men as 'available' to all who want to satisfy their sexual urges. The victimology of these women is linked to the fact of excluding them from the protection zone of customary law and protection of the clan. As the practitioners observe, the application of the positive law, the law of Sharia and the clan law *xeer* – is not uniform and arbitrary. The circles of activists and advisors propose the unification of the law and the removal of contradictory norms of the positive and customary law in Somaliland and Puntland, noticing in the system of customary law the mechanism of effective

[12] From the interview conducted with the refugee from Ethiopia on 21 February 2016 in Hargeisa.

[13] From the interview with the refugee from Ethiopia.

[14] From the interview with the refugee from Ethiopia.

and fast resolution of disputes in the poverty-stricken Somali communities.

The Office of the United Nations High Commissioner established in Hargeisa the Peaceful Coexistence Centre aiming to promote the values of the UN in Somaliland through educational and equality programmes. There is, however, no room for amicable settlement of disputes between refugees and their host communities. The refugees themselves critically responded to the UNHCR investment.

> 'That's a waste of money. Instead of building such centres, it would be better if UNHCR supported refugees directly. Now we are told that there is no money left for us? Has anyone asked us if we needed such a common room?'[15].

The model of such a coexistence centre, like the one set up in Hargeisa, can be found in the host countries accepting migrants, for example in the Netherlands. The aim is to increase the tolerance towards refugees in local communities through spending leisure time together. Effective interventions of the Legal Clinic at the University of Hargeisa, which is excessively overburdened, speak strongly in favour of, in the opinion of practitioners, the need to strengthen effective measures to protect the rights of refugees, mainly by appealing to traditional and effective mechanisms of customary law *xeer*. The prerequisite is to gain support for the idea of integrating refugees into the *xeer* code from the members of clan elders, distinguishing themselves by their knowledge and trust (*xeer begti*) in Somaliland. The unanimous resolution of the legal scholars (*xeer begti*) as regards the question of covering refugees by customary law can contribute to obtaining by them an effective legal remedy for the current position of *de facto* outlawed marginalised minority in Somaliland. Previously supported by the UNHCR publications positively assessed the

[15] From interviews with the refugees in Hargeisa.

'participation of tribal elders in dispute resolution mechanisms'. As one of the interlocutors noticed:

> 'It will be best if elders meet with local authorities to discuss incidents"... "Elders must be present, *xeer begti*, government. They all should work together to resolve the dispute'[16].

However, the officials of the United Nations High Commissioner for Refugees in Somaliland have not made an attempt yet to support the plan of integrating refugees into the *xeer* code by negotiating with clan elders. The thinking style in the collective of UN refugee officials engaged in the protection of refugees is shaping the warning against the 'needless romanticizing' of the customary law. The guidelines warn, first of all, against the traditionalism, which, in the opinion of the UNHCR, is a source of violence against women and children. The activity within research and application of customary law as a stabilising factor in Somalia showed, what I have already pointed out above, the UN Development programme for UNDP.

Justice (*maslaxad*) in Dadaab camp in Kenya

The practice gained in Somali refugee camps within the application of a properly processed *xeer* system was described in 2011 by Nikolaus Grubeck in the framework of the programme *Campaign for Innocent Victims in Conflict* (Campaign for Innocent Victims of Conflicts)[17]. In a study published on the basis of field work among refugees, there is a voice about the co-responsibility of all participants of the conflict for damage caused to civilians, including the Al-Shabaab group, but also units of the International Stabilisation Mission AMISOM:

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[16] From the interview with the UNHCR worker from local recruitment

[17] N. Grubeck (2011), *Civilian Harm in Somalia. Creating an Appropriate Response*, Washington: Campaign for Innocent Victims in Conflict (CIVIC).

> 'People say, 'What's the difference between AMISOM and Al-Shabaab… AMISOM kills us. And they (Al-Shabaab) also kill us'[18].

In the year 2018, the observations made during the field studies in 2016 are still valid:

> 'In Somaliland and Puntland, the clan is a source of security, not UN military missions. The clan militia has – as it is defined – morale, *esprit de corps* and is ready to fight despite the lack of heavy armament and the high military salary that AMISOM soldiers receive. For the local population, the militia (clan) does not pose a threat which is connected with the presence of "Blue helmets'[19].

