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**HUMAN RIGHTS AND DUTIES
IN THE SOCIAL TEACHING OF
THE TANZANIA EPISCOPAL CONFERENCE (TEC):
1953-1995**

BY

© PIUS RUTECHURA RWEYEMAMU

**A dissertation submitted to
the Faculty of Theology, Saint Paul University
in partial fulfillment of the requirements for the degrees of
Doctor of Theology (D.Th.) and Doctor of Philosophy (Ph.D.)**

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**Dedicated to
St. Therese of the Child Jesus and All Who Seek to Establish Peace and Justice Following
the Little Way**

TABLE OF CONTENTS

ABBREVIATIONS	iii
PREFACE	vi
INTRODUCTION	1
0.1 Statement of the Problem	1
0.2 State of the Question	2
0.2.1 The Roman Catholic Church and Human Rights	2
0.2.2 The Africa Situation	11
0.2.3 The Tanzanian Situation	18
0.3 Research Hypothesis	25
0.4 Methodology	26
0.4.1 Selection and Justification for the Primary Sources	26
0.4.2 Ecclesiastical Authority of the Sources	27
0.4.3 Method and Structure	29
 Chapter 1 Tanzanians and Their Political Aspirations: 1953-1966	 35
1.1 A Pluralistic Milieu for the Cause of Human Rights in Independent Tanzania	37
1.1.1 TEC's Understanding and Interpretation of the Tanzanian Situation	37
1.1.2 Human Rights and Concerns in Hierarchically Structured Societies	46
1.1.3 The Fear of Communism: Endangering the Rights of God and Men	51
1.2 Objects of Rights and Duties	56
1.2.1 Controversies over the Education Right	56
1.2.2 Property Rights	67
1.2.3 The Right to Religious Liberty: State and Church Interests	72
1.2.4 Voting Rights in a Democratic Setting	76
Concluding Remarks	82
 Chapter 2 The Pursuit of Human Rights Under Ujamaa Socialism: 1967-1987	 84
2.1 The Balance Sheet of Ujamaa Socialism	86
2.1.1 Ethical Foundations of Ujamaa Socialism in Relation to Human Rights and Duties	86
2.1.2 Ujamaa: Possibilities and Limitations	91
2.2 Objects of Rights and Duties	101
2.2.1 Emphasis on Cultural Identity Rights	101
2.2.2 A Focus on Development Rights Issues	111
2.2.3 Priority of the Rights of the Poor Majority	122
2.2.4 Balancing the Rights of the Individual and Those of the Community	128
Concluding Remarks	135

Chapter 3 Human Rights at the Dawn of Multipartism: 1987-1995	137
3.1 Tensions Within the Transition Period	139
3.1.1 New Strategic Approaches to Rights Related Issues	139
3.1.2 Behaviors and Structures that Endanger the Rights of the Tanzanians	141
3.2 Objects of Rights and Duties	150
3.2.1 Vision of the Human-Centered Right to Development	150
3.2.2 Concerns for Environmental Rights Issues	166
3.2.3 The Islamo-Christian Tensions: Misuse of The Right to Religious Freedom	174
3.2.4 Rebukes Against Misuse of Freedom of the Press	184
3.2.5 Life and Family Rights	189
3.2.6 Voting Rights Under the Multiparty System	196
Concluding Remarks	203
Chapter 4 Towards an Ethical-Theological Synthesis	205
4.1 Towards an Interpretative Schema	206
4.1.1 Relevance of Hollenbach's Heuristic Framework	206
4.1.2 The Interplay of Personal, Social and Instrumental Rights Within the Three Historical Periods	208
4.1.2.1 The Independence Period	208
4.1.2.2 The Ujamaa Socialism Period	210
4.1.2.3 The Period of the Dawn of Multiparty Democracy	214
4.1.2.4 A Comparison of the TEC's Teaching and <i>Pacem in Terris</i>	217
4.2 The TEC's Social Teaching: Limitations and Possibilities	219
4.2.1 The Nature of Receptivity of the TEC's Social Teaching	219
4.2.2 A Quest for Peace and Mutual Understanding	228
4.2.3 The Significance of Emphasis on Human-Centered Development	234
4.3 A Concluding Praxis Postscript	240
4.3.1 Forming Communities of Concerned Response	240
4.3.1.1 At the Christian Community Level	242
4.3.1.2 At the Leadership Level	244
4.3.1.3 At the Ecumenical Level	249
4.3.1.4 Forming a Task Force	250
Conclusion	251
BIBLIOGRAPHY	254

ABBREVIATIONS

AAS	<i>Acta Apostolicae Sedis</i>
ACWF	Pastoral Letter <i>Africans and the Christian Way of Life</i> (1953)
ADS	<i>AMECEA Documentation Service</i>
AFER	<i>African Ecclesiastical Review</i>
AMECEA	<i>Association of Member Episcopal Conferences of Eastern Africa</i>
ANB-BIA	<i>African News Bulletin-Bulletin d'Information Africaine</i>
BCCs	Basic Christian Communities
BAKWATA	<i>Baraza Kuu la Waislamu Tanzania (The Supreme Islamic Council of Tanzania)</i>
BKMW	<i>Barua ya Kichungaji ya Maaskofu Wakatoliki Kwaresima 1985 (The Lenten Pastoral Letter of Catholic Bishops 1985)</i>
BNS	<i>Binadamu ni Nafsi (A Human Being is a Person (PJC) 1987</i>
CCM	<i>Chama cha Mapinduzi (Revolutionary Party)</i>
CCT	<i>The Christian Council of Tanzania</i>
CDST	<i>Pastoral Statement Ustawi na Maendeleo ya Watanzania (Church and Developing Society in Tanzania (1968)</i>
CEB	<i>Christian Education Board</i>
CIPA	<i>Enseignement Sociaux de l'Episcopat d'Afrique</i>
CMBT	<i>Christian Medical Board of Tanzania</i>
CPT	<i>Christian Catholic Professionals of Tanzania</i>
CSSC	<i>Christian Social Services Commission</i>
DSDT	<i>Pastoral Letter Dhamira Safi-Dira ya Taifa Letu (Good-Conscience Vision of Our Nation (1993)</i>
DWKK	<i>Drafti ya Waraka wa Kichungaji-Krismasi 1984 (The Christmas Pastoral Letter 1984)</i>

ERP	Economic Recovery Programs
ESAP	Economic and Social Action Programs
HZF	<i>Haki za Binadamu za Familia (Human Rights of the Family (PJC 1989)</i>
IHA	<i>Idara ya Haki na Amani (The Peace and Justice Commission (PJC 1986)</i>
KKJ	<i>Kuwajibika Katika Jamii (Being Responsible in Society (CPT 1995)</i>
KUHT	<i>Kanisa, Ujamaa na Haki Tanzania (Church, Ujamaa and Justice Rights in Tanzania (PJC 1987)</i>
KZD	<i>Pastoral Statement Tamko Rasmi la Maaskofu Katoliki Tanzania Mintarafu Kashfa za Kidini (Statement of Catholic Bishops on Religious Blasphemies (1993)</i>
MKM	<i>Pastoral Letter Maendeleo ya Kweli ya Mwanadamu (True Human Development (1992)</i>
MKMT	<i>Mwongozo kwa Makatekista (Directives to Catechists (CPT 1994)</i>
MPM	<i>Misingi ya Pamoja ya Maadili (Common Ethical Principles (CPT 1994)</i>
MUMO	<i>Maelekezo ya Maaskofu Katoliki Tanzania Juu ya Uchaguzi Mkuu wa Octoba 1995 (Guidelines for the National Elections of October 1995)</i>
MUT	<i>Mamlaka na Wasio na Mamalaka: Uzoefu wa Tanzania (Authority and the Common Man: The Tanzanian Experience (CPT 1994)</i>
OIC	<i>Organization of Islamic Countries</i>
PJC	<i>Peace and Justice Commission of the TEC</i>
PMU	<i>Pastoral Letter Uelewano na Amani (Peace and Mutual Understanding (1972)</i>
SAP	Structural Adjustment Programs
SECAM	<i>Symposium of the Episcopal Conferences of Africa and Madagascar</i>
SSY	Seminar Study Year (1969)
TANU	<i>The Tanganyika African National Union</i>

TEC	<i>Tanzania Episcopal Conference</i>
TKW	<i>Tutegemee Nini Kutoka Kwa Wagombea (What to Expect from Candidates of Leadership (PJC 1995)</i>
TMMF	Pastoral Letter <i>The Truth That Makes Men Free</i> (1960)
TMK	<i>Tumwamini Mkulima (Priority of the Farmer (PJC 1987)</i>
UFNT	Pastoral Letter <i>Unity and Freedom in the New Tanganyika</i> (1960)
UMAWATA	<i>Umoja wa Mapadre Wazalendo Tanzania (Fraternity of Secular Diocesan Priests of Tanzania)</i>
UN	<i>The United Nations</i>
UNESCO	<i>United Nations Educational Scientific and Cultural Organization</i>
UUH	Pastoral Letter <i>Ukweli Utawapeni Uhuru (Truth Will Make You Free (1993)</i>

PREFACE

A dream come true! Ever since I landed in the theological domain in the early 1980s, it has been my desire to contribute to the promotion and protection of human rights within the African context. Eight years of pastoral service at grassroots level during the prime years of my priesthood sharpened my intellectual curiosity for researching how the Catholic church has been responding to human rights issues in Tanzania. I could not have landed on a better source for this purpose than the TEC's social teaching that extends back to almost half a century.

This thesis brings together the TEC's literature on human rights and duties from 1953 to 1995. By way of an historical-expository moment, three historical periods are identified, accompanied by analysis of what the TEC's teaching reflects of the Tanzanian context during changing times and circumstances. Second, the ethical-theological analysis moment examines the TEC's emphasis on personal, social, and instrumental rights and the limitations and possibilities of its human rights teaching. As Christian churches in Africa are more than ever determined to integrate peace and justice approaches into their evangelizing strategies, the credibility of the Catholic church in Tanzania in this process can be strengthened by learning how the TEC has attempted to handle human rights issues. The thesis can be a stimulant to the Catholic church in Tanzania in its protection and promotion of human rights, and for mobilizing forces of concerned response.

I would like to express my gratitude to a number of individuals and organizations that supported my research over the past decade. In the first place I thank God of surprises who reveals to us the unexpected at the right moment. Within the home front I express my sincere gratitude to my parents, Ta Protase Rweyemamu

and Ma Savera Kokulamuka, plus my brothers and sisters for their loving care and encouragement throughout my studies. Special thanks to Rt. Rev. Bishop Nestor Timanywa of Bukoba Diocese who gave me this chance to come to Canada for further studies in moral theology. I thank the Rubya Seminary community, friends and advisors, especially Rev. Dr. Byamungu Gosbert, Rev. Fr. Almachius Rweyongeza and Rev. Fr. Odilo Kajwahura, and Rev. Dr. Kilaini Methodius and the TEC staff of 1996 who welcomed me during my research at the TEC library in Kurasini, Dar es Salaam, Tanzania.

I thank the Missionaries of Africa (the White Fathers) of the Canadian and now the North American Province who have contributed both materially and morally to this project. They have been my hosts and have given me a chance to share in their charisma in my pastoral ministry throughout my stay in Canada. I thank Fr. Marcel Boivin who first gave me the avant gout of using ethical-theological tools of analysis in approaching social issues.

Special thanks and appreciation to Professor Gregory Walters for his tireless efforts and impeccable skills as my research director. He revealed interest, patience, and was always there for me from the moment of conceiving this thesis up to its birth in this form in a period that covers three years. I also thank the professors and staff of the Faculty of Theology of St. Paul University, Ottawa, especially Ken Melchin, Acheil Peelman, Pierre Hurtubise, Kevin Coyle, Jean-Marc Larouche, Marcel Dumais, Normand Bonneau, Hubert Doucet, and Phillip McShean. Your encouragements were quite enlightening.

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Fr. Deogratias Mutefunya, J. Henry, Mr. and Mrs. Robert and Karen Shepherd, Mr. and Mrs. Horace and Alice Himbury, Mr. and Mrs. Michael and Heather Schwenk, Mr. and Mrs. Hans and Madlaine Steemers, F. Martin, and Sr Willibrod Jeuken, Carmen Bédard, Isabelle and Vincent. To all my friends in the Northern and Southern Hemispheres not mentioned in this list, may God bless you for your love and generosity.

INTRODUCTION

0.1 Statement of the Problem

The Roman Catholic Episcopacy of Tanzania has the credit of being a pioneer of Episcopal Conferences in both East and West Africa in the period that precedes even the Second Vatican Council.¹ During the past five decades the Tanzania Episcopal Conference (TEC) has produced a considerable amount of literature addressing social, political, economic and cultural values in Tanzania. From its formative stages in the 1950's to the present, human rights issues have significantly featured in the TEC's social thought. While several studies have analyzed the TEC's social teaching during one historical period or another, no unified ethical-theological study has attempted to examine the TEC's approach to human rights issues in terms of shifting historical contexts, the objects of rights and duties, the problems identified, and the solutions offered. As we come to the threshold of the third millennium of Christianity, the church in Africa is more than ever before determined to integrate human rights into its strategy of building up the Kingdom of Justice and Peace.² A guiding supposition of this thesis is that the credibility of the Tanzanian church's witness in evangelizing through the human rights process cannot be strengthened without an awareness of the ways in which the TEC has tried in the past to come to grips with the promotion and protection of basic human rights.

¹ See CATHOLIC SECRETARIAT. *Catholic Church in Tanzania 1868-1968* (Dar es Salaam: Printpak Tanzania, 1968), p. 32.

² See JOHN PAUL II. *Ecclesia in Africa* (Vatican, Rome: Libreria Editrice Vaticana, 1995), pp. 44-45.

0.2 State of the Question

0.2.1 The Roman Catholic Church and Human Rights

The Roman Catholic church has been a latecomer on the modern scene dedicated to defending and promoting human rights. Historically, the church in its official pronouncements was an opponent of the human rights tradition pioneered by the liberal thinkers of the eighteenth and the nineteenth centuries.³ However, the momentum that has been gained from Pope John XXIII's encyclical letter *Pacem in Terris* and from the Second Vatican Council has led to attempts to adapt the Catholic tradition and make it more intelligible and communicable to modern mankind.⁴ In the postconciliar period theological studies have analyzed what makes the Catholic rights theory a coherent whole, methodological tensions in it, and some future challenges to the tradition.⁵ Actually, the rights tradition as retrieved from the social teaching of the church and its ethical frameworks have undergone a notable evolution and will continue to do so.⁶

³ See *L'Eglise Catholique et la declaration des droits de l'homme: actes de la treizieme Rencontre d'histoire religieuse à Fontevrand des 6 et 7 Octobre 1989* (Angers: Presses de l'Université d'Angers, 1990); Jean-François COLLANGE, *Théologie des droits de l'homme* (Paris: Les Editions du Cerf, 1989); Peter HEBBLETHWAITE, "Human Rights in the Church," *Concilium* 19 (1982), pp. 192-94.

⁴ David HOLLENBACH, "A Communitarian Reconstruction of Human Rights: Contributions from the Catholic Tradition," in R. Bruce DOUGLASS et al., eds., *Liberalism and the Good* (New York: Rutledge, 1990), pp. 127-149.

⁵ See Michael SCHUCK, *That They Be One: The Social Teaching of the Papal Encyclicals 1740-1989* (Washington, DC: Georgetown University Press, 1991); David HOLLENBACH, *Claims in Conflict* (Mahwah, New Jersey: Paulist Press, 1979); *Idem*, "Global Human Rights. An Interpretation of the Contemporary Catholic Understanding," in Charles CURRAN, Richard McCORMICK, eds., *Readings in Moral Theology no. 5: Official Social Teachings* (Mahwah, New York: Paulist Press, 1986), pp. 366-38; *Idem*, *Justice, Peace, and Human Rights: American Catholic Social Ethics in a Pluralistic World* (New York: Crossroads, 1988); Martin SCHUPACK, "The Churches and Human Rights: Catholic and Protestant Human Rights as Reflected in Church Statements," *Harvard Human Rights Journal* 6 (1993), pp. 127-157; Lowell LIVEZEY, "US Religious Organizations and the International Human Rights Movement," *Human Rights Quarterly* 15 (1993), pp. 339-356; Arlene SWIDLER, ed., *Human Rights in Religious Traditions* (New York: The Pilgrim Press, 1982); Adamantia POLLIS, "Eastern Orthodox and Human Rights," *Human Rights Quarterly* 15 (1993), pp. 339-356.

⁶ HOLLENBACH, *Claims in Conflict*, p. 42.

David Hollenbach's *Claims in Conflict* remains a classic treatment of the initial theological concerns on the rights theory emerging from the social teaching of the church. Hollenbach defines the task of retrieving the rights tradition from the social teaching of popes as being threefold in nature: to establish the grounds or foundations for human rights, to examine how the different rights interrelate to each other, and to establish how they relate to the institutions of social, economical and political life.⁷ Though fully admitting that the history of modern Catholicism's understanding of the ethical foundations of human rights has been a complex one,⁸ Hollenbach argues that a coherent outline can be constructed from the elements and trajectory of the tradition because "the thread that ties all these documents together is their common concern for the protection of the dignity of the human person."⁹ Human rights are the conditions for the realization of human dignity in action. According to Hollenbach the Catholic rights tradition is best characterized by three categories of personal, social, and instrumental rights.¹⁰ "Personal rights" include basic needs, freedoms, and forms of relationship which characterize the person and which must be protected if human dignity is to survive and thrive. They include such rights as life, bodiliness, self-determination, sociability, the need to work, sexuality, family life, and some form of ultimate religious or philosophical convictions that are characteristic of human persons. However, the need to provide for the realization of these personal rights through societal interaction and communal life necessarily gives rise to

⁷ See HOLLENBACH, *Claims in Conflict*, p. 12.

⁸ HOLLENBACH, *Claims in Conflict*, p. 89.

⁹ HOLLENBACH, *Claims in Conflict*, p. 42.

¹⁰ HOLLENBACH, *Claims in Conflict*, pp. 96-97.

“social rights” which are the conditions for the preservation of the well-being of the person. These specify positive obligations of society toward all its members and include rights to medical care, political participation, assembly and association, and adequate working conditions. Social rights mediate personal rights. Then a third category of “instrumental rights” is distinguished “according to the kind of social interaction involved in its definition and protection.”¹¹ While the primary concern of social rights is the preservation of human dignity in social interdependence, this social existence is shaped and structured by large-scale institutions such as the state, the law, the economy, and the health care system. The way these large-scale institutions are organized has indirect but extremely important influence on the possibility of claiming one’s personal and social rights. Hollenbach groups under this category the rights to juridical protection of one’s social and personal rights, the right to organize politically and economically, the right to organized system of social security, and the right to the social, cultural and moral conditions necessary for family life.

Hollenbach’s theory of the “inner logic” of the Roman Catholic human rights tradition, then, distinguishes rights according to dimensions of the human personality, on one hand, and according to the kinds of personal, social and instrumental relationships involved, on the other hand. His research reflects the attempts of integrating the Catholic rights tradition in a particular American situation of the 1970’s, and thus cannot be appropriated wholesale as an analytic model in cultural and historical settings that are different. Yet, what is most remarkable in his analysis of the encyclical social thought on

¹¹ HOLLENBACH, *Claims in Conflict*, p. 96.

human rights is that he provides a schematic interpretation of the relationships between the rights affirmed by *Pacem in Terris* that is a useful heuristic for analyzing the objects of rights and duties in the Catholic rights tradition up to this point in time. We will appropriate Hollenbach's heuristic tool of analysis for personal, social and instrumental rights as useful in this dissertation's analysis of the TEC's human rights tradition.