Dadaab camp, located close to the border with Somalia, is a place where the law of Kenya is not *de facto* binding, and the atrophy of the positive law allowed for the judiciary to be handed over to its inhabitants[20]. As states Ilse Griek of the *Dutch Council for Refugees*, an organisation operating under the international refugee regime, as a partner of the United Nations Commissioner for Refugees, … 'the lack of documents, as well as the low number of crimes reported to different NGOs, the UNHCR or the police (especially sex crimes), do not allow to assess the dark number of violations of law and how many cases have been judged under the customary law of refugees[21].

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[18] From the statement of a refugee in Dadaab (2016 r.).

[19] According to Mohamed Mubarak, local security expert "(…) In today's Somali army, clan loyalties trump national identity; without this being rectified by rehabilitating and decommissioning clan militias, continuing to arm the Somali army is akin to fuelling clan wars", Africa Research Online, The leading bulletin service on Africa, "Shortages and clan rivalries weaken Somalia's new army, retrieved from Africa Research Online https://africaresearchonline.wordpress.com/2014/06/05/shortages-and-clan-rivalries-weaken-somalias-new-army/ [accessed 14 May, 2020].

[20] M. Ząbek (2019), *Uchodźcy w Afryce, Etnografia przemocy i cierpienia*, Warszawa: WUW.

[21] I. Griek (2006), *Traditional System of Justice in Refugee Camps: The Need for Alternatives*, "Refugee reports" 27(2), p. 4.

In Dadaab camp, the *xeer* system is defined by refugees by the word 'justice' – *maslaxad*. To the *maslaxad* system refer all the remarks listed above. In the refugee camp, officially under the aegis of the UNHCR, the rape victim can be forced by the tribal elders to marry a rapist and pay compensation (*mag-diye*) to her father or the oldest man in the lineage for the act of 'disgracing the honour of the clan'. This is in line with the tradition of customary norms, regardless of the UN-led trainings on 'peaceful coexistence' in the common rooms located in the separated from the rest of the camp security enclaves, where reside and work female and male activists of the international refugee regime protected by armed guards.

The inhabitants of the Horn of Africa, as well as refugees from Dadaab camp in Kenya, depend on transnational financial assistance from the clan members who have been granted the right of residence in the host countries. In connection with sanctions preventing the use of bank transfers, money transfers are made under customary law. A money order between the United States, Norway, Australia and the recipient in the Dadaab camp is made on the basis of an oral transfer *xawilaad*, without the involvement of online banking or accounting records, relying on trust in the participants of the transaction. In the camp, intermediaries use their own radio network and secret cash points. Research on the functioning of the customary system of money transfers *xawilaad* surprised with the results revealing the size and the amount of concluded transactions. Other findings of the field research included the confirmation of the reliability of such a flow of funds, initiated and carried out beyond any control of the state services.

A cashless transfer *xawilaad* within the x*eer* system constitutes the basis for the socio-economic life of the Dadaab camp. Customary banking law is a key factor in the process of building bonds between humanitarian nomads in Somalia and transnational nomads across the ocean or in European countries. According to national security experts, this institution of customary law is unfortunately also widely

used by transnational networks of world terrorism to finance their organised criminal activity.

Lack of actual state control over Somali refugees and their introduction of Somali orders, not subject to the influence of foreign countries, pose a problem for the security apparatus. In May 2016, Joseph Nkaisserry, a high-level official of the Kenyan authorities negatively assessed the state of affairs on the example of Dadaab camp:

> '...Camps have become a place of refuge for Al Shabaab and also centres of smuggling, leading to the proliferation of weapons in the region. Considering the scope of global terrorism, with its new manifestations trying to implant in our region, it would be unforgivable for the government to shift away from its superior constitutional duty to protect its citizens and their property'[22].

A loud decision taken by the Kenyan authorities to close the Dadaab camps triggered protests of humanitarian organizations. In the years 2014 – 2018 on a voluntary basis, backed by UNHCR, 76.589 refugees returned from Kenya to Somalia. According to the information received from UNHCR officials in July 2016, in the Dadaab camp resided 327.320 Somali refugees for whom customary law was the main instrument to maintain the traditional social order in camp conditions[23].

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[22] Government Statement and Update on the Repatriation of Refugees and Scheduled Closure of Dadaab Refugee Camp, Maj-Gen (RTD) Joseph Nkaisserry, EGH Cabinet Secretary, 11 May 2016, retrieved from http://www.interor.go.ke/index.php/2015-02-28-06-43-54/news/98-government-statement-and-update-on --the repatriation - of-refugees-and-closure-of-dadaab-refugee-camp [accessed 13 May, 2019].

[23] Global Shelter Cluster (2019), *Somalia Factsheet, April 2019*, UNHCR, retrieved from https://data2.unhcr.org/en/documents/details/69764 [accessed 13 May 2019].

Final remarks

The customary law *xeer* constitutes an evidence for the effectiveness of traditional folk knowledge as an effective, anthropologically rooted, dispute resolution tool. The principle of personality of the customary law fares well in solving clan disputes in Somaliland. The search for law and justice in disputes involving foreigners seeking protection there is possible under official, positive law, which is not guaranteed by virtue of a settlement between the lineages. Countries, *de facto*, such as Somaliland, do not have at their disposal enough force of constraint to enforce judgments of common courts. Refugees, as 'the charges of the United Nations High Commissioner for Refugees', have a low sense of security from the international refugee regime. UNHCR is reluctant to the proposal of reducing its discretionary power over refugees and evades attempts to get to know the mechanisms of customary law, not to mention its implementation. The protection of refugees through customary law can be easily criticised as an activity not clinging to the standards of the 21st century, and what is worst of all, can also be stigmatized by donors who are humanitarian assistance operators. Adopting an alternative order of interactions between the institutions of the international refugee regime with the 'charges' – would mean a loss of power and strong supervision[24].

The UNHCR's aid programmes can also be perceived as part of the 'rituals of transition' from the perspective of Arnold van Gennep. The transition through the liminal phase at the exclusion stage in refugee camps is supposed to 'liberate' international humanitarian organizations from the inhibiting and irritating traditionalism. The agency of UNHCR's charges in the process of adaptation to life in the

[24] Attitudes of paternalism of UNHCR towards refugees and authorities of Somaliland finally caused the opposition of the authorities and ended in Somaliland in February 2016 with the official call of the organisation representative to respect local traditions.

refugee camp is based on their commitment to interaction with 'the use of knowledge, innovation and practices' from their cultural heritage. The forced migration of Somalis from the southern part of Horn of Africa to Kenya did not lead to the helplessness and vulnerability of refugees thanks to the vitality of traditional folk knowledge in the conditions of exile in Dadaab camps in Kenya. Within 25 years of the Dadaab camp operation, a variation of customary law has developed there. *Maslaxad* has become the basis of the socio-economic life of the community of more than three hundred thousand of Somali refugees living there. Despite the ongoing programmes financed by the international refugee regime in refugee conditions, the model, in which the traditional clan structure was removed from the impact on the young generation, has not been rejected.

Modern education, as a prerequisite for the increase of a social status and departure from the closed camp community does not lead to cultural eradication. Refugees, who have managed to continue migration, also use the traditional system of money transfers *xawilaad* to support other clan members who stayed in the Horn of Africa. Similar traditionalist identity attitudes motivate the already educated at the Western universities former male and female refugees to return to Somaliland. They decide to repatriate to support development projects in this part of Somalia, where now prevails peace. The study of the Somali diaspora shows that staying abroad is by no means leading among Somali migrants to the erosion of clan ties and respect for their own traditional folk knowledge, including the customary law *xeer*. The Somali community in the diaspora maintains strong transnational ties with the country of origin, which contributes to the political and socio-cultural transformation of Somalia, based, however, still on traditional knowledge and enriched by the social capital of the diaspora, as it happened before in Somaliland.

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Xeer – the Somali customary law as a tool of international refugee regime

Abstract:

Refugee camps, like any large human groups, are not free from internal crime that must be fought against. This raises a question on the basis of what law it should be done. The 1951 Convention on the Protection of Refugees obliges to respect the law of the host country in which territory the camps are located. In the case of Kenya and some other African countries, their authorities have almost completely withdrawn from using their own state law in the camps in favor of UNHCR and its executive partners, while these have withdrawn from enforcing international law. The question is what law is there in this situation? According to the author's research, the customary law rules in the camps, constituting a kind of expression of an independence of refugees who though originating from colonized peoples have never been subordinated to any external power.