Hollenbach's theory of the Roman Catholic human rights tradition has not, however, gone unchallenged. Michael Schuck who extends his research of the modern encyclical social thought to the pre-Leonine period challenges Hollenbach's coherency hypothesis on several grounds.¹² For Schuck, encyclical discussions on human rights are not a logical derivative from a conscious human dignity ideal, and papal interpretations and recognition of specific rights predate encyclical concerns for human dignity. Schuck's findings demonstrate that pre-Leonine letters make no reference to the dignity concept, and in the Leonine period the phrase is sparingly used. Thus it is only from Pius XI that the concept gained popularity, and attained the peak of its usage in the Vatican II documents. Schuck proposes that the encyclical tradition coheres around a theologically inspired communitarian ethic. While popes agree that human beings possess rights, they understood these rights as grounded in God's will and linked to a moral requirement that their exercise does not impair the common good.¹³

As a matter of fact, most of the theologians today confirm the option of the Catholic church to handle human rights within the context of mankind's sociality. Within the Catholic tradition human rights are not primarily claims of individuals against the state,

¹² SCHUCK. *That They Be One*, pp. 178-180.

¹³ SCHUCK. *That They Be One*, p. 183, 187.

but rather rights of people in community. Hence, together with duties, human rights identify the requirements and conditions of human solidarity and social justice.¹⁴ David Hollenbach in his later reflections affirms that in the Catholic tradition human rights are positive empowerments of persons as distinguished from the classical liberal rights tradition which identifies certain freedoms associated with values such as speech, private property, and association and puts fences-posts to them as negative immunities which nobody might intrude without the owner's consent.¹⁵ It is by virtue of being claims or entitlements held by individuals and groups that human rights are acknowledged to be morally justified as pre-empting other societal interests. Moreover, rights and duties ought to be correlative, and collaborative enterprises of the state, private institutions and individuals, ought to shoulder the responsibility of protecting and ensuring human rights. Within these perspectives societal duties express personal responsibilities and individuals have duties to themselves and to others and to society at large. In brief, the Catholic rights tradition has brought the rights theory to a moment of facing positively the component of subsidiarity and concerns for the common good.¹⁶

Besides "coherence" concerns, theologians have identified methodological tensions in the way the Catholic tradition has appealed to philosophical and theological interpretations of human dignity and rights. As Hollenbach notes, while the central theological affirmation at the foundation of the Roman Catholic rights theory is that the human person is a living image of God (Gen. 1:26), pre-Vatican II and Vatican II

¹⁴ See SCHUPACK, "The Churches and Human Rights," pp. 135-137.

¹⁵ See HOLLENBACH, "A Communitarian Reconstruction of Human Rights," p. 128.

¹⁶ See Jordan PAUST, "The Other Side of Rights: Private Duties Under Human Rights Law," *Harvard Human Rights Journal* 51 (1992), p. 5.

documents provide different theological justifications for rights.¹⁷ From *Pacem in terris* backwards, “*imago Dei*” is closely identified with the fact that human beings are endowed with intelligence and freedom. The style is typically neo-scholastic theology and philosophy, and the tendency in the pre-Vatican II documents was to provide theological justifications for rights by appealing to reason and natural law. This ethical vision of the tradition represents one aspect of the total theological vision, i.e., human rationality is a reflection of and participation in the wisdom of God. A major defect in this ethical methodology is in its failure to reveal fully the Christian standpoint or perspective that provides motivation for moral behavior and shapes the attitudes which are characteristic of the Christian moral agent.¹⁸

It is the Second Vatican Council that accomplished a turning point in the methodological approaches to rights issues in the Catholic tradition. *Gaudium et Spes*, by paying more attention to diversification or increasing pluralism in human self-understanding, attributed to culture what neo-scholastic documents attributed to reason. It is from this basis that “the harmony between the religious and non-religious dimensions of the theory of rights is not a harmony of substantive conclusions but rather of methodological complementarity.”¹⁹ Within this frame of reference, Christian faith helps clarify the historical documents of human dignity, and at the same time, the moral task of humankind is entirely human. It is exactly within this caliber of theological reasoning that the Catholic rights tradition is brought to the moment of confirming that Christian faith

¹⁷ HOLLENBACH, *Claims in Conflict*, p. 109.

¹⁸ HOLLENBACH, *Claims in Conflict*, p.113, 116.

¹⁹ HOLLENBACH, *Claims in Conflict*, pp. 124-5.

and human culture both are constitutive dimensions of approaching the same human task.²⁰

According to John Langan, however, the church still needs to exploit fully the advantages of integrating the historical process and cultural diversity in its rights theory. It is this move that can open the tradition to a wider range of dialogue with people from diversity of religions and intellectual traditions. And one must assume that Langan would welcome, therefore, the kind of study this dissertation undertakes in the context of Tanzania.²¹

Yet another theological ethicist in dialogue with Hollenbach is John Coleman who points out the deficiency of grounding human rights on the concept of human dignity. For Coleman, there are both philosophical and rhetorical difficulties in justifying the grounding of rights in a norm of human dignity.²² Arguing from the philosophical point of view of Alan Gewirth, Coleman indicates that dignity theories of human rights generally fail to specify the precise nexus between human dignity as an evocative quality and a particular alleged object of a right claim. The logical and necessary connection between the notion of worth or dignity and specific rights remains intuitively fitting or merely esoteric. In order to overcome this difficulty Coleman suggests that the Catholic rights theory should speak of the justifying ground of rights as “the necessary conditions for socially-situated human

²⁰ HOLLENBACH, *Claims in Conflict*, p. 129.

²¹ John LANGAN, “Human Rights in Roman Catholicism,” *Journal of Ecumenical Studies* 19 (1992). p. 36.

²² John COLEMAN, “Catholic Human Rights Theory: Four Challenges to an Intellectual Tradition,” *Journal of Law and Religion* 2 (1984) p. 349.

action” rather than the more encapsuled and misleading formula of a norm of human dignity.²³

In addition to these methodological issues raised by Coleman, Langan poses challenges to the future of the Catholic rights tradition.²⁴ According to Langan, in order to effectively respond to rights issues in an open society, Catholicism has to overcome the fears and the defensiveness shown by the church in earlier phases of human rights development. There are unresolved elements in the church’s struggle with modern individualism and liberalism.²⁵ While the church strives to challenge modern individualism and liberalism, it still desires to have a more unified, more cohesive, and more disciplined society than what prevails in the secularized West. Moreover, the church has been suspicious that liberalism errs in giving too much room to individual freedom at the expense of the common good and the needs of the disadvantaged. Unless this challenge is fairly faced, institutional Catholicism and Catholic political movements and human rights actors are far from forming a common front about which rights to struggle for in the political arena and which rights to accord priority. While the Catholic rights theory attempts a middle-way between Marxist socialism and rigid capitalism, the church has so far remained unclear about the preferred shape of the future society in which both civil and political rights, and social and economic rights will be endorsed. The church does not go far enough in expounding what has to motivate political action and guide political choices.

²³ COLEMAN, “Catholic Human Rights Theory: Four Challenges to an Intellectual Tradition,” pp. 352-353.

²⁴ LANGAN, “Human Rights in Roman Catholicism,” pp. 25-39; COLEMAN, “Catholic Human Rights Theory: Four Challenges to an Intellectual Tradition,” pp. 343-366.

²⁵ LANGAN, “Human Rights in Roman Catholicism,” p. 34.

Langan concludes, "It is a basic limitation of human rights theory that it is more helpful in enabling us to denounce violations of human dignity than in guiding us in the design of institutions which will promote that dignity."²⁶ The church's rights theory needs to be enlarged, therefore, in order to address effectively fundamental questions of political and economic order and to provide the basis for a political program.

Langan equally addresses the Catholic rights tradition by turning to the internal life of the church. The church uses human rights doctrine to proclaim a message of justice and peace to the world, but the applicability of the doctrine to the church itself remains unclear. There are many unresolved issues within the church related both to disciplinary and theological spheres. There are possible strategies open to the church for dealing with this family of issues. A radical approach would demand interpreting canon law and ecclesiology on the basis of papal social teachings in favor of egalitarian universalism. On the other hand, the church can stick to an integralist style in favor of institutional structure of traditional Catholicism, an option that will make the church live a dualistic mode of life in dealing with rights issues. Langan prudently concludes that "the various issues on the current agenda of the church which have a human rights component in her may well have to be treated with different strategies and their resolution may take quite a long time."²⁷

Recent theological reflections on papal teachings have identified the genesis of new elements in the Catholic rights tradition that originate from the dynamism of interactions

²⁶ LANGAN, "Human Rights in Roman Catholicism," p. 35.

²⁷ LANGAN, "Human Rights in Roman Catholicism," p. 39; See also COLEMAN, "Catholic Human Rights Theory: Four Challenges to an Intellectual Tradition," pp. 361-63.

between the church and some modern situations in the world.²⁸ Gregory Baum for example, identifies the discovery of “structures of sin” in the social teachings of John Paul II as an important tool in the making of ethical critique of institutions. For Baum, the discovery of the social dimension of sin despite its vagueness and some yet unresolved questions is an important breakthrough, and it is hard today for treatments of moral theology that do not take sinful structures into consideration to present themselves as trustworthy.²⁹

0.2.2 The Africa Situation

When we turn from the universal church level to the African theological context today, we may see that theological reflections on human rights are few, they respond mainly to particular situations, and are still in their formative stages.³⁰ Inculturation and Liberation theology are presented as the twin foci of theological reflection in Africa.³¹ In the postconciliar period the creation-centered foundation became ideal for theologizing

²⁸ See Giorgio FILIBECK, *Les droits de l'homme dans l'enseignement de l'Eglise de Jean XXIII à Jean-Paul II* (Vatican, Rome: Libreria Editrice Vaticana, 1992); Gregory BAUM, *Theology and Society* (New York/ Mahwah: Paulist Press, 1987); Gregory BAUM, Robert ELLSBERG, eds., *The Logic of Solidarity* (Maryknoll, New York: Orbis Books, 1989).

²⁹ BAUM and ELLSBERG, eds., *The Logic of Solidarity*, pp. 110-111, 125.

³⁰ See Elochukwu UZUKWU, “Human Rights in Africa. Contextual Theological Reflection,” in Obiora IKE, Ugonna IGBOAJA, eds., *Human Rights, Human Dignity and Catholic Social Teachings: Lessons from the Church in Nigeria* (Enugu, Nigeria: CIDJAP Publications, 1992), pp. 112-135; Nienanya ONWU, “Theological Perspectives on Human Rights in the Context of the African Situation,” in George SHEPHERD, Mark ANIKPO, eds., *Emerging Human Rights. The Political Economy Context* (Westport, Connecticut: Greenwood Press, 1990), pp. 68-85; John NGOWI, Emma EDIGHEJI, eds., *The Church and Human Rights* (Lagos, Nigeria: The Human Rights Committee & Civil Liberties Organisation, 1992).

³¹ See Rosino GIBELLINI, ed., *Paths of African Theology* (Maryknoll, New York: Orbis Books, 1994), p. 6.

within the African context.³² A creation-centered orientation to theology is characterized by an optimistic conviction that human nature and human culture are good, holy and valuable. It is an orientation that gives more room for a particular historical or cultural context to function as a valid theological source.³³ However, as Stephen Bevans confirms, this model is more easily said than done and carries within it a danger of easily falling prey to cultural romanticism, thus and subsequently failing to bring in a critical thinking about the particular culture in question.³⁴ Simeon Ilesanmi argues that while there is nothing fundamentally wrong in appropriating the insights of one's tradition or culture for the purpose of initiating a moral project, "culture has the ingredients by which we could make authentic moral judgments; by the same token, it has the power to distort our perspective of life. In light of this, it is necessary to correct certain myths about the moral purity of the African culture insofar as it bears upon our understanding of human rights."³⁵

From the Accra colloquium in 1977 onwards, there has been a strong tendency to counter-balance the creation-centered basis for human rights with the praxis model which articulates more effectively the need for praxis and social change.³⁶ This model focuses on the identity of Christians within a culture as that culture is understood in terms of social change. It is a model which concentrates on the level of reflective action and seeks to

³² See Stephen BEVANS, *Models of Contextual Theology* (Maryknoll, New York: Orbis Books, 1992), p. 112; See also Robert SCHREITER, *Constructing Local Theologies* (Maryknoll, New York: Orbis Books, 1985), pp. 13-14.

³³ BEVANS, *Models of Contextual Theology*, p. 49.

³⁴ See BEVANS, *Models of Contextual Theology*, pp. 50, 53.

³⁵ See Simeon ILESANMI, "Human Rights Discourse in Modern Africa. A Comparative Religious Ethical Perspective," *Journal of Religious Ethics* 23 (1995), p. 308.

³⁶ See Kofi APPIAH-KUBI, Sergio TORRES, eds., *African Theology En Route* (Maryknoll, New York: Orbis Books, 1979), pp. 192-195; See also SCHREITER, *Constructing Local Theologies*, p. 15.

discern the meaning and contributes to the course of social change. It takes its inspiration neither from classic texts nor classic behavior but from present realities and future possibilities.³⁷ Without going into the intricacies of theoretical speculations, African theologians strongly argue that human rights have to be defended and promoted simply because they are associated with matters of basic human needs, life and death, and where action has to be taken. A representative example of that line of thought is Jean-Mark Éla.³⁸ For Éla, within the African context in which there is historical irruption of the poor and the basic rights of African women and men are being flouted, a credible Christianity cannot but be action oriented. Human rights form part of the African reality that imposes on the church a kind of pedagogy of the discovery of situations of sin and oppression, a rethinking of the mission from below where we find the oppressed.³⁹ Within the same vein of theological reflection, Engelbert Mveng brings to light the fact that the problem of human rights appears in its most brutal light in Africa because a subjected state can be neither a state of rights nor a paradise of liberties.⁴⁰ For Mveng, the mission of the church in the third world for the cause of human rights and for facing the challenge of poverty demands first and foremost the destruction of the structures of sin and their spawn. It is a task that demands a radical reassessment of the political and economic order and the structures of sin that guide the world as part of a solution in neutralizing these structures

³⁷ See BEVANS' *Models of Contextual Theology*, pp. 63-64.

³⁸ See Jean-Marc ÉLA, "Christianity and Liberation in Africa," in GIBELLINI, ed., *Paths of African Theology*, p. 138; See also Ian RITCHIE, *African Theology and Social Change: An Anthropological Approach* (Montréal: McGill University, 1993), pp. 115-122.

³⁹ See ÉLA, "Christianity and Liberation in Africa," pp. 137, 144.

⁴⁰ See Engelbert MVENG, "Impoverishment and Liberation: A Theological Approach for Africa and the Third World," in GIBELLINI, ed., *Paths of African Theology*, p. 157.

and mobilizing the Christians so that they themselves can be liberators of their sisters and brothers.⁴¹

African theologians when reflecting on human rights issues are *quam primum* interested in the individual human who is the subject of rights as a composite of relationships. Elochukwu Uzukwu makes a timely observation that “The African experience of person takes into one fell swoop the community (human and spiritual) and the individual...When one therefore talks about human rights in Africa one is dealing with the art of relationship. When one does the right or infringes upon the right for another it is not just one person or one group which is concerned rather the whole environment (spiritual, human and physical) rejoices or is aggrieved.”⁴² According to Uzukwu, from the theology of traditional religion which is incarnational and earthly, the body is the gateway of relationships. Thus, “Rights are about humanization, and humanization is about integrating the universe into a dynamic whole.”⁴³ It is from this background of the unique human person’s involvement in a web of relationships that Uzukwu estimates the role of the church in the struggle for human rights in Africa. This struggle is a process that involves among others: learning from church history a continual denial of the church-state alliances which impede the church from playing its prophetic role of defending the voiceless, i.e., a constant watch for not making the church a state apparatus of oppression

⁴¹ See MVENG, “Impoverishment and Liberation: A Theological Approach for Africa and the Third World,” p. 165.

⁴² UZUKWU, “Human Rights in Africa. Contextual Theological Reflection,” p. 112; See also KALILOMBWE, “Spirituality in the African Perspective,” in GIBELLINI, ed., *Paths of African Theology*, pp. 122-123.

⁴³ UZUKWU, “Human Rights in Africa. Contextual Theological Reflection,” p. 117.

and exploitation.⁴⁴ For Uzukwu, history teaches us that it is only a church reduced to a position of weakness that can rediscover its prophetic vocation. The church has to maintain its prophetic vocation, making a correct reading of the signs of the time, struggling for justice so that the “new man” might emerge in Africa.⁴⁵ It is within the context of survival and liberation that the Catholic church and other Christian churches in Africa see their commitment to human rights and dignity as an integral part of evangelization.

However, it is Nienanya Onwu who brings to light two fronts on which the African world view can be enlightened by the Biblical world view in approaching the theology of human rights.⁴⁶ First, within the Biblical anthropological perspectives, both rights and responsibilities are held within a vertical dimension with horizontal implications. Thus, the image of God in Gen. 1:27 refers to the gift of a relationship to God which brings with it a calling to community and mutual responsibility.⁴⁷ The Hebraic world view and the African world view converge on this aspect of relationships. In both contexts to be human and to have rights implies being united with other fellow human beings in a socio-religious context.⁴⁸ The second element that Onwu brings to light is that human rights are formulated in the context of people’s experiences. The African world view, as the Old Testament world view, is marked by religiosity, vulnerability and underdevelopment. And

⁴⁴ UZUKWU. “Human Rights in Africa. Contextual Theological Reflection,” p. 123.

⁴⁵ UZUKWU. “Human Rights in Africa. Contextual Theological Reflection,” p. 126, pp. 130-133.

⁴⁶ ONWU. “Theological Perspectives on Human Rights in the Context of the African Situation,” pp. 69-85.

⁴⁷ ONWU. “Theological Perspectives on Human Rights in the Context of the African Situation,” p. 72.

⁴⁸ ONWU. “Theological Perspectives on Human Rights in the Context of the African Situation,” p. 74.

the ideal for Africa is not concentrating on rights of a few individuals over against the common good of the community. Rather, the ideal is to regain human dignity by stopping leadership hypocrisy from playing the oppressor role and educating the African masses so that they become sensitive and aware of their rights. For Onwu, the battle for human rights in Africa has to be fought on the front of a recovery of the awareness of our common humanity as beings made in the image of God. It is finally under the banner of the moral community ideal that the battle can be effectively won.⁴⁹

Besides individual theological reflections, African Bishops have also addressed human rights issues. The Episcopal Conference of Africa and Madagascar (SECAM), following the initiative of Vatican II, John XXIII and Paul VI, since its inception in 1969, has made declarations relevant to development, human promotion and human rights. SECAM has strived to link these aspects intimately with evangelization.⁵⁰ SECAM opted for its identification with the poor and the oppressed. In 1978 the SECAM general assembly renewed its call for peace, social justice and human rights due to the fact that in many African countries human rights are flouted and trampled under foot. The SECAM strategy was to denounce and condemn all that which constitutes a violation of human integrity, and a rejection of all state systems based on falsehood and intolerance. In its publication of a treatise on "Justice and Evangelization" in 1981, SECAM put forward a program for promoting justice. This document remains a blue-print of the SECAM's understanding of human rights, their relatedness to Justice and the plan of action in

⁴⁹ ONWU. "Theological Perspectives on Human Rights in the Context of the African Situation." pp. 79-80.