Key words: refugees, refugee camps, international law, common law.

Chapter 14.

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CUSTOMARY LAW IN REFUGEE CAMPS IN KENYA

Stay of refugees in the camps, which were to be temporary settlements for the persecuted, does not, unfortunately, guarantee their safety. Camps are often located in the areas where ethnic groups are hostile towards refugees. Even if their relations seem to be satisfactory in the beginning, they sour over time. Armed gangs run rampant around the camps mugging refugees, sometimes even on the camps' premises. An extremely precarious situation prevails in the region of Dadaab in Kenya with Somali groups of radical Islamists from al-Shabaab[1] (literally the youth) and common outlaws or Somali bandits, the so called *Shifta*[2], prowling the streets. Conflicts with

[1] Al-Shabaab (literally 'the youth') Somali radical military organisation fighting for gaining control of Somalia and establishing there a state based on the Muslim law. Participation of the Kenyan army in the so called peacekeeping African Union Mission in Somalia (AMISOM) in the intervention in 2009 caused that Kenya became its enemy. Al-Shabaab attacked, among others, The University in Garissa at the beginning of 2015 when 148 people died, which caused that many Western organisations left the camp in Dadaab.

[2] Shifta, a term used in the countries of the Horn of Africa for rebel, outlaw or bandit, usually has a negative connotation; D. H. Shinn, T. P. Ofcansky (2004), *Historical Dictionary of Ethiopia*, Lanham, Oxford: Scarecrow Press; Ryszard Kapuściński, among others, referred to them in the following way: „Shifta is a group of young bandits who act until the first bloomer. They used to hang the

local people, rebellious groupings acting outside the camps as well as the ethnic diversification and politicisation of the camps' residents, not to mention the commonplace camp criminality among refugees, may constitute the source of threat. It is to be noted that criminality ubiquitous in the camps also involves „children-refugees' who like „street children" in cities form juvenile gangs and may pose a threat to the overall safety[3].

By observing camp life one may notice that officials of the High Commissioner for Refugees (UNHCR), while assigning plots of land for settlement in the camps to various ethnic groups, do not experiment with multiculturalism and apply, based on their previous experience, the principle of ethnic, religious and racial segregation[4]. For instance, in some sub-camps and sectors of the camps in the region of Kakuma, North Kenya, in one of them reside mainly Dinka and other groups not being in conflict with them (for instance Congolese or Ugandans), but in separate sectors. In the second camp reside mainly Somalis, in the third one the Nuer whereas in the fourth one Somali Bantu and the people of Darfur. Separation in detached and fenced sectors is a normal necessity in every camp where hardly any form of integration exists. Volunteers from the West, who work in the camps, find it often surprising but eventually they realise that otherwise the risk of conflict and violence would be too high[5]. Camp experience

caught people just by the wayside. Later, they advanced their method to be less spectacular. It is literally life-and-death struggle because if a shifta leaves the victims somewhere in deserted and waterless wasteland, these poor creatures will simply die of thirst", R. Kapuściński, *Heban*, Warszawa: Czytelnik 1998, p. 139.

[3] In three camps in Dadaab, in the first decade of the 21st century about 300 murders were recorded annually. Data from the local account.

[4] This principle, so as to avoid conflicts, is also applied in many refugee centres in Europe.

[5] J. Bauman (2016), *Theatre and Meaning at Kakuma Refugee Camp*, "HowlRound Theatre Commons" November 30, retrieved from http://howlround.com/theatre-and-meaning-at-kakuma-refugee-camp [accessed August 2017].

shows that separation of various ethnic groups is often the only way to maintain peace in multi-ethnic groupings, which does not mean that it eliminates it totally. It is sometimes necessary to resettle the feuding groups to a completely different camp, for instance the Somali Bantu from Dadaab to Kakuma, and Dinka people to yet another camp in Dadaab.

Except for serious reasons of political or religious nature, in the atmosphere of camp frustration, over-congestion and disheartenment, disputes often explode as the result of trivial causes. Camps are undoubtedly places with overwhelming sense of crowdedness and lack of personal space[6]. What adds to it is the competition for life essentials, thefts, assaults and related conflicts even in the places with no ethnic divisions among refugees. Jeff Crisp (Head of Policy Development and Evaluation), one of the most renowned experts from UHNCR admitted that „establishment of refugee camps led to the geographical concentration of violence"[7].