⁵⁰ UZUKWU. "Human Rights in Africa. Contextual Theological Reflection." pp. 128-29.

advancing the cause for these rights.⁵¹ Again in 1984 and 1985 SECAM published resolutions and recommendations on human promotion in Africa. The vision of the African Bishops on the cause for human rights in African consists in making Christian communities the centers of concrete action for Justice, and encouraging the church to continuously play its prophetic role by reading the signs of the time in order to undertake appropriate action whenever human rights are threatened.⁵²

It is within this spirit of SECAM that the African Synod of Bishops insists upon the importance of integrating the strategy of human rights in the evangelizing mission of the church in Africa towards the third millennium of Christianity. Taking heed of the recommendations made by the African Bishops in the synod, Pope John Paul II writes: "In what concerns the promotion of justice and especially the defense of fundamental human rights, the church's apostolate cannot be improvised. Aware that in many African countries gross violations of human dignity and rights are being perpetuated, I ask the Episcopal conferences to establish, where they do not yet exist, Justice and Peace Commissions at various levels. These will awaken Christian communities to their evangelical responsibilities in the defense of human rights."⁵³ Thus, the current trend is to integrate human rights issues in the pastoral program of each Christian community, train adequately all pastoral agents in this domain, and to make each person know his rights and duties. The

⁵¹ See AMECEA, *Justice and Evangelization in Africa* (Kampala, Uganda: St Paul Publications-Uganda, n.d), pp. 10-36.

⁵² UZUKWU. "Human Rights in Africa. Contextual Theological Reflection," p. 129.

⁵³ John Paul II, *Ecclesia in Africa*, p. 44.

bottom line is that the church should have credibility not only on facing social injustices, but also in building a just and peaceful society using all the means at its disposal.⁵⁴

0.2.3 The Tanzanian Situation

A theological-ethical study of the Tanzania Catholic Episcopacy's approach to human rights issues is a task yet to be accomplished. So far, it is Ujamaa socialism in its relatedness to Christian values and integral human development that has been the focal point of ethical-theological studies.⁵⁵ The TEC's social teaching features in these researches in a cursory, descriptive manner, rather than as a direct focus of study. An effective analysis of the role of human rights within the teaching of the TEC demands also a close observation of the secondary literature as presented in the two important journals in East Africa: *African Ecclesiastical Review (AFER)* 1959 onwards, and *SERVICE* a publication of the Tanzania Pastoral Research Institute from 1968 onwards.⁵⁶

⁵⁴ John Paul, *Ecclesia in Africa*, p. 45.

⁵⁵ See Laurenti MAGESA, *Ujamaa Socialism in Tanzania: A Theological Assessment* (Ottawa: Saint Paul University, 1985); Juvenalis Rwelamira BAITU, *Tanzania Socialism and Gaudium et Spes: Two Convergent Designs of Integral Human Development* (Rome: Pontificia Universitas Lateranensis, Academia Alfonsiana, 1988).

⁵⁶ Among the important articles to be taken into consideration when assessing the relevancy of the TEC's social teaching to the social, political, economic and cultural context of Tanzania in the period under consideration, are the following works, some of which are products of some of the bishops and people of the inner circles to the TEC like secretary generals: Joseph BLOMJOUS, "The Position of the African Layman in the Church," *AFER* 1&2 (1959), pp. 74-79; *Idem*, "Christians and Responsibility of the Laity to the World," *SERVICE* 3 (1990), pp. 1-27; *Idem*, "Christians and Human Development in Africa," *AFER* 14 (1972), pp. 189-201; Marcel BOIVIN, "The Church and Socialist Tanzanian's Quest for Justice," *SERVICE* 3 (1982), pp. 4-24; Marie GIBLIN, "Tanzanian Women Peasants: An Ethical and Theological Reflection," *AFER* 34 (1992), pp.29-43; H. JOWITT, "Education in Changing Africa. Today's Challenge to the Church," *AFER* 1(1959), pp. 92-104; Edgar MARANTA, "The Catholic African and the Present Social Evolution in Africa: Christian Social Teaching as Regards Class, Nation, State and International Community," *AFER* 1 (1959), p. 225-238; Christopher MWOLEKA, "Cooperation Between Church and Government," *SERVICE* 4&5 (1971), pp. 26-34; D. ROBINSON, "The Church's Responsibility in the Social Field," *AFER* 6 (1964), pp. 167-174; *Idem*, "The Church in Tanganyika," *AFER* 5 (1963), pp. 256-264; James SANGU, "Evangelization and Development," *SERVICE* 3 (1974), pp.

Historically, Tanzania has had a reputation for the respect and promotion of human rights both within and without its borders. As such, there have not been major records of human rights violations in this country.⁵⁷ Yet, several human rights issues have been raised in this nation. Despite the fact that Tanganyika was the largest of the trust territories,⁵⁸ in the ten years preceeding its independence in 1961, there was no sincere endeavour on the side of the British colonial government to prepare the Africans for civil rights.⁵⁹ Though the Africans were the majority, the colonial government proposed the guaranteeing of civic rights on basis of racial lines, i.e., a three classes society system of Europeans, Asians and Africans. Equal rights for all civilized people starting with franchise rights were to be determined by the level of education, a situation in which only a few Africans could qualify.⁶⁰ Thus, the “take off stage” in the human rights debate in Tanzania revolved around making the Africans aware of their civic rights, sort of guiding them against the groups that would exploit their ignorance to deny them their rights. The emphasis at this stage as Nyerere puts it was “Our nation shall be a nation of free and equal citizens, each person having equal right and opportunity to develop himself and contribute to the maximum of his capabilities to the development of our society. We have said that neither

1-7; Peter HENRIOT, “The Social Context of the AMECEA Countries on the Eve of the African Synod,” *AFER* 34 (1992), pp. 340-363.

⁵⁷ See James READ, “Human Rights in Tanzania,” in Colin LEGUM, Geoffrey MMARI, eds., *Mwalimu. The Influence of Nyerere* (Dar es Salaam: Britain-Tanzania Society. Mkuki na Nyota, 1995), pp. 125-26.

⁵⁸ See John FLETCHER-COOKE, “Tanganyika and The Trusteeship Council,” *Tanganyika Notes and Records* 56 (1961), p. 40.

⁵⁹ See Colin LEYS, Cranford PRATT, eds., *A New Deal in Central Africa* (London: Heinemann, 1960), pp. 40-46.

⁶⁰ The British colonial government’s wish was that the transfer of power in Tanganyika would be gradual, and that would be on basis of partnership with educated Africans, leaving the majority of the population under the traditional system of government. Actually, Tanganyika attained its independent

race nor tribe nor religion nor cleverness, nor anything else, could take away from a man his own rights as an equal member of society. This is what we have to put into practice.”⁶¹

Tanzania’s search for its own identity via Ujamaa socialism, and especially after the Arusha Declaration of 1967 and its aftermath of nationalizations, state control of the economy, and forced villagization policies brought the human rights debates to another level. Among the key questions that have been raised on rights during this period are: Is it necessary and justifiable to restrict civil rights in order to promote economic development? What restrictions of political liberty are justifiable in order to advance national unity? And when must private property rights of the few give way to ensure the subsistence of the many?⁶² Throughout the Ujamaa period in Tanzania there has been a persistent tendency towards oligarchy and authoritarian rule. The balancing of the rights of the individual have been at odds with the newly created institutional structures.⁶³

The human rights debate in Tanzania entered a new phase starting with debates on the new Tanzanian Bill of Rights which widened the scope of freedom of expression and participatory rights. Criticisms on institutional and individual aspects that endangers the rights of the Tanzanians became more focused. Meanwhile, the human rights debate was acquiring a special place on the continent due to the adoption of the African Charter on Human and People’s Rights by the Organization of the African Unity (OAU) in Nairobi in

twenty five years ahead of its programmed schedule. See COLIN and PRATT, eds., *A New Deal in Central Africa*, p. 45.

⁶¹ See Julius NYERERE, *Freedom and Unity. Uhuru na Umoja: A Selection from Writings and Speeches 1952-65* (Dar es Salaam: Oxford University Press, 1966), p.139.

⁶² See READ, “Human Rights in Tanzania,” pp. 126-27.

⁶³ Cranford PRATT, *The Critical Phase in Tanzania 1945-1968* (London: Cambridge University Press, 1976), pp. 255-59.

1981. Tanzania ratified the charter on May 31, 1982, and from then on has been bound by the provisions of promoting its aims, purposes, and objectives.⁶⁴ Then the human rights debates have been accelerated by the collapse of Eastern European communist models of the one-party states which was signalled by the "*perestroika*" and "*glasnost*" revolutions in Russia in 1989. These changes led to discrediting the regimes which adhered to the one-party. Meanwhile, the international donors and governments of Europe and North America demanded the protection of human rights as one of the conditions for providing grants, loans and technical assistance to African countries. The International Monetary Fund (IMF) and the World Bank impel African nations to adhere to the structural adjustment programs (SAP) in view of reducing the balance of trade deficit.⁶⁵ These new situations which came in a rather quick succession have led to a bastion of re-visiting the rights issues as an interconnected paradigm. Current emphasis on rights issues in Tanzania focuses on popular participation in a political environment which guarantees human rights and the observance of the rule of the law and the process of development. Despite the discrediting of Ujamaa socialism by the Western world as a failure, from within Tanzania there have been arguments about retaining a communitarian vision in the nation. The trend is one of taking seriously the rights of the individual without losing sight of his or her collective background. The current struggle in Tanzania as anywhere else in Africa where multipartism has gained ground recently is an attempt to make individuals, groups, and

⁶⁴ See Chris PETER, *Human Rights in Africa*, pp. 5-10.

⁶⁵ See Peter HENRIOT, "The Social Context of The AMECEA Countries on the Eve of the African Synod," *AFER* 34 (1992), pp. 352-3; See also Ibrahim EL-SHEIKH, "Human Rights and Their Development in Africa," *Review of the African Commission on Human and Peoples' Rights* 2 (1992), pp. 49-50.

organisations aware of the rights and duties so that human rights and democracy might lead to peace, stability and human-centered development.⁶⁶

Within this historical setting of human rights in Tanzania, ethical-theological studies have focused mainly on Ujamaa socialism. Laurenti Magesa in his doctoral dissertation, *“Ujamaa Socialism in Tanzania: A Theological Assessment,”* limits his field of study to the moral and ethical principles of the Ujamaa socialist system in Tanzania in the light of Christian faith. Magesa’s goal is to point out Ujamaa’s contribution to an appreciation of the social implications of the Christian faith which contribute to the liberation of man and society.⁶⁷ He scans through the social teaching of the church in chapters four and six of his thesis (“Development and Development Policy” and “Theological-ethical Anthropology of Ujamaa” respectively) with two values in the background: First to confirm his basic conviction that Nyerere’s principles of Ujamaa are in line with the Christian ethical teaching. And secondly he seeks to get an answer to the question “Where does Ujamaa and the statements of the magisterium converge or diverge on the ethical issues of social justice in the contemporary world?”⁶⁸ Magesa’s thesis gives hints about the understanding of a human person, the subject of rights, as being involved in a web of relationships, and the rationale behind Ujamaa socialism’s struggles to strike a balance between enforcing the rights of the individual and those of the community.

Juvenalis Baitu Rwelamira limits the scope of his dissertation to a comparative study of Ujamaa and *Gaudium et Spes*. He describes his twin goals as to show the

⁶⁶ EL-SHEIKH, “Human Rights and Their Development in Africa,” p. 54.

⁶⁷ MAGESA, *Ujamaa Socialism in Tanzania: A Theological Assessment*, p. viii, xix.

⁶⁸ See MAGESA, *Ujamaa Socialism in Tanzania: A Theological Assessment*, p. 409, pp. 261-278.

correlation between Ujamaa and *Gaudium et Spes* on basic principles, and to show how the Tanzania state and the Catholic church can work together to build a just society while maintaining their identities and roles for the common good.⁶⁹ Concerns for human rights issues in both Ujamaa and *Gaudium et Spes* appear in chapter three of Rwelamira's dissertation where he seeks to establish similarities and differences between Ujamaa socialism and *Gaudium et spes* in their definitions of human dignity.⁷⁰ What he insists upon is that "...the dignity of the human person is the principal goal and objective of both Ujamaa and *Gaudium et Spes*. Both view the created universe and all earthly things and activities from the one great perspective of man's dignity Both are concerned with the promotion of human rights so that all human beings can equally enjoy their dignity."⁷¹ Rwelamira's does not study the objects of human rights, but simply makes a point about the link between human dignity and rights concepts. Rwelamira scans through some key documents of the Tanzanian episcopacy in chapter four of his dissertation "Tanzania Ujamaa Context and *Gaudium et Spes*."⁷² He seeks to confirm the idea that the Tanzania church, both in the pre-independence and post-independence periods, following in the footsteps of *Gaudium et Spes* has to read the signs of the time because "... Ujamaa is one of the signs of the times in that it provides a sphere of integral human development and expresses the actual needs and aspirations of humanity."⁷³ Rwelamira gives important information about the tendency in Ujamaa policies to restrict the rights of some individuals

⁶⁹ RWELAMIRA. *Tanzania Socialism-Ujamaa and Gaudium et Spes*, p. 3.

⁷⁰ RWELAMIRA. *Tanzania Socialism-Ujamaa and Gaudium et Spes*, pp. 60-91.

⁷¹ RWELAMIRA. *Tanzania Socialism -Ujamaa and Gaudium et Spes*, p. 65.

⁷² RWELAMIRA. *Tanzania Socialism-Ujamaa and Gaudium et Spes*, pp. 92-102. 103-120.

⁷³ RWELAMIRA. *Tanzania Socialism-Ujamaa and Gaudium et Spes*, p. 94.

or groups for the common good in Tanzania.⁷⁴ Due to the fact that his research covers the twenty years of Ujamaa socialism's applicability in Tanzania, he manages to bring in important hints on the elements such as corruption, bribery, misuse of public funds, and property that confirms the limitations of the system in protecting and promoting the rights of the citizens.

Dr. Marie Giblin brings to light the fact that women's aspirations for justice and class issues were not clarified from the very eve of the making of the Tanzanian nation.⁷⁵ She reaches this conclusion by critiquing part of the TEC's social teaching. Though Giblin's analysis is limited to the pastoral letter *Africans and the Christian Way of Life* of 1953, she throws some light on the limitations of the TEC's social thought in addressing issues related to human rights. For Giblin, by the very fact of limiting women to the role of "queen of the home," the Tanzanian pastoral letter of 1953 forms part of the strategy common in many parts of African societies to deny women voice in public life. Through such a teaching, equality between man and woman was far from being achieved because insistence was put on natural hierarchy between men and women in Christian ideology and this reinforced male supremacy patterns which were already present.⁷⁶

This panoramic survey of the literature reveals the fact that the defense and protection of human rights is at the center of the universal church's social teaching in documents like *Pacem in terris* and numerous other magisterial documents. African theological reflections on human rights are only in their formative stages, but the relevant

⁷⁴ RWELAMIRA, *Tanzania Socialism-Ujamaa and Gaudium et Spes*, pp. 65-66.

⁷⁵ Marie GIBLIN, "Tanzania Women Peasants: An Ethical Theological Reflection," pp. 29-43.

⁷⁶ GIBLIN, "Tanzania Women Peasants: An Ethical Theological Reflection," p. 37.

literature reveals how important human rights are to an ethico-theological reflection that is sensitive to both praxis concerns and the role of inculturation of the Gospel. Following the example of the SECAM, various Episcopal conferences in Africa have linked the development, promotion and protection of human rights directly to the evangelization mission of the church. So far no direct studies of the TEC's human rights teaching have been undertaken. Those theological and ethical studies that have touched some aspects of the TEC's social teaching have been historically limited to the Ujamaa socialism period. There is, therefore, an urgent need to advance the discussion of the TEC's human rights teaching as a constitutive dimension of the evangelizing mission of the Tanzanian church. Thus, the originality of this research resides foremost in the attempt to bring together the TEC literature addressing human rights and duties and mapping a unified human rights scenario that emerges from the TEC's social teaching in a period that extends back over forty years. Hopefully the conclusion therefrom can contribute positively to the Tanzanian Catholic church's endeavors in advancing the cause for human rights in the twenty-first century.

0.3 Research Hypothesis

My "hypothesis" is formulated in a series of three questions. First, what are the major historical shifts and developments in the TEC's approach to human rights? I hypothesize that three main periods best characterize the historical development of the TEC's social teaching on human rights: human rights issues during the Independence

period (1953-1966), the pursuit of human rights under Ujamaa Socialism (1967-1986), and human rights at the dawn of multipartism (1987-1995).

Second, what are the specific objects of human rights and duties that characterize the TEC's social teaching within these three periods? How does the TEC's teaching on human rights correspond, if at all, to the larger political, cultural, and economic contexts of the Tanzanian situation?

Third, what would a unified ethical-theological synthesis look like emerging from the TEC's approach to human rights issues in Tanzania?

0.4 Methodology

0.4.1 Selection and Justification for the Primary Sources

The research focuses on **ten** pastoral letters of the TEC, **three** Episcopal statements, plenary meeting reports (1958-1995), **five** publications of the Peace and Justice Commission (PJC), and **four** publications of the Catholic Professionals of Tanzania (CPT). These documents cover a period ranging from 1953 to 1995.

Selection of these documents is based on their contents in terms of addressing human rights issues. One of the criteria for selecting these documents is reference that the TEC makes with regard to its positions on certain rights issues. However, getting in touch with all the necessary documents included contacts with specific source areas in Tanzania, i.e., the Kipalapala Senior Seminary library in Tabora, Tanzania, and a field research at the Tanzania Episcopal Conference library in Kurasini, Dar es salaam (Tanzania).

Consultations with the TEC secretariat provided background information on specific

plenary meeting reports as detailed sources to fill in the unsaid and missing links in the pastoral letters and statements of the TEC. It is from the TEC library that clues are provided about the necessary links and supplementary roles of the publications of the Peace and Justice Commission and those of the Christian Professionals of Tanzania (CPT) to the TEC's pastoral letters and statements on human rights.

Given the fact that the TEC's social teaching is aimed at reaching the majority of the Tanzanian Catholics, some of the documents I will be analyzing are not translated from Swahili texts. Translations will be my own throughout the dissertation. Translations of Swahili texts on human rights into English constitutes another contribution of this research.

0.4.2 Ecclesiastical Authority of the Sources

These documents complement each other in manifesting the ecclesiastical authority of the TEC. They all provide a fuller vision of the TEC's teaching on human rights.