* * *

Considering above-mentioned conflicts and lack of safety prevailing in the camps one may ask how those conflicts have been solved? What kind of law has been applied there? Pursuant to the Geneva Convention of 1951 refugees are obliged to observe the law of the accepting country on whose territory the camps are situated. However, it is not always the way. In Kenya and some other African states, authorities have almost fully stopped applying their own state law in the camps in the interest of UNHCR and in turn its executive

[6] See: E. O. Wilson (2000), *Socjobiologia*, Poznań: Zysk i S-ka, p. 139.

[7] J. Crisp (1999), *"Who has counted the refugees?" UNHCR and the politics of numbers*, New Issues in Refugee Research, Working Paper No. 12, Geneva: UNHCR.

partners such as non-governmental organisations stopped enforcing the international law in the camps[8].

This fact stems from the initial assumption of the temporality of camps, short-term planning and make-shift camp equipment in all aspects, ranging from camp infrastructure to administration of justice. It is connected with the standpoint according to which the inflow of refugees is treated as a sort of disaster such as big fire or flood where people think about rescuing victims, not about the institution, i.e. justice, especially with reference to the injured and suffering refugees. In reality, camps do not disappear as fast as they are formed. Some of them have already existed for decades and people living in such places are particularly susceptible to the growing crime rate.

Pursuant to the Act on Foreigners of 1973, Kenyan government guaranteed itself the right to grant safe passage in the territory of Kenya, to decide about the place of refugees' stay and to enforce general law and safety as well as to issue passes. In practice, however, it almost fully stopped applying law. Admittedly, it reserved the possibility to use once a month the so-called *Mobile Courts* which have the status of regional and appellate courts but, in reality, these courts hardly ever pass sentences. There are insufficient number of judges who are overburdened with work and who commute to work long distance and thus are not able to reach cross-border regions where camps are located. Moreover, peculiar problems caused by a great number of foreigners in the camps, high crime rate including sexual abuse, illegal political parties and armed groups not, to mention the distance from bigger urban areas, are just some of many factors discouraging authorities from being active in the field of arbitration and applying state law in the camps.

In these circumstances, refugee camps, under the administration of the High Commissioner on Refugees, became known in Kenya

[8] I. Griek (2006), *Traditional Systems of Justice in Refugee Camps: The Need for Alternatives*, "Refugee Reports" (27)2, pp. 1–4.

almost as "state in a state", where United Nations Organisation is responsible for administration, logistics, getting international donors, coordination of aid activities and cooperation with the division for internal affairs of the accepting country within the scope of safety. Problems with the application of law overpowered UHNCR and thus this organisation, like the Kenyan state, handed over the judiciary to the representatives of the elders, traditional *kadi* – Muslim judges or leaders of particular refugee groups who are allowed to settle conflicts, rule, punish and „administer" in accordance with the traditionally understood justice in their culture. Paradoxically, in this way Southern Sudanese or Somali customary law came to power in Kenya and the camps which were under the administration of the „enlightened" representatives of the United Nations aiming to embody „progress" and „human rights"[9].

* * *

In Kakuma, Southern Sudanese set up for their community the so-called *Bench Courts* acting on the basis of the Sudanese customary law. On the lowest level these were *County Courts* which are to be understood as ethnic, like *Nuer Bench Court*, or regional ones, like Duk, Bor or *Equatorial Court* in case of numerous Dinka. On the higher level there are *Appeals Courts* and *Special Courts* for the whole cluster of camps in Kakuma. Such tribunal usually consists of seven representatives of the elders representing every group or tribe, but it does not accept women. Additionally, each of the mentioned courts had in its camp its own custody and own officials for safety. Sudanese refugees established this system of justice on their own, only with

[9] Wojciech Trojan describes a similar situation in the camp in Somaliland, which proves that UNHCR is able to, however, prioritise the practical management over the ideological mission. See: W. Trojan (2018), *Od Czeczenii do Somalii. Idea ochrony uchodźców w kontekście kultury organizacyjnej i prawnej urzędu Wysokiego Komisarza ds. Uchodźców*, Warszawa: WUW.

the aid of Lutheran World Federation (LWF) and with UNHCR consent[10].

In the event of an incident connected with law violation the case is reported to a person responsible for safety or to the group leader who refers the case to the appropriate court. Such court deliberates in a traditional form in the shade of a big tree conducting public hearings. Detainments of the accused may be formally applied under Kenya's Penal Code for only up to 24 hours though in practice it might have taken much longer. The Lutheran World Federation (LWF) acting as the implementing partner of UHNCR carried out only occasional inspections. Some extremely difficult cases for rapes, batteries or murder were taken up by Appeals Court or Special Court. As claimed by Ilse Griek, the Dutch specialist on humanitarian law who worked in Kakuma, detention centre was sometimes treated as a prison sentence. She was informed that the majority of the detained were alcoholics who after sobering up were released. The observer, however, argues that she witnessed the situation when UNHCR officials found there three minor boys who were detained for theft. Such violation was usually punished with whipping but in case of murdering a woman the murderer's relatives paid only the traditional penalty to her family, measured in terms of 50 cows (in case of a man's murder the penalty was usually twofold). Similarly, when a woman was to be a witness before the Court, it was a man who usually substituted her. As one Sudanese said: „ A woman is to carry water. If she wants to speak, there will always be somebody to do it for her"[11].

Those courts also arbitrated cases not known to the Western justice, such as for example issues connected with widow inheritance, dowry problems, adultery, or suspicions about wizardry. The point is that such cases were settled in a completely non-Western way of thinking. For instance, in case of a rape, a girl was usually recommended

[10] I. Griek (2006), op. cit., p. 2.
[11] Ibidem, p. 3.

to the rapist as a wife. If he agreed, the case proceeded only about the amount of a marital gift, i.e. the number of cows for her family. In court records the case was filed as a „dowry case"[12].

* * *

In terms of the so-called human rights and Western humanitarian law on whose behalf Western organisations protect and help refugees in Africa, the judicial system in Somali camps should be a similar or even greater challenge to them. In the camps close to Dadaab, with UNHCR consent, refugees from this ethnic group set up the so called *maslaxed committees* (Committees of Justice) applying the combination of the Somali customary law *xeer* and Islamic law (Sharia) derived from the Shafi'i school[13]. By and large, such practices are derived from Islamic law tradition combining conservatism with the Mu'tazila rationalism based on logic. In practice, borders between Sharia and customary law *xeer* are indistinct and may change dependent on the situation. In some cases, the gathering of ancestral elders (*shir*), can pass sentence accordant with sharia without referring to customary law *xeer*. Thus, *xeer* and sharia cannot be understood as separate legal systems dealing with definite cases or criminal matters because there are no clear divisions in jurisdiction or hierarchy execution. Customary law *xeer* belongs, however, in the opinion of not only those interested, but also its numerous Western researchers, to one of the most valuable products of the so-called intangible heritage of the Somalis. For centuries (significantly earlier than sharia) this institution has served to solve conflicts between individuals, families and lines, and to maintain peace. *Xeer* sentences are reasoned and

[12] Ibidem, s. 4.

[13] School of Islamic law, founded by Ash Szafi' (767–820), the prominent Muslim scholar from Southern Palestine. In judicial proceedings the school admitted customary law *(adat*, and *xeer* in case of Somalia*)*, analogy (*kiyas*) and consensus of the community (*ijma*).

formalised. The burden of proof is the obligation of the accuser. *Shir* holds an inquiry and verifies proofs. Decisions taken as a result of consensus have the force of law and are well-received. The principal aim of the sentence in this legal system should not be to punish the guilty party or find them not guilty but to settle the compensation for the injured party based on the insurance institution in the form of big families that guarantee payment of the so called blood debt, compensation and fines. In case of a murder the aim is not to punish the murderer but to levy the appropriate fine on the family from which he comes (murdering a woman is equivalent to 50 camels whereas murdering a man totals 100 camels). The basic assumption of *xeer* is not to concentrate on individual guilt but to maintain peace between certain lines and families through reaching consensus, perceived to be beneficial for all parties concerned.