Pastoral letters carry the weight of being the official documents through which the TEC accomplishes a double purpose of giving the position of the church on particular issues, and providing instructions to the faithful on the right principles to guide them in action taking. This genre of literature is written in the spirit of reading the signs of the time, and is primarily addressed to Tanzanian Catholics, but its message equally targets all people of good will.⁷⁷ **Pastoral Statements**, though generally brief in nature, carry the same weight

⁷⁷ See The 1958 Tanganyika Catholic Welfare Organization: General Meeting. Kipalapala. 4 March, 1958, *TEC Files*. 1958, p. 1; TEC Annual Report 1994-1995, *TEC Files*. 1995, p. 9.; See also TEC. *DSDT*. p. 1.

as pastoral letters in communicating the TEC message. They point to the TEC's positions, opinions or attitudes towards various issues affecting the nation or the world community. Usually they are a product of discussions made during the plenary meetings, but they can also be issued as a consequence of events or situations that affect the nation and need immediate response from the church leadership. **Plenary meeting reports** carry the weight of being the more detailed background literature to the formulations found in both pastoral letters and statements of the TEC.

In the original setting, **the Peace and Justice Commission (PJC)** was to act as the right hand instrument of the TEC in conscientising the Tanzanian Catholics about their rights and how to promote these rights by reading the signs of the Tanzanian situation.⁷⁸ Thus publications of the Peace and Justice Commission carry the weight of being researched documents of the TEC on human rights related issues. As for the **Publications of the Catholic Professionals of Tanzania (CPT)** their genre is typical of the third phase of the TEC's addressing human rights issues. The TEC, in close collaboration with the laity section of the CPT, aims at educating Tanzanian Catholics on issues related to their rights on the eve of multipartism in Tanzania. The CPT publications carry the weight of making the Catholic Tanzanians aware of their civic rights especially during the three-year period when the Peace and Justice commission was not very active (1991-94).⁷⁹

⁷⁸ See *The Peace and Justice Commission of the TEC (I)* (Ndanda, Peramiho: Benedictine Publications, Ndanda, 1986), pp.6-7; See also TEC, The 37 Plenary Meeting July 20-27, 1983, *TEC Files*, 1983, pp. 37-39.

⁷⁹ See TEC, The 46 Plenary Meeting, Dar es Salaam July 28-31, 1993, *TEC Files*, p. 27; See also The Peace and Justice Commission 1994-1995, *TEC Files*, 1995, p. 5.

0.4.3 Method and Structure

The methodology encompasses **two precise moments**: **First, the historical-expository moment** that covers the first three chapters studying shifts and the objects of rights and duties in the TEC's social thought. **The second methodological moment entails making an ethical-theological synthesis of the TEC's approach to human rights.** This moment focus on establishing a unified picture that emerges from the TEC's social teaching on human rights issues. The historical-expository approach takes seriously Gregory Baum's point that "Theology must analyze and critically reflect upon its historical context for reasons that are properly theological."⁸⁰ For Baum, "...it is impossible to grasp the meaning and power of ideas until their relationship to the social context has been clarified. Ideas, symbols, moral imperatives and theological concepts do not float above history; they are grounded in certain historical situations, they are uttered by people who wrestle with concrete conditions of their existence. Unless their *Sitz im Leben* is analyzed and taken into consideration, their meaning cannot be fully clarified."⁸¹ Moreover, as Ian Ritchie indicates from an anthropological point of view, theology in Africa has to be related to concrete historical conditions in which it arises because of Africa's oral lifeworld.⁸² While our primary focus will be an exposition of the objects of rights and duties in the TEC's social thought, we also seek to uncover what the TEC's documents reflect of the Tanzanian situation.

⁸⁰ Gregory BAUM, *Theology and Society*, p. 157.

⁸¹ BAUM, *Theology and Society*, p. 158.

⁸² See RITCHIE, *African Theology and Social Change: An Anthropological Approach*, pp. 1. 79-80.

Within the second methodological moment, first, Hollenbach's heuristic interpretative schema of the Catholic rights tradition which distinguishes rights according to dimensions of the human personality on one hand, and according to the kinds of personal, social and instrumental relationships on the other hand will be used in sifting out the TEC's line of emphasis on categories of personal, social and instrumental rights within the three historical periods. The guiding presupposition in using this schema is that the recognition of the full richness of human dignity creates a demand in the human community that social and instrumental rights be recognized through appropriate structures, while taking into consideration the historical contingency and variability which govern the three types of rights.⁸³

In turn, we will examine the limitations and possibilities of the TEC's social teachings in addressing human rights issues. It is in this section that we elucidate the extent which the TEC social thought on rights issues can contribute positively to bring the Tanzanian Catholic church's debate on rights issues to the level of reflective action and response. To be analyzed are the nature of the receptivity of the TEC's social teaching on human rights, the quest for peace and mutual understanding, the significance of emphasis on human-centered right to development, and forming communities of concerned response.

Chapter One, "Tanzanians and Their Political Aspirations 1953-1966," concentrates on the TEC's three pastoral letters *Africans and the Christian Way of Life (ACWF)* of 1953, *The Truth that Makes Men Free (TMMF)* of 1960, and *Unity and*

⁸³ HOLLENBACH, *Claims in Conflict*, p. 97.

Freedom in the New Tanganyika (UFNT) of 1960. This chapter exposes first the background of the TEC's addressing itself to human rights, and its emphasis on the pluralistic society milieu for the cause of human rights in Tanzania that was attaining political independence. Among the key elements exposed under this section are concerns for hierarchical structures in society and the fear of communism. As for the objects of rights and duties, attention is paid to controversies over the education right, emphasis on property ownership rights, the right to religious liberty, and exercising voting rights in a democratic setting. The chapter ends with some concluding remarks.

Chapter Two, "The Pursuit of Human Rights Under Ujamaa Socialism 1967-1987," focuses on the contents of the pastoral statement *Ustawi na Maendeleo ya Watanzania. Risala ya Maaskofu kwa Ukumbusho wa Miaka 100 ya Kanisa 1868-1968* (*Church and Developing Society in Tanzania: Speech of Catholic Bishops on the Occasion of Celebrating 100 Years of the Church in Tanzania 1868-1968 (CDST)* of 1968, the pastoral letters *Uelewano na Amani* (*Peace and Mutual Understanding. Pastoral Letter of the Catholic Bishops of Tanzania (PMU)* of 1972, *Drafti ya Waraka wa Kichungaji-Krismasi 1984* (*The Christmas Pastoral Letter 1984 (DWKK)* and *Barua ya Kichungaji ya Maaskofu Wakatoliki Kwaresima 1985* (*Lenten Pastoral Letter of Catholic Bishops 1985 (BKMW)*). Publications of the Peace and Justice Commission: *Idara ya Haki na Amani* (*The Peace and Justice Commission (IHA)* of 1986, *Tumwamini Mkulima* (*Priority of the Farmer (TMK)* of 1987, *Binadamu ni Nafsi* (*A Human Being is a Person (BNS)* of 1987, and *Kanisa, Ujamaa na Haki Tanzania* (*Church, Ujamaa and Justice Rights in Tanzania (KUHT)* of 1987. This chapter examines first how the TEC

makes a breakthrough by accepting Ujamaa socialism as a system under which human rights could be pursued in Tanzania. Analyzed in here are the TEC's prudential reservations on limitations and possibilities of pursuing human rights under Ujamaa socialism. As for the objects of rights and duties, to be examined are the TEC's emphasis on cultural identity rights, a focus on development rights issues, priority of the rights of the poor majority, and balancing the rights of the individual and those of the community. The chapter is completed with some concluding remarks.

Chapter Three, "Human Rights Issues at the Dawn of Multipartism 1987-1995" explores the contents of the pastoral letters *Maendeleo ya Kweli ya Mwanadamu (True Human Development (MKM))* of 1992, *Ukweli Utawapeni Uhuru (Truth Will Make You Free (UUH))* of 1993, and *Dhamira Safi-Dira ya Taifa Letu (Good Conscience-Vision of Our Nation (DSDT))* of 1993; the pastoral statements *Tamko Rasmi la Baraza la Maaskofu Katoliki Tanzania Mintarafu Kashfa za Kidini (Statement of Catholic Bishops on Religious Blasphemies (KZD))* of 1993 and *Maelekezo ya Maaskofu Katoliki Tanzania Juu ya Uchaguzi Mkuu wa Octoba 1995 (Guidelines for the National Elections of October 1995 (MUMO))*. Publications of the Peace and Justice Commission: *Haki za Binadamu za Familia (Human Rights of the Family (HZF))* of 1989, and *Uchaguzi Mkuu wa Octoba, 1995. Tutegemee Nini Kutoka kwa Wagombea (National Elections of October 1995: What to Expect from Candidates for Leadership (TKW))* of 1995. The Christian Catholic Professionals of Tanzania (CPT) documents: *Mwongozo Kwa Makatekista (Directives to Catechists (MKMT))* of 1994, *Misingi ya Pamoja ya Maadili (Common Ethical Principles (MPM))* of 1994, *Mamlaka na Wasio na Mamlaka: Uzoefu wa*

Tanzania (Authority and the Common Man: The Tanzanian Experience (MUT) of 1994, and *Kiwajibika Katika Jamii (Being Responsible in Society (KKJ))* of 1995. The first part consists of exposing the TEC's understanding and interpretation of political and economic tensions within the transition period from Ujamaa to forces of the free market and multipartism. Focus is on the TEC's new strategic approaches to rights related issues and on behaviors and structures that endanger the rights of the Tanzanians. The TEC relates new tensions between the civil society and the state to the lost vision of the nation and proposes giving priority to the communal aspect and seeking what fosters peace and mutual understanding. With regards to the objects of rights and duties, attention is drawn to the TEC's concerns for the vision of the human-centered right to development, environmental rights issues, response to the Islamo-Christian tensions on the misuse of the right to religious freedom, rebukes against misuse of freedom of the press, concern for life and family rights, and exercising voting rights under the multiparty system. The chapter ends with some concluding remarks.

Chapter Four, "Towards an Ethical-Theological Synthesis," establishes a unified ethical-theological picture that emerges from the TEC's social teaching on human rights issues. First, using Hollenbach's heuristic interpretative schema of *Pacem in Terris*, an analysis of the presence of absence of the TEC's line of emphasis on personal, social, and instrumental rights is made within the three historical periods. Second, the limitations and possibilities section focuses on the nature of receptivity of the TEC's social teaching, the quest for peace and mutual understanding, the significance of emphasis on human-centered development. This is followed by a concluding praxis postscript analysis that examines

how the the TEC's social teaching on human rights and duties can be complemented for being more effective in the twenty first century. The importance of forming communities of concerned response develops at four levels: the Christian community level, the leadership level, the ecumenical level and the level of forming a task force. The last section serves the purpose of extracting out some prophetic values from the TEC's social teaching that can positively contribute to the advancement of the human rights debate within the Catholic church in Tanzania.

CHAPTER ONE

TANZANIANS AND THEIR POLITICAL ASPIRATIONS: 1953-1966

Initial concerns for rights issues and subsequent duties in the TEC's social teaching are characterized by usage of the ethical banner of giving guiding principles to Christians in their task of becoming a free nation. The Bishops wished that basic rights of the person might be fully recognized and satisfied in the new nation.⁸⁴ They avowed to be cooperative in making sure that the existence of an independent Tanganyika was to be soundly based on right principles and blessed with institutions providing for the needs of the whole person, physically, mentally, and spiritually.⁸⁵ As it was not operating under the circumstances of overt violations of rights, the TEC as such does not pretend elaborate on action taking; rather, it focuses on giving a Christian orientation upon which actions could be based.⁸⁶ An appeal was made to a pedagogical methodology whose ethical presupposition is that knowledge of the right principles leads to right action because action

⁸⁴ See TEC, *ACWF*, pp. 5&7; *Idem*, *TMF*, p. 2; *Idem*, *UFNT*, p. 2.

⁸⁵ TEC, *TMF*, pp. 2&7.

⁸⁶ Aspirations to integrate human rights in the guiding principles for a new nation were, for example, equally being expressed by Nyerere who asks this question: "What kind of a Tanganyika do we need to build? What is the basic principle on which our young nation is founded?" According to Nyerere, "The principle on which we stood, and on which we stand today is the principle of human rights. It is the dignity and well being of all people which is the beginning and the end of our efforts." Establishing foundations for equal treatment of Tanzanian citizens was necessary for easing their equal enjoyment of civic rights. Thus, the TEC's contribution in this task consists of bringing in ideals of the theory of rights which are not severed from the divine foundations. However, it is worth noting, as Chris Maina Peter explains, that the uniqueness of the Tanzanian situation within the British Commonwealth countries was the non-entrenchment of a Bill of Rights in the constitution of the nation at the time of independence. The argument that was put forward by the leadership of the newly independent nation is that there was no reason for approving the sincerity of the outgoing colonial master in drafting a Bill of Rights for a new nation for colonialism itself was a denial of basic human rights to the colonized people. See Julius NYERERE, *Freedom and Unity*, pp. 70, 178; See also TEC, *ACWF*, p. 5; *Idem*, *The General Meeting of March 4, 1958. TEC Files*, p. 10; Roland VEZEAU, *L'Afrique face au Communisme* (Paris: EDIMPARA, 1976), pp. 254-256; PETER, *Human Rights in Africa*, pp. 1-2.

is the logical conclusion of that which is well mastered.⁸⁷ Among the motivating factors for having a recourse to this approach was a realization that too often Catholics were adopting an extreme position by staying aloof from the political problems of the country and were the last to assume their responsibility in the political field. This often is due to the attitude of part of the clergy which did not give the necessary encouragement to the laity to accept such responsibilities. Moreover, the TEC realized that the Catholic Church in Tanganyika has not so far provided sufficient information to the faithful on such matters. There was need for providing Catholic outlook on how to approach rights and duties issues.⁸⁸ Bishops were attempting to make a breakthrough by responding to changes in a new nation. However, this was to be done by maintaining the universal principles of natural law as applicable to the whole of humanity, and responding to the age old aspects of a hierarchically structured society and the fear of communism.⁸⁹ The timing of the TEC in addressing itself to rights issues fits in a wider perspective of the evolution in the understanding of the missionary role of Catholicism in colonized territories. What the key three pastoral letters point to, and as George Courrier indicates from a broader African panorama, is that a new methodological shift from missionary romanticism of glorifying in

⁸⁷ The TEC preferred the three principles of see, judge and act. See TEC, *ACWF*, p. 10; See also George COURRIER, "La doctrine sociale chrétienne et les jeunes états africains," *Afrique documents* 51 (1960), p. 102.

⁸⁸ See TEC. General Meeting of March 4, 1958, *TEC Files*, 1958, p. 10.

⁸⁹ See TEC, *ACWF*, pp. 5-7; COURRIER, "La doctrine sociale chrétienne et les jeunes états africains," pp. 98-99; W. ROBINSON, "The Church's Responsibility In The Social Field," *AFER* 6 (1964), pp. 167-174; André RÉTIF, "La caractère international de la doctrine missionnaire de Pie XII," *Justice dans le Monde* 2 (1959), p. 208; VEZEAU, *L'Afrique face au Communisme*, p. 257.

numerical success in terms of converting and civilizing the pagans in colonized territories was giving way to real concerns for taking action in favor of promoting justice.⁹⁰

It is within this background that this chapter draws on three pastoral letters:

Africans and the Christian Way of Life of 1953, *Unity and Freedom in the New Tanganyika* of 1960, and *The Truth That Makes Men Free* of 1960 for accomplishing two tasks. The first section focuses on exposing the TEC's proposing a pluralistic milieu for the pursuit of human rights in independent Tanzania. The second section exposes the objects of rights and duties that were prioritized by the TEC as being crucial in the making of a new nation, and what they reflect or correspond to of the political, cultural, and economic contexts of the Tanzanian situation.

1.1 A Pluralistic Milieu for the Cause of Human Rights in Independent Tanzania

1.1.1 TEC's Understanding and Interpretation of the Tanzanian Situation

Among the key aspects that the TEC draws attention to in its understanding and interpretation of the Tanzanian situation is "the inadequacy of preparing Tanzanians for their civic rights." This aspect is remarkably expressed in the pastoral letter *Unity and Freedom in the New Tanganyika* that was written on the occasion of the beginning of responsible government in December 1960.

⁹⁰ These were the humble beginnings of dealing effectively with social questions, deepening the missiological science, and adapting Christianity and its principles to all peoples in independent nations. See COURRIER, "La doctrine sociale chrétienne et les jeunes états africains," pp. 93-97; See also RETIF, "La caractère international de la doctrine missionnaire de Pie XII," pp. 203-220; Pius XII, "*Fidei Donum*," Actes Pontificaux No. 85 (Montréal: Institut Social Populaire, Les Éditions Bellarmin, 1957), pp. 3-8.

"Until recently most Africans have been living in an atmosphere free from responsibility as regards the major policies of the country. This is not to say that the Africans have been unconcerned with the needs of the people, nor with the aspirations of individuals in their search for happiness in reasonable comfort and dignity. But they had little, if any, say in the general policies of Territorial affairs and they busied themselves with more local or personal affairs. Now however the situation has changed. While it is true that not all have been admitted to the franchise, it does not seem likely that this situation will be enduring."⁹¹

The Tanzanian controversy was centered upon the fact that the speed at which this country was moving towards its political independence was not proportionate to the preparation of its citizens for their civic rights. While the British Colonial Office was reporting to the General Assembly of the United Nations in the mid-1950's that all elements of the population of the territory are protected in their enjoyment of human rights and fundamental freedoms and that the right of petition is well understood by all sections of the population and is freely exercised,⁹² various scholars present the line of thought which supports the observation that the TEC puts forward.⁹³ Cranford Pratt for example, explains: "Before the government began vigorously to pursue "multi-racialism" in 1949, there was in fact little that could be called a political strategy in Tanganyika. The colonial rulers were confident that they knew best what the country needed. They were also

⁹¹ TEC. *TAMF*, p. 3; *Idem. ACWF*, p. 36; *Idem. TMF*, p. 3.

⁹² See *Tanganyika Report of the Year 1956*. Colonial No. 333 (London: Her Majesty's Stationary Office, 1957), pp. 49-50.

⁹³ See Cranford PRATT, "British Colonial Policy in Africa," in Colin LEYS, Cranford PRATT, eds., *A New Deal in Central Africa*, pp. 40-46; *Idem. The Critical Phase in Tanzania 1945-1968*, pp. 13-19; Bernard CHIDZERO, *Tanganyika and International Trusteeship* (London: Oxford University Press, 1961), pp. 11-23; Martin KANIKI, "The End of the Colonial Era," in Martin KANIKI, ed., *Tanzania Under Colonial Rule* (London: Longman, 1980), pp. 344-383; Daniel SMITH, *The Influence of the Fabian Colonial Bureau on the Independence Movement in Tanganyika* (Athens, Ohio: Ohio University Center for International Studies, 1985), pp. ix, 1-7; A. TEMU, "The Rise and Triumph of Nationalism," in I. KIMAMBO, A. TEMU, eds., *A History of Tanzania* (Nairobi: East African Publishing House, 1969), pp. 189-213.

confident that, supported by the network of native authorities who ruled locally, they would continue to be able to secure the cooperation of Tanganyikans. There was very little speculation about the political institutions that would be appropriate for the independent Tanganyika and even less about the management of transition from colonial rule of the immediate post-war years to that eventual independent Tanganyika.”⁹⁴

There were two opposed poles. The British Colonial Office was insistent on the evolutionary process towards the attainment of independence and the provision for safeguarding interests of the non-African elements of the population. On their part, African nationalists called for the incorporation of a number of policies which would guarantee black majority rule.⁹⁵ In between these two poles, as Daniel Smith notes, the Tanzanian situation was more complicated by the Trusteeship Status which demanded that both Crown and nationalist interests and compromises were subject to review by an international body. The very fact that the Council itself was splintered into ideological factions which pitted the Western powers against the Communist block states added elements of tension and confusion to the debate concerning Tanganyika’s future.⁹⁶ Independence was coming to Tanganyika with an unforeseen speed due to nationalistic

⁹⁴ PRATT. *The Critical Phase in Tanzania 1945-1968*, p. 13.

⁹⁵ See SMITH. *The Influence of the Fabian Colonial Bureau on the Independence Movement in Tanganyika*, p. ix.

⁹⁶ Great Britain’s obligations under the Trusteeship system after World War II were to develop political institutions and to foster participation of the indigenous people for civic rights. However, details for achieving these goals were left to the discretion of the British colonial government. The trusteeship Council was to receive reports both from the colonial government and petitions from residents of Tanganyika. The Council was obliged to send periodic visiting missions to the trust territories. Three such missions were sent to Tanganyika up to 1960. See SMITH, *The Influence of the Fabian Colonial Bureau on the Independence Movement in Tanganyika*, pp. ix, 3.

pressures and the impact of the United Nations Trusteeship Council.⁹⁷ Part of the strategy of the colonial government was to guarantee civic rights on racial and educational basis. Thus, the TEC's adopting of a pedagogical approach to guide Tanzanian Catholics about rights and duties is to be understood as part of contributing to the independence efforts. The Bishops were attempting to give guiding principles to the faithful on the issues that were still insufficiently clear to them.⁹⁸

What the TEC indicates in the pastoral letter of 1953 is that in order to ensure that civic rights were to be enjoyed by all citizens, tensions and difficulties based on racial or tribal/ethnic discrimination were to be dealt with accordingly. The TEC insists that any racial arrogance is harmful in a community where members of different races or tribes live side by side, everybody enjoying an honored place in society.⁹⁹ According to the TEC, "...all citizens of a state are entitled to develop a full civic, social and intellectual life, a failure to admit this is a violation of the natural law. Inter-racial harmony is essential to human society, and nothing but evil can be the fruit of racial discrimination: a cause of unhappiness, and a threat to national security."¹⁰⁰ As part of the efforts to curb out discriminatory tendencies the TEC argues:

"Every man has been created by God, for God and to His image and likeness. The purpose for which men exist is identical for each one, and all are bound to obey the same divine laws; there can be no essential distinction made between man and man. No matter what may be their social standing, their race, tribe or color, men and women have without

⁹⁷ See LEYS and PRATT, eds., *A New Deal in Central Africa*, pp. 40-46.

⁹⁸ See TEC, *ACWF*, p. 36; T.J. O'KANE, *Kanisa na Maisha ya Watu* (The Church and Lives of the People) (Tabora: Tanganyika Mission Press, 1960); see also TEC, General Meeting, March 4, 1958, *TEC Files*, 1958, p. 6.

⁹⁹ TEC, *ACWF*, p. 14.

¹⁰⁰ TEC, *ACWF*, p. 13.

exception inherited from man's First Parents the same human nature, the same human dignity and frailties, and it is the intention of God that each one should become truly His child by adoption and heir to His kingdom."¹⁰¹

What the TEC points to is that Tanganyika had inherited some racial difficulties, and it was quite important to pull together efforts to exorcise the evil spirit of racial prejudice from the citizens. In the period after the Second World War measures to eliminate racial discrimination were a prerequisite for enforcing the rights of all citizens. The Tanzanian situation was complicated by historical circumstances of suffering exploitation through the hands of various colonial masters.¹⁰² In a country whose population was composed of more than 120 ethnic groups, the problem of racial inequalities was accentuated by the British colonial government's adoption of a deliberate government policy of the three races system: African, Asian and European. Within this pyramidal society of whites on top, Asians in the middle and Africans at the bottom, the operation of economic, political and social systems in the colony were determined.¹⁰³ As

¹⁰¹ It is worthy noting that in some of the TEC documents usage of the phrase «rights of man» is far from having sexist connotations. In Swahili we have a neutral word *mtu* that stands for both men and women. Thus, in this dissertation wherever the phrase «rights of man» is used is simply an indication of a literary genre of a particular epoch within the documents that are studied. In my own translations from Swahili texts of the TEC, the inclusive language becomes evident. See TEC, *ACWF*, p. 12.

¹⁰² See NYERERE, *Freedom and Unity*, p. 147; See also Leonard KENWORTHY, *Tanganyika. A Background Paper* (Brooklyn, New York: World Affairs Materials Brooklyn College, 1961), pp. 3; Ansur Kumar DATTA, *Tanganyika: A Government In A Plural Society* (The Hague: Leiden, 1955), pp. 1-8.

¹⁰³ According to Tanzanian participants on the seminar on racial and communal tensions in East Africa, this policy crystalized the three races into heavily water tight compartments with little or no interaction in any form among the bulk of the three races. On the wake of independence, the African majority were to occupy most of the key positions in governance of the country. The real dynamite that had potentialities of exploding was based on inequitable distribution of wealth. Though independence was to open up new vistas for Africanization of public and private institutions, sensitivity to extending human rights to all citizens was a new phenomenon related to the rise of nationalism. See Sophia MUSTAFA, "Racial and Communal Tensions in East Africa," in *Racial and Communal Tensions in East Africa*. Contemporary African Monographs Series No. 3, p. 52-54 (Nairobi: East African Publishing House, 1966); See also Yash GAL, "Prospects for Asians in East Africa," in *Racial and Communal Tensions in East Africa*, pp. 10-12.

Bernard Chidzero confirms, part of the solution for the discriminatory situation in Tanganyika was to advance the position of the African section of the population and arrive at a balanced stage at which race would cease to matter. The first step thereto consisted in the advocacy of a common national status for all peoples of Tanganyika. Thus, from 1952 onwards, the strategy that was proposed by the Drafting Committee which was appointed by the United Nations Council aimed at considering the establishment of a common status of citizen of Tanganyika and subordinating communal interests to those of the territory as a whole.¹⁰⁴

Actually, the message of the TEC in the 1953 pastoral letter was part of the effort towards the development of a sense of territorial consciousness and the establishment of a common status of citizenship in Tanganyika. The Bishops add Christian motivations for combating racial discrimination which was a hindrance to the distribution of equal civic rights among the citizens.¹⁰⁵

In assessing the Tanzanian situation, the TEC “proposed a pluralistic milieu” as ideal for the pursuit of human and civic liberties in the making of a new nation. In the pastoral letter *Unity and Freedom in the New Tanganyika* a pluralistic milieu is defined as

¹⁰⁴ See CHIDZERO, *Tanganyika and International Trusteeship*, pp. 181-82.

¹⁰⁵ As early as 1948 the Trusteeship Council drew attention of the Administering Authority in Tanganyika to the importance of ensuring that discrimination of the indigenous inhabitants in employment, wages, salaries was to be avoided. The advancement of the cause for the Africans aimed at bringing equality. In 1952 the British Colonial Government adopted the multi-racial policy aiming at enhancing inter-racial partnership in economic and political sectors while protecting the interests of the different racial groups. The first Africans were appointed to the executive council in 1952. However, it was only in 1955 that application of the equal parity representation formula was used in selecting Africans to the unofficial side of the legislative council. Then it was in 1957 that the first inter-racial electorate was organized. It became a stepping stone for the African majority nationalist party Tanganyika African National Union (TANU) to demand equal rights for all citizens as opposed to equal rights for all civilized men (using wealth and education as criteria). African nationalists while accepting Tanganyika as a plural society, were against domination of minority rule which controlled political and economic spheres. See CHIDZERO, *Tanganyika and International Trusteeship*, pp. 181-212.

“... a society in which men of different creeds, different ideologies, different political ideas, different ethnic, social and cultural backgrounds live together and must strive to collaborate harmoniously.”¹⁰⁶ The TEC uses the term pluralism in the traditional sense with more resonance to what could lead to peace and harmony in the new nation. As Ian Ritchie explains, the usage of the term pluralism by African theologians does not refer to modern Western scholarly technicalities of a set of disparate paradigms whose concepts are so fragmented as to be “incommensurable.” The term is used in the older sense of tolerating the others, and it is attached to the grassroots level praxis rather than with abstract principles.¹⁰⁷ It is in such directions that the TEC appeals to this term in its social teaching. Actually, to every aspect of pluralism, the TEC attaches some particular values for the pursuit of rights and duties.

Specifically, ethnic pluralism, which arises from the difference in nationality, race or tribe and is a fundamental historical and social fact in Tanganyika,¹⁰⁸ has to foster the respect of the essential equality and dignity of the human being. Same human and civic rights must be guaranteed to each and every member of every nationality, race or tribe living in Tanzania. Discrimination against any nationality, race, or tribe would be contrary to natural law.¹⁰⁹ Ethnic pluralism has to lead to the safeguarding of the rights of the minority groups. Any effort to drive minority ethnic groups’ language, customs and characteristics to extinction as a means for promoting uniformity is unacceptable.¹¹⁰

¹⁰⁶ See TEC. *UFNT*, p. 3.

¹⁰⁷ RITCHIE, *African Theology and Social Change: An Anthropological Approach*, p. 123.

¹⁰⁸ TEC, *UFNT*, p. 4.

¹⁰⁹ TEC. *UFNT*, pp. 4, 6, 7-8.

¹¹⁰ TEC. *UFNT*, p. 7.

Cultural pluralism which is an undeniable fact in Tanganyika and demonstrates the reality of multi-racial and multi-tribal structures in the divergence in intellectual, artistic, aesthetic, legal institutional backgrounds and spiritual values,¹¹¹ has to lead to continual mutual acceptance and recognition of the rights of the majority and those of the minority. It is a motivating factor for extending the education right to all, especially to the poorly educated citizens, as the means of bridging the gaps of opportunity of livelihood and dignified living.¹¹²

Political pluralism, which aims at searching for the best possible way of bringing about the common good in society, is a safeguard against political totalitarianism. At the same time it demands putting in place of a representative government and promoting participatory rights in a democratic setting. Due to political pluralism the right to freedom of expression of political differences and the guaranteeing to citizens the liberty of choice in democratic matters are to be guaranteed to all citizens.¹¹³ As for social pluralism, it has to lead to the fostering of parallel systems of public and private social services in independent Tanganyika. And religious pluralism has to lead to the negation of unwanted models of religious pluralism. For the TEC every human being is born with the indestructible right of following his conscience, and a person is free to choose his religion and to worship God in the way his conscience commands him. An act of faith must always remain the highest expression of liberty.¹¹⁴

¹¹¹ TEC. *UFNT*, p. 4.

¹¹² TEC. *UFNT*, pp. 4, 8-9.

¹¹³ TEC. *UFNT*, pp. 4-5, 9-10.

¹¹⁴ TEC. *UFNT*, pp. 6, 11, 18-19.

Thus, the TEC uses the paradigm of the pluralistic society milieu to insure the respect and promotion of the essential freedom of the person, the rights of the family, and the rights of different ideological groups, on one hand, and the right and duty of the state to foster the common good, on the other hand.¹¹⁵ Human rights and subsequent duties within the Tanzanian context were to be pursued as integral parts for the search for peace and mutual understanding. The desired approach or the putting in practice of the TEC's guiding principles on human rights issues and subsequent duties as integral parts for the search of peace and mutual understanding features in Robinson's summary on guiding principles about the relation between rights and duties.

"It must be remembered that rights and freedoms are balanced by corresponding duties and responsibilities. They are likewise limited by the rights of others, the common good and ends of a society, and the preservation and security of society itself... Therefore before passing judgment on government's policy in respect to its citizens, it is important to be certain whether the violation is official government and party policy, or whether it is the result of irresponsible action on the part of some individuals. Further, according to the situation, it must be known whether it is a planned attempt to implant an ideology repugnant and contrary to the human nature and dignity; and whether these violations are a temporary expediency to ensure the unity, cohesion, survival and development of the nation until it is strong enough to restore full human rights, or whether there is the intention of retaining these measures as a permanent way of life. It is important to review and appreciate the general background and situation in which Africa finds itself."¹¹⁶

However, an understanding of the TEC's approach to rights issues remains incomplete without examining two elements which happen to be influential in the three

¹¹⁵ TEC, *UFNT*, pp. 11-12.

¹¹⁶ See ROBINSON, "Religion: Conscience and Guide of Society," *AFER* 8 (1966), p. 118.

pastoral letters: concerns for hierarchically structured societies and the fear of communism.

1.1.2 Human Rights and Concerns in Hierarchically Structured Societies

The TEC preferred that the pursuit of human rights was to be an undertaking of three societies: the family, the state and the church which had to work together in harmony. Cooperation of the three societies is essential because the person belongs to these three societies each with its own divinely established rights, duties and functions.¹¹⁷ However, the TEC envisioned that relationships in these three societies were to be on hierarchical basis. This preference is more explicit in the pastoral letters *Africans and the Christian Way of Life* of 1953 and *Unity and Freedom in the New Tanganyika* of 1960. These key pastoral letters show that Catholic Bishops dealt with human rights and subsequent duties in an atmosphere of unresolved tensions between the dignity of the human person as a subject of rights and the equality aspect in hierarchical structures. There are several aspects on which these tensions are more pronounced especially in the pastoral letter of 1953. First, the TEC aimed at curbing discriminatory tendencies which impeded equal distribution of civic rights to all citizens. In this struggle, the bishops invoked the equal dignity of the human person as created in the Image of God as foundational for opposing any discriminatory tendencies on basis of race or ethnicity.¹¹⁸ Yet, added in their teaching is that diversity and inequalities are in accord with the designs of an all-wise God and lie at the root of all organized society. Inequalities should not tempt citizens to sadness

¹¹⁷ TEC, *ACWF*, p. 14.

¹¹⁸ TEC, *ACWF*, pp. 12-13.

and envy.¹¹⁹ Likewise, the TEC argues in favor of promoting equal rights between men and women and explains that the nobility of women is no less than that of men because they are both fashioned by the same hand of God and share the same human nature. Even going further, the TEC adds: “Any customs or laws which are degrading to the dignity of women or which fail to pay them the due respect which is theirs as wives and mothers have to be condemned.”¹²⁰ Yet, a tag is added that a fundamental difference exists between the nature of the two sexes not only as regards physical traits but also in disposition and inclination. Based on such differences, women are relegated to the roles of queen of the home and rearing of children, while men remain breadwinners and heads of the family.¹²¹ Finally, with regards to religious liberty and freedom of conscience, the TEC argues that the *status quo* position between Catholics and non-Catholics cannot be maintained. The individual’s conscience has to be respected on religious matters. Yet, the tendency persists to present the Catholic church as the only reality of the New Testament which has the duty of helping the others to know this truth and to live according to it.¹²²

The above cited aspects indicate that at this stage, the TEC’s social teaching on rights issues and subsequent duties was still strongly influenced by the natural law theory that undergirded this theology. From the references that are made to *Rerum Novarum*, especially in the pastoral letter *Africans and the Christian Way of Life*, the TEC’s social teaching manifests the impact of the Leonine period encyclical social thought. As

¹¹⁹ TEC. *ACWF*, p. 13.

¹²⁰ TEC. *ACWF*, pp. 14-15.

¹²¹ TEC. *ACWF*, pp. 14-15.

¹²² TEC. *UFNT*, p. 27.

Hollenbach notes, a hierarchical understanding of social order provided the only framework within which Leo believed human dignity could be defended. This ambiguity between egalitarian and hierarchical conceptions of society was to persist in the Roman Catholic Church rights theory up to the Vatican II watershed.¹²³ In the above mentioned aspects, TEC's social teaching re-echoes the neo-scholastic vision of a universal teleological order.¹²⁴

From the Tanzanian context point of view, these tensions in the TEC's social teaching reflect two aspects. First, the TEC's initial efforts to address itself to rights issues reflects a church that was emerging from what John Illiffe describes as the era of differentiation within the Tanzanian societies.¹²⁵ The period 1907-1945 in Tanzanian history is described as the age of improvement and differentiation. It is during this period that some Tanzanian societies advanced in terms of wealth and Western education, much more quickly than others, and as a result, they were differentiated. Within a single society some individuals had better opportunities and more ambition than others. Though there might have been some social divisions before colonial rule, it is during the age of improvement that the divisions widened and deepened partly as a result of missionary work, especially in the education field, commercial agriculture, and the development of town-life and welfare. The age of improvement gave Africans new reasons and new means to create unity, but it also created new divisions between Africans on basis of education

¹²³ See HOLLENBACH, *Claims in Conflict*, pp. 45-62.

¹²⁴ See SCHUCK, *That They Be One*, p. 67.

¹²⁵ See John ILLIFFE, "The Age of Improvement and Differentiation (1907-45)," in I. KIMAMBO, A. J. TEMU, eds., *A History of Tanzania* (Nairobi: East African Publishing House, 1969), pp. 123-160.

and wealth, culture and belief. Thus, the TEC while attempting to promote the cause for human rights was being influenced by some of the elements related to this historical setting.

Second, within the Tanzanian church, concerns for rights issues coincided with the building up of local hierarchies. Following the advice of Pius XII in the encyclical letter *Evangelii praecones*, churches in mission lands were being encouraged not only to bring the light of the Gospel to new races and to form new Christians, but also to establish the church on sound foundations among non-Christian peoples, and place it under its own native hierarchy.¹²⁶ The tendency to emphasize the hierarchical structures was still strong not only within the church as an institution but also within social structures and relationships at large. This attitude is exemplified in Bishop Edgar Maranta who in his elaborations on the 1953 pastoral letter states: "The church, itself, is not a society of equals. It is hierarchic in its constitution and consists of two well defined classes: the clerics and the laity. These classes are of divine institution...Hierarchic is not the constitution only of the Church, but also of every form of society, beginning with the family which is the smallest social unit. Wherever human beings unite for a common purpose, we shall always find that some lead and others are led."¹²⁷ As for Bishop Joseph Blomjous, who was a protagonist for the advancement of the role of the laity in the church, his argument is that changes in outlook between the position of the laity and the clergy in the hierarchical structure of the church were essential. For Blomjous, instead of

¹²⁶ See Pius XII, *Lettre Encyclique Evangelii Praecones*. Actes Pontificaux No. 39 (Montréal: Les Éditions Bellarmin, 1951), pp. 8-11, 22.

¹²⁷ See Edgar MARANTA, "The Catholic African and the Present Social Evolution in Africa." *AFER* 1 (1959), p. 227.

presenting the laity and clergy as two competitive camps, and defining the position of the laity in a negative manner, participatory rights of the laity were to be encouraged as a means for the advancement of the church's mission in the secular order.¹²⁸

In addition to these contrasting views of the two bishops, both members of the TEC, the presence of tensions in the TEC's social teaching based on hierarchical concerns has been expressed by Mary Giblin. For Giblin, concerns for hierarchically structured models in the TEC's social teaching as explicated in the 1953 pastoral letter were geared to foster virtue ethics, especially obedience on the side of women rather than to encourage participatory rights for women. Putting emphasis on natural hierarchy of the family meant that the church failed to defend women's dignity in the midst of social change. The enforcement of the idea of men as bread winner and women as queen of the home is according to Giblin one of the factors behind the non-encouraging of women to take their place in public life. This insistence on natural hierarchy between men and women in Christian ideology reinforced male supremacy patterns which were already present. The enforcement of participatory rights needs a clear basis of just relationships rather than hierarchical basis which justifies inequalities in the name of communal harmony.¹²⁹ The TEC's social teaching was still caught up within a setting in which relationships in the three societies responsible for enforcing rights and duties were still strongly hierarchical.