The vanguard of this tradition is the court – xeer *begti* (literally measurement of law), whose members are men and elders from lines or lineages taking part in negotiations. These are clever men having respect and enjoying general confidence. Contrary to Sudanese courts, „Committees *Maslaxad*" do not inform about their sessions and in practice render monitoring them impossible. However, it does not mean that the sentences passed are based on arbitrary decisions. The goal is to reach consensus between families and to pay proper compensation. According to American anthropologist Spencer Heath MacCallum: „Legal system *xeer* constitutes the basis of the rule of law in Somalia within customary law. It enables, among others, safe travelling, trade and entering into marriages in the whole region"[14]. It plays a similar stabilising function in the camps for Somali refugees in Kenya. It should be noted, however, that in case of such crimes as rape, it is perceived as a particularly private family case which may

[14] S.H. MacCallum (2017), *The Rule of Law without the State*, „Mises Daily Articles", retrieved from https://mises.org/library/rule-law-without-state [accessed: August 2017].

lead to the loss of respect of members or the whole line and such cases are settled by the elders through quiet negotiations so that it would not come to public light. The goal is not to bring the perpetrator to justice as in the Western legal systems. Instead, the accused in the rape case is usually obliged to pay compensation along with their family and line members, and at best to give consent to marry the victim and pay her family a proper dowry. Such settlement is believed to be beneficial also to the victim. The goal of *xeer begti* is, first and foremost, to prevent such harm which could entail the cycle of violence between families and lines, to protect the reputation of a victim and to enable her marriage as well as to prevent similar criminal offences in the future.

In theory, if the elders are not in a position to settle a given case, they can refer it to UNHCR or Kenyan police which will further it to *Mobile Courts*. The same can be done by any refugee dissatisfied with the traditional administration of justice. According to Ilse Griek, it hardly ever takes place in practice in view of a lack of legal awareness among refugees (the author points to the legal awareness based on Western principles) and a total lack of legal aid[15].

To sum up, native customary law of refugees (both the Sudanese and the Somalis) fully reigns in the camps and seems to play its role relatively well, i.e. to pacify dangerous situations which may trigger conflicts between lineages. It should be stressed that this law is also a tool to tie nomads to specific forms of self-governments or home rules, a certain kind of pastoral democracy for which relationship groups are the only real political units and the practice of negotiations within customary law is the basic principle of maintaining peace. It obviously undermines the power of external state and international institutions including their legal systems and police, which constitutes a problem to the so-called international community, but not to the Somali or Southern Sudanese one. It represents an expression of

[15] I. Griek, op. cit., p. 5.

independence of these peoples from states (both colonial and postcolonial ones), which persisted to colonise them and impose their power. Although they managed to do so, they have never succeeded, especially in case of the Somalis, in subordinating them fully.

Moreover, this law will never be compliant with either postcolonial contemporary Kenyan law or with the international human rights. External observes have been surprised by the fact that all this happens with the consent of the UN representatives and its executive partners who came there with the mission to promote its values, believing that they are universal. It does not, however, stem only from their pragmatism. In fact, successors of the former colonisers have no other option and their agency is too weak to defeat Somali legal norms binding there for centuries.

Universality of human rights connected with the idea of natural rights does not mean, according to Burns Weston, that in the world there is a complete consensus as to the notion of nature and the very essence of these rights. Global approval of them does not indeed mean universalism within the interpretation and application of human rights. Universalism assumes existence of common universal values. Still, they differ and these differences „make a difference". According to Gregory Bateson, these differences do convey a meaning because they derive from the complexity and diversity of human cultures. They also carry meaningful consequences for their practical use and politics[16].

[16] G. Bateson (1980), *Mind and Nature. A Necessary Unity*, Toronto, New York, London: Dutton.

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Customary law in refugee camps in Kenya

Abstract

Refugee camps, like any large human groups, are not free from internal crime that must be fought against. This raises a question on the basis of what law it should be done. The 1951 Convention on the Protection of Refugees obliges to respect the law of the host country in

which territory the camps are located. In the case of Kenya and some other African countries, their authorities have almost completely withdrawn from using their own state law in the camps in favour of UNHCR and its executive partners, while these have withdrawn from enforcing international law. The question is, what law is there in this situation? According to the author's research, the customary law rules in the camps, constituting a kind of expression of an independence of refugees who though originating from colonized peoples have never been fully subordinated to any external power.

Key words: refugees, refugee camps, international law, common law.



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