¹²⁸ See Joseph BLOMJOUS, "The Position of the African Layman in the Church," *AFER* 1 (1959), pp. 74-79; *Idem*, "The Function of the African Layman in the Church," *AFER* 1 (1959), pp. 146-152.

¹²⁹ GIBLIN, "Tanzania Women Peasants: An Ethical Theological Reflection," pp. 37-40.

1.1.3 The Fear of Communism: Endangering the Rights of God and Men

In the pastoral letter *Africans and the Christian Way of Life* of 1953 one of the reasons behind the TEC's intervention to give guiding principles to Catholics on their basic rights was to protect them from "...certain Agencies which aim at the destruction of the heart of all human and divine values, the liberty of man, and may try to take advantage of the African people."¹³⁰ Communism is described as being "a little more than a diabolical attempt to abolish not only the rights of man but also those of God." It is inimical to the rights of God because its creed says there is no God, and it endangers the rights of the person because it challenges the right of property ownership which is the surest way to peace and order in human affairs and it propagates the development of the property-less working class, the proletariat, which carries with it the potentialities of class struggle. By supporting the surrendering of individual ownership of property to the state, they become champions of creating a nation of slaves.¹³¹ On the eve of independence, the TEC continues to disapprove communistic atheism mainly because of its having as a goal to do away with all religion. This was judged as inappropriate in Tanzania's religious pluralistic setting where every human being is born with the indestructible right of following his conscience, and the state should have no rights over the religious convictions of its citizens.¹³²

The fear of communism as presented in the TEC's social teaching cannot be fully qualified to be of Tanzanian origins. As Roland Vezeau indicates from a wider African

¹³⁰ TEC, *ACWF*, p. 5.

¹³¹ TEC, *ACWF*, pp. 42-43.

¹³² TEC, *UFNT*, pp. 14, 18-19, 22.

perspective, a penchant was against the expansion of the influence of Soviet Communism in Africa after 1945. Feared in particular were the spreading of the ideals of the Communist International Movement, the forming of communist political parties, and workers' unions in Africa organized on the basis of the Soviet Union model, and the spread of communist literature. Among the targets of communistic expansion were the colonies that were under the Trusteeship of the United Nations, and this was the case for Tanganyika.¹³³ However, a fundamental question is how far was communism a threat to religious freedom and property ownership rights in Tanzania in the years surrounding the attainment of political independence? A survey of some of the key documents on this subject shows convergences and divergences.

According to D. W. Robinson, communism as an organized ideology or political system had made little progress in Tanganyika. Communism was a threat rather than a real danger in Tanzania that was becoming independent. However, this being so, the strength and influence of communism in this country was not to be underestimated. Communist organizations were penetrating the milieu through trade unions, political parties, scholarships and propaganda. Some of the leaders in the government identified themselves as communists. He concludes that "While Tanganyika is not interested in atheistic, materialistic communism, it is very sympathetic to Communism as a form of Socialism and as an effective economic system for rapidly developing the country."¹³⁴ According to Robinson, communists were succeeding in stirring up and encouraging an anti-mission feeling, presenting Christian missions as agents of colonialism and a means of extending

¹³³ See VEZEAU, *L'Afrique face au Communisme*, pp. 19-37.

¹³⁴ See D. W. ROBINSON, "The Church in Tanganyika." *AFER* 5 (1963), p. 263.

imperialistic designs through neo-colonialism. And very often it is communistic influence that encourages the Muslims to stir up enmity and division with the Christians. The danger is accelerated by the ignorance and unawareness of the church at the local level (parish or diocesan) of the potential dangers resulting from anti-Christian influences.¹³⁵ Almost affirming Robinson's observations, the editorial of the review *Notes et Documents* comments that the efforts of communists, both Africans and non-Africans, to infiltrate themselves in Tanganyika was a real threat. Not only was the Communist Party of Tanganyika struggling to get official registration, it was also avowed to nationalize all industries and investments of expatriates and reject all that was labeled foreign in the civil service, in commerce, and even in religious societies. The editorial concludes that though the communist party could not get enough supporters for being registered, there was no value in being optimistic that communist propaganda could not invade Tanzania. Communism was coming to Tanzania via trade unions which were under the influence of the Free Confederation of Communism International. The church leadership had to pay particular attention to the impact of the plague of injecting class struggle in the demand for a just wage.¹³⁶ As for Roland Vezeau, the danger of communism in Tanzania was a later development especially after the union of Tanganyika and Zanzibar. Despite the facts that Tanzania established diplomatic relationships with China in 1965, and communist propaganda was already circulating in Tanzania, it is only with the appointing of members of the Communist Party of Zanzibar such as Abdullah Rahman Mohamed Babu in the

¹³⁵ See ROBINSON, "The Church in Tanganyika." pp. 263-4; *Idem*, "Religion: Conscience and Guide of Society." pp. 110-124.

¹³⁶ *Notes et Documents* 29 (1962), pp. 262, 362-64.

union cabinet of ministers that the potentiality of expanding communist ideology in Tanzania became imminent. The real fear was in seeing a communist base being developed in Eastern Africa.¹³⁷

Jan van Bergen put the above concerns and views into a broader perspective. According to van Bergen, "The fears of Communism, Socialism and Marxism were heavily influenced by the fact that the Churches in Tanzania are in close contact with the Churches of the northern hemisphere. It is a part of a European heritage to fear Communism, its materialistic features, its restrictions of individual freedom, its atheistic tendencies as shown in Russia and some East European countries."¹³⁸ Thus, transposing this legacy of the northern hemisphere context to the Tanzania churches, the super development of scientific socialism of the type seen in some East European countries, the increasing Chinese influence, the spread of Mozambican and Angola influences, the rise of the super left wing at the university of Dar es Salaam, and the attitude of the government owned news papers were all feared.

The fear of communism also affected the position and attitudes of the churches on the various national building processes after independence.¹³⁹ While the TEC was well intentioned in encouraging Catholics in Tanzania to be in the front ranks in promoting the common good and rights issues within a pluralistic setting, the fear of communism accompanied by the warning against mixing religion and politics on the side of the clergy,

¹³⁷ See VEZEAU, *L'Afrique face au communisme*, pp. 96-111.

¹³⁸ See Jan P van BERGEN, *Development and Religion in Tanzania. Sociological Soundings on Christian Participation in Rural Transformation* (Madras, India: The Christian Literature Society (CLS) & The Interuniversity Institute for Missiological and Ecumenical Research Department of Missiology Leiden, The Netherlands, 1981), p. 237.

¹³⁹ van BERGEN, *Development and Religion in Tanzania*, pp. 237-272.

bred suspicious attitudes.¹⁴⁰ Most likely, it is this fear of communism that serves as part of an explanation for the unheard voice of the Tanzanian Catholic Church on human rights issues that Robinson raises in relation to the role of religion as conscience and guide of society. "People fear that government, in its effort to build a unified society and effect rapid progress in improving the social and economic condition of its people, has begun to infringe upon the basic rights and dignity of its people. They feel that the churches should speak out concerning what sometimes appears to be flagrant abuses and infringements on human liberty."¹⁴¹ In his long list he includes complaints on issues such as rustification and detention without trial or public hearing, a lack of true democratic process in the election of leaders, the conscription of forced labor under the name of "self-help" efforts, and the restriction of freedom of expression through intimidation and threats of retaliation.¹⁴² As we will see, the fear of communism persists in the TEC's social teaching up to the clarifications that were made in the pastoral letter *Peace and Mutual Understanding of* 1972.¹⁴³

With this touch on the fear of communism, a panoramic survey of the milieu in which human rights were to be pursued in independent Tanzania is completed. Catholic Bishops took an initiative to give guiding principles to the faithful so that basic rights of

¹⁴⁰ During the General Meeting of 1963, the Bishops state "We likewise wish to warn you of the danger of clergy and religious being actively engaged in politics. As you well know, the church is above and outside of politics and being committed to no one political system, party or government. Its only concern is to see that the basic rights of man are respected and that society is ruled according to right reason and human dignity." See TEC, Plenary Meeting 18 July 1963, *TEC Files*, 1963, p. 3; See also D. W. ROBINSON, "The Church's Responsibility In The Social Field," pp. 167-74.; *Idem*, "Religion: Conscience and Guide of Society," pp. 113-18.

¹⁴¹ See ROBINSON, "Religion: Conscience and Guide of Society," pp. 115-16.

¹⁴² ROBINSON, "Religion: Conscience and Guide of Society," p. 116.

¹⁴³ TEC, *PMU*, pp. 7-13.

the human person could be known and satisfied. Towards the achievement of this goal, the TEC saw in theory, the paradigm of a pluralistic society milieu the means for balancing the promotion of the rights of individuals, of the family, and of the various groups in the nation, and at the same time putting emphasis upon the duty of the state and the various ideological groups to foster the common good. In practice, the TEC's approach reveals problems of the impacts of hierarchical concern and of the fear of communism. The outlook on the TEC's approach remains incomplete without examining the objects of rights and duties that were singled out as being of crucial importance in the making of a new nation, and what they reflect of the Tanzanian situation.

1.2 Objects of Rights and Duties

1.2.1 Controversies over the Education Right

What is suggested in the three pastoral letters is that the precision of TEC's position on the education right was a gradual process. The two original preoccupations as indicated in the pastoral letter of 1953 were, on one hand, a determination to defend rights of the parents to have their children educated according to the dictates of their religious convictions and the subsequent survival of denominational schools in independent Tanzania. On the other hand, Catholic Bishops wanted to respond to the accusation that Christian schools were less truly African than Native Authority Schools both in character and outlook.¹⁴⁴ Within a period of seven years, the TEC reached a compromise on how to advance the education right in a pluralistic society milieu.

¹⁴⁴ TEC. *ACWF*. pp. 24-30.

Concerning the rights and duties of parents to educate their children, the TEC stood for a basic ideal that education embraces the whole man and it means the developing of faculties of mind, heart, and body.¹⁴⁵ Subsequently, all three agencies, the family, state and church have indispensable parts to play in promoting the education right.¹⁴⁶ From this ideal, the TEC holds that freedom of conscience of Christian parents should be respected because the right to educate children comes to the family directly from God. Parents have the right to send their children to schools where they will receive instruction and education that conforms to the divine truths revealed by God. They should retain the right to choose schools and teachers where Catholic education would be guaranteed.¹⁴⁷ Whereas the state can intervene to provide material and human resources, must safeguard the natural rights of the child and the supernatural rights of the church. The divinely received prerogative of parents to have their children educated according to the dictates of their conscience is a right that is more sacred than the rights of the state.¹⁴⁸ As a matter of fact, the original stand of the TEC was that at all costs there must be Catholic schools in independent Tanzania. This stand is expressed thus: "In cases where the state may wrongfully refuse to make provision for Catholic schools, the church is obliged to come to the rescue of the rights of the children, and with the assistance of heroic parents, she builds, manages and finances her own schools."¹⁴⁹ What the TEC stood for was the preservation of the free

¹⁴⁵ TEC. ACWF, pp. 21&30.

¹⁴⁶ TEC. ACWF, p. 21.

¹⁴⁷ TEC. ACWF, pp. 21&24.

¹⁴⁸ TEC. ACWF, pp. 26-27.

¹⁴⁹ TEC. ACWF, p. 30.

initiatives of the family and ideological groups, especially the Catholic church, in advancing the education right and protecting Catholic interests in the education realm.¹⁵⁰

In the background of the TEC's teaching, was the legacy of the formal educational system that was developed in Tanganyika during the colonial era.¹⁵¹ As Marjorie Mbilinyi indicates, three different school systems were developed in a pyramid-like structure: African, Asian, and European. The church's main focus was on African education where it run the majority of the schools. There were two categories of mission schools: mission-unassisted schools (Standard I to IV), and mission assisted schools which received grant-in-aid from the government. According D. W. Robinson, one of the key sources for conflicting interests between the church and the aspirations of the newly emerging nations in the advancement of the education rights was that historically the church developed the institution of school at a time when the state had neither interest nor capacity to develop an organized system of schools. With the coming of independence, the church was confronted by the survival of her privileged position in this field.¹⁵²

Administration efforts to control mission education began as early as 1927. The Education Ordinance demanded that grants-in-aid to mission schools was to be eased on certain conditions: usage of Swahili as an education medium, having sufficient and qualified teachers, and following the set syllabi. With the Native Authority Ordinance of

¹⁵⁰ TEC, *ACWF*, p. 28.

¹⁵¹ Marjorie MBILINYI, "African Education During the British Colonial Period," in Martin KANIKI, ed., *Tanzania Under Colonial Rule* (London: Longman, 1979), pp. 236-275.

¹⁵² See ROBINSON, "The Church, Schools and Religious Liberty," *AFER* 7 (1965), pp. 9-10; See also H. JOWITT, "Education in Changing Africa. Today's Challenge to the Church," *AFER* 1 (1959), pp. 92-104; Richard WALSH, "The Outlook for Catholic Education," *AFER* 3 (1961), pp. 1-2.

1926, opening up and expansion of Native Authority Schools was encouraged.¹⁵³

Actually, the TEC in the 1953 pastoral letter responds to the situation of the Ten Year Education Plan of 1946-55. During this period focus was on advancing primary education with an objective of getting 36% of the primary age group enrolled in Standard I to IV. District and Middle Schools were to be extended to include Standards V and VI. In 1958, the pyramid structure of lower primary school (Standards I to IV), middle school (Standard V to VIII), and secondary (Standard IX to XII) was established. By 1956 most of the local decisions on education were placed under the control of district committees consisting of missions, Africans, and government officials. With the establishment of District Education Officers uniformly throughout Tanganyika, conflicts between the government and missions were inevitable. Friction originated from a desire for a more centralized education mode and less funds being eased to mission run schools.¹⁵⁴ One of the major challenges of the new government was how to do away with racial bending of separate schools for the three races, and how to integrate the existing school systems of native, public and denominational schools into the one state educational system. Thus, the First Five Year Development Plan (1964-65) aimed at expanding secondary and primary

¹⁵³ Between 1945 and 1961, there were 1000 primary schools (200 government and native authority and 300 assisted mission schools plus 500 unassisted registered mission schools. Of the 18 secondary schools, 8 were owned by the government and native authority, and 10 were owned by missions. Of the 24 teachers training colleges 8 were owned by the government, and 16 were owned by Christian churches, and one university college for the whole of East Africa. See MBILINYI, "African Education During the British Colonial Rule," pp. 250, 264-5.

¹⁵⁴ As such, the Tanzanian situation was not an isolated case. As G. A. Auger notes, one of the inevitable consequences of gaining political independence in Africa was that the school system was to be integrated into the national system that was to treat all citizens equally. See G. A. AUGER, "Situation de fait de l'enseignement catholique en Afrique et à Madagascar," in J. MOERMAN, ed., *L'enseignement catholique au service de l'Afrique* (Tournai, Belgium: Office International de l'Enseignement catholique (O.I.E.C), Casterman, 1966), p. 57; See also MBILINYI, "African Education During the British Colonial Rule," pp. 265&268.

education so as to actualize the localization of high and middle level manpower. As Robinson makes a point, the intention of government was not necessarily to nationalize schools by taking over the ownership and management. It wanted to exercise absolute control over schools by controlling registration of schools, registration of teachers, admission and dismissal of pupils, syllabi, textbooks supervision and inspection. The churches were to be left with ownership and partial management. In independent Tanzania, the government allowed denominational schools to retain an ideological character, provided they admit pupils of any religion and provide for freedom of conscience and instruction in any religion of choice. The government was demanding that the ideological character of the school be compatible with the provision of efficient instruction and training and that there should be avoidance of unreasonable public expenditure.¹⁵⁵

What Robinson indicates is that on the eve of independence, the TEC in collaboration with other Christian denominations influenced the incorporating of the basic right that children be educated according to the wishes of their parents into the new Education Ordinance in Tanganyika. However, in practice the principle of freedom of choice of school was interpreted to mean a right to choose a school because of its academic standard or proximity, rather than to mean a choice of a kind of education. Within the post-colonial education planning, priorities were given to the economic and practical needs of the country. Religious aspects in the state educational system were to be ranked secondary.¹⁵⁶

¹⁵⁵ See ROBINSON, "The Church, Schools and Religious Liberty," pp. 11-12.

¹⁵⁶ See ROBINSON, "The Church, School and Religious Liberty," p. 12.

A second preoccupation of the TEC regarding the education right was related to an accusation that Christian schools are less truly African than Native Authority schools in that they do not reflect the African aspirations and African culture. The TEC presents the gist of the problem thus: "It is sometimes said, or implied that Christian schools are less African in character and outlook than those called Native Authority schools. Apart from the fact that the State schools have easier access to the public monies of the Native Authority treasuries and have no distinctive religious affiliations, it is difficult to understand the justification there can be for such an accusation."¹⁵⁷

Responding to such accusations, the TEC enumerates the conditions that mission schools were meeting for qualifying to be at par with state schools in the country and to be eligible for receiving grants from the government. Mission schools followed the same syllabus as state schools, children enjoy necessary amenities and are taught by African teachers, and have supervisors and control as is recommended for institutes of learning. The TEC concludes that such accusations are used as a means for denying Christian schools the same financial assistance as other schools.¹⁵⁸

Despite the TEC's explanations, certain scholars point to the weaknesses of Catholic education in relation to the African aspirations and cultural milieu. According to Richard Walsh, the Catholic church was offering education that was still or appeared as yet so heavily Western, heavily under European control and hierarchically foreign. Denominational schools were causes of dissension and disunity, and the reason for the nonseparation of religious motivations from purely academic secular purposes of imparting

¹⁵⁷ See TEC. *ACWF*, p. 28.

¹⁵⁸ TEC. *ACWF*, p. 28.

knowledge. Walsh concludes that while in the colonial era it was easy for the church to argue strongly in favor of its rights of ownership and control of schools, the attainment of political independence meant that new governments had as a priority in the field of education not to tolerate a state within the state.¹⁵⁹ In the same line of thought, John O'Connor maintains that Catholic education needed immediate reform in several areas. There was a need for reorientating Catholic schools from being examination factories and coaching students to pass examinations, to imparting knowledge that had relevance to the African life settings. For O'Connor, there was still much desired within the Catholic school system in terms of teaching subjects related to the immediate African environment. It was also necessary to make a shift from religious instructions focused on *do's and don'ts* to training the future adult laity of Africa for carrying on a mature Christian dialogue with the world.¹⁶⁰ At least from the testimony of these two scholars, the Catholic school system was far from being perfect in terms of advancing African cultural values.

A shift in the TEC's position on the education right is observable in the pastoral letter *Unity and Freedom in the New Tanganyika*. In this letter, the TEC reaches a compromise of integrating the promotion of the right to education into the paradigm of the pluralistic society milieu.¹⁶¹ Once the TEC accepted the paradigm of the pluralistic society as a means for ensuring the essential freedom of the person, the rights of the family, the rights of different ideological groups, and right and duty of the state to foster the common

¹⁵⁹ See Richard WALSH, "The Outlook For Catholic Education," p. 6; See also NYERERE, *Freedom and Unity*, pp. 178-180.

¹⁶⁰ See John O'CONNOR, "The Social Dimension: Need of Mission Education," *AFER* 7 (1965), pp. 147-148; See also WALSH, "The Outlook For Catholic Education," p. 9; J. O'CONNELL, "Will the Success of the Church Continue in Africa?" *AFER* 8 (1966), pp. 134-145.

¹⁶¹ TEC, *UFNT*, pp. 5-6.

good,¹⁶² then, the education right was inevitably linked to several goals in the new nation. Within the domain of cultural pluralism the TEC related promotion of the education right to the bridging of gaps among the citizens. Arguing in favor of obliging the state to provide further education to its poorly educated citizens, the TEC explains:

“In regard to those unfortunate people who for one reason or another, have not had the opportunity of education, or very little at most, it is evident that they have a right to better education according to their capacities. Their pitiful educational position cannot be regarded as something about which nothing more can be done. They have a right to further knowledge and to further development of their intellectual faculties with which God has endowed them.”¹⁶³

Instead of considering the uneducated as outcasts of society, the TEC affirmed the advancement of their education opportunities as ensuring that the same civic rights are guaranteed to them, and that opportunity of livelihood and dignified living would be widened.¹⁶⁴

Based on the principle of social pluralism, the TEC preferred that the state has to allow for parallel systems of public and private social services. The various groups, often differing as to religion or ideology, have to be given a chance for rendering particular services to the community and to society in the form of temporal institutions and activities which are not of the political order. The government has to encourage the rightful role of private initiative in the social field. Services instituted and managed by the state have to exist side by side with services and institutions managed by private agencies according to

¹⁶² TEC. *UFNT*. p. 12.

¹⁶³ TEC. *UFNT*. p. 8.

¹⁶⁴ See TEC. *UFNT*. p. 9.

their ideological outlook but forming one part of the one public system, controlled by the state. It is in here that the TEC reaches a compromise that the different groups which carry out social services in cooperation with the state must avoid the ghetto spirit and isolationism and excessive sectarianism in the performance of services for the common good.¹⁶⁵

At the core of the TEC's new compromises on the education right was the impact of the implementation of the policy of Equal Opportunity that UNESCO's planning mission had proposed to the government in Tanzania.¹⁶⁶ UNESCO's plan for Africa that was becoming independent was that education planning was to be integrated into the totality of planning for economic and social development. UNESCO's advise to member countries in Africa aimed at making four main adjustments in educational systems: extending primary and secondary education opportunities to children in the new nation, fighting illiteracy, building up new schools and revising the teaching programs, and adapting them to the needs of the individual and society at large. During the general meeting of 1958, the TEC approved the importance of treating all citizens equally in matters concerning education in the nation and approved the new recommendations. Catholic Bishops drew attention to the importance of not limiting religious motivations only to the formal school system.¹⁶⁷

¹⁶⁵ See TEC, *UFNT*, pp. 6, 11, 13.

¹⁶⁶ See General Meeting of March 4, 1958, *TEC Files*, 1958, pp. 6-7.

¹⁶⁷ See General Meeting of March 4, 1958, *TEC Files*, 1958, p. 7. See also M. E. BILLE, "Activités de l'UNESCO en Afrique subsaharienne et à Madagascar dans le domaine de l'éducation," in MOERMAN, ed., *L'enseignement catholique au service de l'Afrique*, pp. 221-2.

The TEC's compromise for integrating the Catholic education system into priorities of the new nation in a pluralistic society milieu was assessed by the Pan African Conference on Catholic education not only as convenient but also as possibly feasible elsewhere in Africa. As M. Ekwa admits, while the education right necessarily has to involve state intervention in planning for unity, development, and imparting of cultural values and patriotism of the whole nation, the state must not impede respecting the consensus of individual families and other groups involved such as the church. Needed was mutual understanding and collaborating harmoniously.¹⁶⁸

The TEC's progressive clarification of its position on education right led to positive elements. Above all, the Catholic Church in Tanzania was helped in articulating its outlook on Catholic Education, and separating motivations related to the right to religious liberty and the goals of secular school educational systems. The gist of TEC's original stand on the education right as expressed in the 1953 pastoral letter is that the rights of the child and the supernatural rights of the church were still inseparable. The TEC's defending the rights of parents to determine the education right for their children was part of searching for an answer on where to situate the right of religious liberty in the new national independent education programs.¹⁶⁹ At this stage, there was a fear of legislation

¹⁶⁸ See M. EKWA, "L'enseignement catholique dans la pensée actuelle de l'Église," in J. MOERMAN, ed., *L'enseignement catholique au service de l'Afrique*, pp. 163&165, See also G. A. AUGER "Situation de fait de l'enseignement catholique en Afrique et à Madagascar," in J. MOERMAN, ed., *L'enseignement catholique au service de l'Afrique*, pp. 58-9.

¹⁶⁹ Following Ekwa's analysis, the influence of Pius XI's *Divini Illius Magistri* had not yet given way to John XXIII's *Pacem in Terris* ideas on reading the signs of the time on the importance of merging together cultural and spiritual needs of the people. Promoting the education right and promoting Catholic education were still considered as being under the same institutional umbrella. The church's expectation was that the school system had to transmit to students an integrally Christian perspective on life, the world and society. What the church feared was that the educational system that is fully under state control could endanger the mission of the church to give Catholic education to children. See TEC, *ACWF*, p. 26; See

which might aim at curbing the church's freedom in giving Christian education to children in schools, and the refusal by the government to subsidize confessional or denominational education. As Robinson notes, once the newly emerging African nations faced the problem of building a unified nation, welding society together into a community of equal citizens, and raising the educational standard of the country, the status quo had to be changed. While respecting the religious nature and aspirations of its peoples, the government fosters religion in schools, provides place and time in the syllabus for religious instruction and worship. But there could no longer be any preferential treatment of any particular religion. It was now up to the parents and the churches to supply religious upbringing and worship to their children.¹⁷⁰

This became the occasion of affirming that the church should be ready to adapt to the changing situation, exploiting other means of Christian formation while experimenting with new forms and methods. This included experimenting with and developing pastoral means which could be more effective than traditional means of providing Catholic education and training all Catholics without dependence on a school system as such. Above all, this demanded involving the laity in running schools and playing a more active responsibility in the pastoral formation of their children. Sound programs of catechetical, liturgical and apostolic formation of children in and out of the school milieu were seen as essential. Continuous formation had to help the catholic citizen attain a certain maturity. According to Robinson, "It is through this penetration and impregnation of human society

also EKWA, "L'enseignement catholique dans la pensée actuelle de l'Église," p. 166; AUGER, "Situation de fait de l'enseignement catholique en Afrique et à Madagascar," p. 59.

¹⁷⁰ ROBINSON, "The Church, Schools and Religious Liberty," pp. 9-10; See also WALSH, "The Outlook For Catholic Education," p. 9; See also AUGER, "Situation de fait de l'enseignement catholique en Afrique et à Madagascar," p. 66.

through its informed and responsible Catholic citizens that the Church is able to be instrumental in bringing about an environment that respects human dignity and religious liberty, is conducive to Christian living, and creates a climate favorable to the reception of the Gospel.”¹⁷¹ Slowly the Catholic church in Tanzania realized that while direct influence of the clergy in educational field was more and more diminishing, it was up to the laity to fulfill their obligations and exercise their rights not only in the education but also in the religious liberty sphere. What the clergy needed to do was to teach the parents principles about their obligations.

1.2.2 Property Rights

The TEC rates the right to own property among the inviolable rights which the state or any other competent authority may in certain cases regulate in the interests of society, but must always respect and never under any pretext ignore or abolish.¹⁷²

However, the two aspects which preoccupied the TEC during the period of attaining independence were safeguarding the rights of individual property ownership against the dangers of communism and warning against the misuse of property ownership rights that condemns the majority of the population to misery and envy.¹⁷³

In view of protecting the faithful from the plague of communism, the TEC argues that one of the first laws of nature is that every person has the right to possess private property and use it as his own. Provided private property is used in a reasonable way, it is

¹⁷¹ See ROBINSON, “The Church, Schools and Religious Liberty,” p. 21.

¹⁷² TEC. *ACWF*, pp. 11-12.

¹⁷³ TEC. *ACWF*, pp. 40-44.

the surest way to peace and order in human society and it is at the heart of man's liberty.

In the 1953 pastoral letter the TEC interpreted the creating of a property-less class society as a source of frustration and bitterness and imposing upon people a yoke that is comparable to slavery.¹⁷⁴ What the TEC rejected was the surrendering to the state the rights to property ownership as a means for ameliorating and redressing injustices and dignity of the property-less working class.¹⁷⁵

The TEC's second concern is the misuse of property ownership rights. The bishops interpreted greed and cunning of a few evil persons as frequently resulting in the condemning of the majority of the people to a degree of want which undermines the dignity of the human person.¹⁷⁶ In order to curb such tendencies, it is the duty of the state to safeguard the welfare of its citizens, and supervise and regulate the exercise of individual ownership rights for the interests of all. The TEC's compromise on this aspect is that the state has to make sure that every one is able to obtain what is required to feed, clothe and house a family. The bottom line is that each citizen is entitled to possess what is necessary for enjoying a reasonable standard of comfort. The TEC promised to be cooperative in making sure that Tanganyika was not to fall victim of the social plague of tolerating a state of affairs whereby a few live in luxury alongside the many whom they exploit and condemn to want. This state of affairs, is one of the most shameful crimes any government can commit.¹⁷⁷

¹⁷⁴ TEC, *ACWF*, pp. 42-43.

¹⁷⁵ TEC, *ACWF*, pp. 40-43.

¹⁷⁶ TEC, *ACWF*, p. 42.

¹⁷⁷ TEC, *ACWF*, p. 43.

From the perspective of the Tanzanian situation, the TEC's emphases reflect first, the legacy of contacts with the churches in Western Europe. Defending individual property ownership rights was part of the strategy of protecting Tanzania from falling into the orbit of communist state models. As Bishop Maranta explains, the true conflict was centered on the understanding of the origin of the right to property ownership. Whereas communism evaluates property as a human invention and puts it under state control, this becomes incompatible with the inviolability of the right to own property when grounded in human nature understood as originating from and related to the Creator. It is because the individual and the family are older than society that this right belongs to them and cannot be encroached by the state.¹⁷⁸ The fear of communism and its view of property ownership rights continued to haunt the Tanzanian church up to the clarifications that were made in the pastoral letter *Peace and Mutual Understanding* of 1972.

Second, the TEC's focusing on the dangers of misusing the property ownership rights reflects the situation of Tanzanian societies that were emerging out of the age of differentiation.¹⁷⁹ Within the pyramidal three race system, the African majority were the least privileged in the distribution of material wealth of the territory. Ansu Kumar Datta demonstrates well in his statistical analysis that the African level of material property ownership was still very meager and even at the subsistence level when compared to their European and Asian counterparts. What Datta brings to light is that estimates on the lines of ethnic groups and classes in the Territory of Tanganyika revealed that the upper income

¹⁷⁸ See MARANTA, "The Catholic African and the Present Social Evolution in Africa," pp. 191& 228.

¹⁷⁹ TEC. *ACHF*, pp. 43-44.

group (people who owned large estates or plantations, private firms) were mainly European settlers; then the Asians occupied a moderate second place and the majority, the indigenous people, are the lower income group. Property owning Africans on the Western monetary standards included mainly unskilled laborers, petty farmers working either for cash crops or subsistence or both, other menial staff and domestic servants.¹⁸⁰ According to Datta, within the pyramidal class-structure in the 1950's, changes in ownership rights were on the way as independence approached, but structures were hard to change. Despite the policies about ethnic pluralism, the fate of the African's property ownership rights was being aggravated by land alienation and taxation. The complicatedness of land ownership rights is confirmed by Leonard Kenworthy when describing the Tanzanian situation at attainment of independence: "Land ownership: much of the land of Tanganyika is communally owned by tribes, although they have some individual ownership of small plots. Freeholds were granted by the Germans to some persons, especially of land in Dar-es-Salaam and Tanga. A third type is of ownership of the Right of Occupancy up to 99 years. Some land is also set aside for forests and game parks."¹⁸¹ In Kenworthy's presentation, the African majority owned the least developed sector of the economy, i.e., land.

Thus the TEC's insistence upon the fact that misuse of private property ownership rights can condemn the majority to misery, is in line with the observations made by Sophia Mustafa and Yash Gai. According to these two scholars, on the eve of independence in Tanzania, the real dynamite that had potentialities of exploding was the inequitable

¹⁸⁰ DATTA, *Tanganyika: A Government in a Plural Society*, p. 25.

¹⁸¹ Leonard KENWORTHY, *Tanganyika. A Background Paper* (Brooklyn, New York: World Affairs Materials, Brooklyn College, 1961), p. 9.

distribution of wealth among the three races.¹⁸² The TEC warned against the tremendous gaps that were existing on the eve of independence in Tanzania. As independence approached, it was necessary to reject modes of property ownership that would enslave free citizens. On the eve of independence, Nyerere addresses this concern thus:

“There is another thing that we have inherited from the past which again makes it difficult for us to move on without difficulty to reach our goal. This is one of economic situation of the country and that is why I said I would like to end on a seemingly materialistic note. The goal which we set in front of us is a noble goal. The road to it is not going to be smooth. One of our difficulties in the past was the distribution of wealth. The division of any society into the haves and the have nots, is dynamite. Here it is aggravated by its identification with the racial division also. The haves here are generally the immigrant minorities; the have nots are the indigenous majorities.”¹⁸³

Apart from these two explanations, it is hard to reconcile certain aspects of the TEC's approach to property ownership rights during the independence period with the cultural and traditional setting of property ownership within the Tanzanian societies. Whereas focus is on the right to own property from the perspective of the individual, traditional African societies visualized ownership rights from the communal perspective. Individual property ownership rights were valued in terms of distribution rather than competition, individual grandeur or dominating others. As it will be indicated in the second chapter, these were some of the key issues that the TEC had to struggle with in its social teaching during the Ujamaa Socialism period in supporting the human-centered development right.¹⁸⁴

¹⁸² See MUSTAFA, “Racial and Communal Tensions in East Africa.” pp. 52-54; GAI, “Prospects for Asians in East Africa.” pp. 10-12.

¹⁸³ See NYERERE, *Freedom and Unity*, p. 80.

¹⁸⁴ See NYERERE, *Freedom and Unity*, pp. 9-10.

1.2.3 The Right to Religious Liberty: State and Church Interests

What is remarkable in the three pastoral letters is that it was not under circumstances of a persecuted church that the TEC initially addressed itself to the promoting of the right to religious liberty. In fact, in the pastoral letter of 1953, the bishops reveal that they were not only satisfied about numerical success of converting more than a million Tanzanians to the Catholic faith and building up the local hierarchies, but also they had an expectation that the church was to play an important role in the critical years of making of a new nation.¹⁸⁵ The TEC wanted to assure the survival and thriving of both the rights of God and the liberty of human persons on the basis that Christianity is essentially a way of life. For the TEC, the building up of a nation of free citizens demanded the respect for the rights of God as the only unmovable pillar round which to build any society.

However, from a strategic point of view, it is in the pastoral letter *Unity and Freedom in the New Tanganyika* that the TEC concentrates on how to find a true solution to the practical challenge arising from living in a religiously pluralistic society.¹⁸⁶ In the first place the TEC aimed at protecting Tanganyika from falling victim of undesirable forms of religious pluralism. Rejected was a religious pluralism that would put all religious truths on par and impede conversions from one religion to another. Equally not approved was religious pluralism that aimed at fusing all religions into one syncretistic religion or communistic atheism with its agenda of doing away with all religions. The TEC was

¹⁸⁵ TEC, *ACWF*, pp. 52-53; See also Sadoth RWEYEMAMU, Theobald MSAMBURE, *The Catholic Church in Tanzania* (Ndanda, Peramiho: Benedictine Publications, 1989), pp. 55-58.

¹⁸⁶ TEC, *UFNT*, p. 14.

neither in favor of religious pluralism that aimed at creating a state religion thereby forcing all citizens to adhere to this one religion. However, what becomes evident is that during this first period, the problem of hierarchical structures and truths was unresolved. On one hand, the TEC acknowledges that “Every human being is born with the indispensable right of following his conscience. This right will apply to every field, especially to the religious field, where a person is free to choose his religion and worship God in the way his conscience commands him.”¹⁸⁷ The TEC completes its position on this matter by confirming that an act of faith must always remain the highest expression of liberty and that what applied to Catholics was to apply to people of other faiths.¹⁸⁸ The TEC spoke in favor of openness to the existence of different religions, recognizing the presence of some truth in all religions and the sincerity of their adherents. Hence, neither the church nor any society or persons in society can offer the gift of faith.¹⁸⁹ Yet, within the same pastoral letter, the TEC argued that it is inappropriate to maintain the position of accepting that one religion is as good as another, a position that could easily lead to religious indifferentism. “While recognizing the existence of all these other Christian bodies, we yet believe that the Catholic Church alone is the reality of the New Testament.”¹⁹⁰ At this stage, the desire to convert others was not yet reconciled with the right to religious liberty.

Besides taking this position on religious pluralism, the TEC wanted to have an assurance that the state would fulfill its duty of fostering and taking care of religion.

¹⁸⁷ TEC, *UFNT*, pp. 18-19.

¹⁸⁸ TEC, *UFNT*, p. 19.

¹⁸⁹ TEC, *UFNT*, pp. 14-19.

¹⁹⁰ TEC, *UFNT*, pp. 16-17, 27.

The TEC argues that it is due to the fact that the state has to foster the common good that it has to take care of religion. Society is inconceivable if it leaves out the vast majority of the citizens outside of a vital recognition of their dependence on God and their obligations to Him.¹⁹¹ At the same time, the TEC argued that the state should have no rights over the religious convictions of its citizens. In performing public responsibilities, the state must do so in the best interests of all, with complete impartiality as regards beliefs and religion. No public servant should take advantage of his title to foster any particular religious persuasion. The TEC rejected the using of political instruments or political power, and social services such as education, medical facilities as means for converting others to faith. According to the TEC, “The opportunist use of political and social activities as a short cut to conversions would be an indefensible diversion of the immediate aims of these essentially temporal activities and could endanger very seriously the essential freedom and necessarily supernatural motives of the act of faith.”¹⁹² Though seeking a guarantee for the state’s protecting of the right to religious liberty, the TEC categorically rejected any special prerogatives being given to the Catholic Church within a pluralistic society milieu. The TEC stood for the ideal that the state’s guaranteeing freedom of religion implies:

“...first, that the state cannot force any citizen to practice a religion and perform the acts of a cult repugnant to his conscience; secondly that, in acquitting itself of its responsibilities towards the public, the state must do so in the best interests of all and with complete impartiality as regard beliefs and religions; finally, that no public servant has any right to show himself biased in favour of his coreligionists in the carrying out of his duties; still less

¹⁹¹ TEC. *UFNT*, pp. 21-22.

¹⁹² See TEC, *UFNT*, pp. 27-28.

is he entitled to take advantage of his position as a servant of the public to favour unduly the organs of any particular religious persuasion.”¹⁹³

In addition to these, though confirming that the church has no competency in temporal affairs, the bishops wanted to have another guarantee from the state. In cases where temporal and supernatural motivations converge, such as in education, and marriage legislation, the right and duty of the church to safeguard the religious aspect of such matters should be granted by the state.¹⁹⁴

The TEC’s social teaching on the right to religious freedom reflects attempts of safeguarding religion in Tanzania as a secular state and protecting it from falling into the orbit of communistic atheism. Already in the struggle for independence the slogan used by the political leadership was that politics has no religion. As Maranta points out, the church needed to resist “...certain tendencies which would like to relegate the powers of the Church to the precincts of the Sacristy, excluding it from the field of social and educational life.”¹⁹⁵ Though advocating the separation of church from state, the TEC stood for the principle of keeping religion as the conscience and guide of society. As Robinson puts it “it is the role of religion in society to give society, and its governing body, the state, its ethical content, its moral code, its nature, purpose and direction, so that it is meaningful to itself and to all its members.”¹⁹⁶ According to Robinson, the exclusion of religious influence in

¹⁹³ Violations of some of the principles that the TEC proposed for a pluralistic Tanzanian milieu have been at the origins of accelerating the Islamo-Christian conflicts. This point will be developed in details in the third chapter. See TEC, *UFNT*, pp. 22, 23-25.

¹⁹⁴ TEC, *UFNT*, p. 25.

¹⁹⁵ See MARANTA, “The Catholic African and the Social Evolution in Africa.” p. 226.

¹⁹⁶ See ROBINSON, “Religion: Conscience and Guide of Society.” p. 113.

public life and attempts to enforce fake compromises could do harm to various religious beliefs and practices.

The right to freedom of worship in Tanzania was closely related to freedom of expression and freedom of peaceful assembly. For a greater part, the tendency of the state has been to take religion as a private matter; and from the legal point of view, administration of religion is not within jurisdiction of the state. For Chris Maina Peter, the separation of religion from the state in Tanzania remains an important asset preserving the right to religious liberty and freedom of worship.¹⁹⁷

1.2.4 Voting Rights in a Democratic Setting

Concerns of the TEC on voting rights in a democratic setting centered on creating proper institutions and choice of candidates for leadership who had appropriate qualifications. In the pastoral letter of 1953, the TEC exposes the dilemma of preparing the people of Tanganyika for playing an active part in the development and direction of the country. Seven years later in the pastoral letter *The Truth That Makes Men Free* (1960), the TEC addressed itself to the aspect of choosing candidates in a democratic setting. For the TEC, the first main challenge in Tanzania was how to develop political institutions that were to assure the destiny of citizens in a country emerging from semi-independent tribes, each with its own language, laws, customs, elders and chiefs, to the representative system of self-government. The bishops note:

¹⁹⁷ As Chris Maina Peter indicates, the relationship between the government and various religious organizations have been generally cordial. However, a tendency to intimidate and suppress some small religious groups existed during the colonial era. The only major conflicts were with the Jehova Witnesses and the Watch Tower churches. See PETER, *Human Rights in Africa*, pp. 28-29.

“Until this day of self-government for the peoples of Tanganyika dawns, there is much preliminary work to be done. The foundations of the requisite political, social and economical development need to be well laid; racial and tribal problems must be solved harmoniously and equitably; the people must grow more conscious of their worth, their responsibilities and their duties towards God and one another.”¹⁹⁸

It is from this basic observation that the TEC makes a recommendation that taking a greater share in the government of the country by the majority of the citizens was to start from the level of local authorities up to the legislative council. This demanded creation of institutions that would promote elected representatives and conscientizing the citizens about their duty to exercise their voting rights with discernment. In order to make voting exercise a success, the TEC pointed to the urgency of moral and intellectual training of the people for democratic principles by recommending the extending of education opportunities from universal primary standards to secondary and university levels.¹⁹⁹

What the TEC alluded to in the pastoral letter of 1953 was the dilemma of introducing participatory rights to societies of people who for so long have lived under the system of indirect rule. At the core of the problem was that under Articles 22 and 76 of the Covenant of the League of Nations, provisions were that the trusteeship system shall promote political, economic, social and educational advancements of the inhabitants of the trust territories and their progressive development towards self government or independence.²⁰⁰ Article 22 of the Covenant of the League of Nations pointed to the importance of preparing the integration of the mandated territory's inhabitants in the government and administration of their territory. However, as Chidzero indicates, the basic

¹⁹⁸ TEC, *ACWF*, pp. 35-36.

¹⁹⁹ TEC, *ACWF*, pp. 37-38.

²⁰⁰ CHIDZERO, *Tanganyika and International Trusteeship*, p. 120.

position of the British government throughout the inter-war years favored limiting local participation on government and administration to the spheres of native government. The policy was one of gradually introducing non-Africans settled in the territory plus educated Africans into the central assemblies. While responsible government must be regarded as the ultimate goal for all (Africans and non-Africans), the African was to be limited first to his traditional institutions under indirect rule system. Taking a direct part in national politics was to evolve only eventually. After the Second World War changes in this policy remained for a greater part gradualistic, non-definitive, and paternalistic.²⁰¹ The TEC's 1953 pastoral letter was written within a situation of Tanganyika standing in between the gradualism policy of the British and the enforcement of Article 76b of the Charter of the Trusteeship Council of the United Nations. Stipulations of Article 76b were that the administering authority shall assure to the inhabitants of Tanganyika a progressively increasing share in the administrative and other services of the territory; shall develop the participation of the inhabitants of Tanganyika in advisory and legislative bodies and in the government of the territory, both central and local, as may be appropriate to the particular circumstances of the territory and its people.²⁰²

The problem of independence in Tanganyika revolved around the speed and pace of development towards participatory rights in a democratic setting. While the United Nations put emphasis on universal suffrage, the British Administering Authority was in favour of a qualified franchise and a racially coordinated representative system. In 1948 a visiting mission of the UN recommended that Africans be given seats on the Council to

²⁰¹ CHIDZERO, *Tanganyika and International Trusteeship*, pp. 116-17.

²⁰² CHIDZERO, *Tanganyika and International Trusteeship*, p. 139.

become effective only in 1951. The Trusteeship Council recommended the introduction of electoral legislation and stimulation of political education among the indigenous inhabitants in order to attain the objectives of Article 76b of the charter. Both rural and urban administration began to develop along new lines after the war, with the objective of ultimately creating corporate, elective local government. The first steps in the development of modern local government in Tanganyika began in 1945.

The TEC's 1953 pastoral letter responds to the situation of the coming into effect of the Local Government Ordinance that enacted the "establishment of local county councils, town councils and local councils which were designed gradually to replace the existing authorities of the Native Authority Ordinance."²⁰³ It was the in-between period of maintaining chiefs and bringing in modern changes. The challenge was to maintain the tribal system of chiefs while opening up the society for modern democratic principles. It was not easy to maintain the authority of chiefs while trying to control them from developing into tyranny. It was a challenge to introduce a representative mode of administration that could harmonize the interests of the educated and the progressive elements and those of the conservatives.²⁰⁴

As Datta confirms, the introducing of Western democratic principles in a basically tribal setting population proved hard. Whereas the tribal setting put emphasis on the corporate character of society, modern democratic principles focused on the individual's

²⁰³ See CHIDZERO, *Tanganyika and International Trusteeship*, p. 150.

²⁰⁴ The problem of Tanganyika on introducing representative and participatory institutions was to be tackled as an integral complex requiring not only a statement of policy and provision of legal instruments but a concrete approach through education and training. Traditional institutions were gradually and constructively transformed into elective, representative institutions of local government. The goal was to create institutions that were to transcend tribal and racial interests and differences. See CHIDZERO, *Tanganyika and International Trusteeship*, pp. 144-45, 149-53.

choice of his representatives unencumbered by personal, family and kinship relations. Conflicts were to arise between the individual and his corporate or communal ties especially when it came to voting. Tribal setting favored judging candidacy not on basis of merits; rather, it is status-relationships that were to come first. Establishing voting constituencies in areas where different ethnic groups lived together, there was always the imminent danger of choosing from among one's tribesmen.²⁰⁵

Besides the problematic of destabilized tribal setting by the indirect rule system, the establishment of democratic institutions was more complicated by the parity system which was introduced in Tanganyika in 1954. The challenge of representation in Tanganyika under the racial parity system was that it is race that had to determine the ratio of representation in democratic institutions. Introducing the elective principles in the Legislative Council and in the local self-governing institutions became a pressing issue in the 1950's. The MacKenzie Report recommended a move towards a common role electoral status for Tanganyika. Neither property nor education were to be the criteria for voting eligibility. Universal suffrage was to be introduced in Tanganyika, and this could do away with the parity system which favored the minority groups.²⁰⁶

Within this background, with the approaching date for voting in a democratic setting, the TEC realized the importance of making citizens aware of exercising their voting rights and, if necessary, protecting them.²⁰⁷ Given the fact that the majority of Tanzanians were emerging from the indirect rule setting and the multi-racial system, the

²⁰⁵ DATTA, *Tanganyika: A Government in a Plural Society*, pp. 113-14.

²⁰⁶ DATTA, *Tanganyika: A Government in a Plural Society*, pp. 134-38.

²⁰⁷ TEC, *TMMF*, p. 3.

TEC put emphasis on two fundamentally democratic rights: the importance of freedom of the citizen to express his opinions, and the right not to be compelled to obey without being heard. The citizen has a right to his opinion and has a right to use constitutional methods to make it prevail if possible and take part in selecting his representatives.²⁰⁸

Thus, the TEC's chief advise to the citizen who wishes to exercise his democratic right was to participate in the selection of the candidate. It is on this point of choosing representatives that the TEC inserts in its criteria for candidates who would respect both the rights of God and those of man. Out of the nine qualifications that the TEC proposes, four focused on the four basic rights that the bishops desired to be protected and promoted in the new nation. More precisely, the list includes respecting God's purpose for every human society; the rights of the family as the basic unit of society, religious beliefs of the people, the rights of the parents to educate their children according to their belief; and the rights of any minority groups.²⁰⁹

The general expectation of the TEC was that democratically chosen leaders would respect the rights of the citizens and work for freedom of the citizens, always giving priority to the preservation of the essential dignity of man in peace and mutual understanding. The TEC favored the type of leadership in Tanzania that could foster the common good of society, and at the same time avoid the dangers of leading Tanzania to becoming a totalitarianism state. It is worth noting that the TEC's ideals on voting rights in a democratic setting were in line with the wishes of the African nationalists. As Nyerere indicates, nationalists were in favor of the franchise system on the basis that universal

²⁰⁸ TEC, *TMMF*, pp. 3-4.

²⁰⁹ TEC, *TMMF*, p. 5.

suffrage was the only way to guarantee equal human rights for all citizens. Due to the belief in the equality of human beings, in their rights and their duties as citizens, neither color, nor wealth or education could be used as criteria for voting rights. The usage of two qualifications wealth and education for franchise rights did not reflect the reality of the Tanzanian majority who were poor and uneducated. According to Nyerere, this might have been one of the ways to lead Tanganyika into a totalitarian state. The aspiration of Tanzanians was to achieve full democratic representation by creating constituencies roughly equal in population, and each running one member to the council regardless of race. The Tanzanian situation demanded the banishing from society some inherited prejudices and suspicions via a compromise of assuring the minority that they would have their rights granted and protected after independence, and making the African majority aware that it is not skin that counts in choosing representatives for the councils. The ideal was to make sure that discrimination on basis of color or race was to be avoided right from the making of the nation.²¹⁰

Concluding Remarks

The main focus of this chapter has been twofold. First, exposing the milieu in which human rights were to be pursued in independent Tanzania, and the key human rights issues that the TEC accorded priority in a nation that was gaining its independence from colonial rule. This expository task has been done side by side with an attempt to bring to light what the TEC's social teaching on rights issues reflects of the Tanzanian situation.

²¹⁰ See NYERERE. *Freedom and Unity*, pp. 76-80.

The TEC made a breakthrough to address itself to human rights issues and subsequent duties using the ethical banner of giving guiding principles to Catholics so that basic civil rights might be known and satisfied. The TEC resorted to the paradigm of the pluralistic society milieu as a compromise for assuring that the rights of the family, of individuals and those of ideological groups were to be protected and promoted without losing sight of the duty of the state to safeguard the common good. However, in-between the desired goals, concerns for hierarchical relationships and the fear of communism brought in tensions in the applicability of the TEC's proposed principles.

Despite this tension in the TEC's approach to human rights issues, its teaching became a springboard for clarifications on how to deal with education and religious liberty rights in the new nation. However, the TEC did not offer definitive solutions to all rights issues; the focus on how to reconcile the rights of the individual and those of the community was a later phenomenon. It is appropriate to turn to the second chapter and examine how the TEC made advancements in accepting Ujamaa Socialism as a system in which the rights of the Tanzanians could be pursued.

CHAPTER TWO

THE PURSUIT OF HUMAN RIGHTS UNDER UJAMAA SOCIALISM: 1967-1987

As the first period was marked by the giving of guiding principles to Catholics so that their basic civil rights might be known and satisfied, entry into the second period is characterized by the approval of Ujamaa socialism and emphasis on action taking to meet basic needs that are quintessential for the enhancement of human dignity.²¹¹ At the origin of this modulation was an interplay between external and internal factors. The Second Vatican Council and its immediate aftermath widened the horizon of the TEC on the duty of the church to get actively involved in seeking solutions to proximate challenges to humanity in the modern world. The bishops are satisfied to have been actively represented at this important council. They recommend to the faithful the careful study of *Gaudium et Spes*, and those of Pope Paul VI's encyclical letter *Populorum Progressio* and his message *Africae Terrarum*.²¹² From within the nation, the TEC welcomes Ujamaa as a sign of the time for actualizing the new priorities of the church at grassroots levels. In practical terms the dedicating of 1969 as the Seminar Study Year (SSY), having as objectives to identify the priorities of the church and propose a pastoral plan for action taking to implement the Vatican II ideals, became a springboard for addressing the rights of the individual and those of the community in relatedness to personnel and financial situation within the

²¹¹ TEC. CDST. No. 2; *Idem*, DWKK. pp. 1-2; See also Michael SCHULTHEIS, *Church and Mission in Africa: The Social Teaching of the Church and the Challenge of Maturity* (Washington, D.C.: Center of Concern. 1984); Francisco CLAVER, "The Christian Gospel and Human Rights." *AFER* 21 (1979). pp. 232-241; SANGU, "Evangelization and Development," pp. 1-7.

²¹² TEC. CDST. No. 3.

Catholic church in Tanzania.²¹³ Meanwhile, the birth of *AMECEA* in 1969 and the Synod of Bishops of 1971 broadened the scope of the TEC on how to handle justice issues.²¹⁴ The coming into full operation of *The Peace and Justice Commission* in 1983 gave impetus to the TEC's approach to human rights and duties. The Bishops gave a mandate to this Commission to identify the recurrently violated rights in society, educate the faithful about their rights and social justice, and contribute solutions to pressing rights issues in the nation by using appropriate channels.²¹⁵

This chapter draws on the pastoral statement of 1968 *Ustawi na Maendeleo ya Watanzania* (*Church and Developing Society in Tanzania. Speech of Catholic Bishops on the Occasion of Celebrating 100 Years of the Church in Tanzania* (CDST); the pastoral letters *Uelewano na Amani* (*Peace and Mutual Understanding* (PMU) of 1972, *Drafti ya Waraka wa Kichungaji-Krismasi 1984* (*The Christmas Pastoral Letter 1984* (DWKK), *Barua ya Kichungaji ya Maaskofu Wakatoliki Kwaresima 1985* (*Lenten Pastoral Letter of Catholic Bishops 1985* (BKMW); and publications of the Peace and Justice Commission: *Idara ya Haki na Amani* (*The Peace and Justice Commission* (IHA) of 1986; *Tumwamini Mkulima* (*Priority of the Farmer* (TMK) 1987, *Binadamu ni Nafsi* (*A Human Being is a Person* (BNS) of 1987, and *Kanisa, Ujamaa na Haki Tanzania* (*Church, Ujamaa and Justice Rights in Tanzania* (KUHT) of 1987. We will study the TEC's teaching with two

²¹³ See "THE 1969 SEMINAR STUDY YEAR," *SERVICE* 4 (1969), pp. 1-7; See also Laurenti MAGESA, ed., *The Prophetic Role of the Church in Tanzania Today* (Eldoret: Gaba Publications. 1991). pp. 7-10.

²¹⁴ See *THE FIRST ALL-AFRICA EPISCOPAL SYMPOSIUM HELD AT THE PASTORAL INSTITUTE OF EASTERN AFRICA, GABA 28-31 JULY, 1969* (Kampala: Gaba Publications. 1969). pp. 30-31.

²¹⁵ See PJC, *IHA*, pp. 6-7; Presentation to SECAM Pan-African Seminar on Justice and Peace. Roma. Lesotho. 1-5 June 1988. *TEC Files*. 1988; TEC. 37 Plenary Meeting. July 20-27. *TEC Files*. 1993. pp. 37-39.

goals in mind. First, to expose how the TEC makes a breakthrough by accepting Ujamaa as a system under which rights and duties could be pursued in Tanzania. Second, to identify the objects of rights and duties addressed by the TEC with special attention to priorities accorded to cultural identity rights, the ideal of a right to development and its challenges, the rights of the poor majority, the farmers, and the implications of balancing the rights of the individual and those of the community within the structures of the church. These goals are accompanied by analysis of what the TEC's social teaching reflects of the political, social, economic and cultural conditions of the Tanzanian situation. The chapter ends with some concluding remarks.

2.1 The Balance Sheet of Ujamaa Socialism

2.1.1 Ethical Foundations of Ujamaa in Relation to Human Rights and Duties

In the background of the TEC's official support of the Arusha Declaration of 1967 were the ethical values of Ujamaa socialism. Tanzania sought an identity that was envisioned to be different from both capitalist and communist systems. The term Ujamaa was selected for emphasizing both the "African-ness" of the system, and the determination to retrieve the "family-hood" aspect of mutual involvement of the citizens as family members in building the nation.²¹⁶ Ujamaa is anchored upon an anthropological relationship web which Nyerere sums up thus: "In our traditional African society we were individuals within a community. We took care of the community, and the community took care of us. We neither needed nor wished to exploit our fellow men."²¹⁷ According to

²¹⁶ See NYERERE. *Freedom and Socialism*, p. 2.

²¹⁷ NYERERE, *Ujamaa. Essays on Socialism*, pp. 6-7.

Nyerere, the essence of African socialism is the practical acceptance of human equality. That is to say, every man's equal right to decent life before any individual has a surplus above his needs, equal right to participate in government, and equal responsibility to work and contribute to the society to the limit of his ability.²¹⁸ Rather than starting from reasoning out the individual's existence, Ujamaa gives priority to the value of the African growing qualitatively and acquiring rights which are inalienable by belonging, participating, and sharing with others in the web of family relationships.²¹⁹ The dignity of the human person as a pertinent member of society is a determining factor for having human rights. Hence, Ujamaa put a strong emphasis on participation of the individual in decision making and governance of the society. Rights were always accompanied by duties, especially in relationship to work and ownership of land, the major means of production. In the traditional African society work was both a right and an obligation. Besides work there was no other way of earning a living for the community. There is no such thing as socialism without work. A society which fails to give its individuals the means to work, or, having given them the means to work, prevents them from getting a fair share of the products of their own sweat and toil, needs putting right. Similarly, an individual who is capable of working but does not do so, has no right to expect anything from society because he contributes nothing to it.²²⁰ Likewise, in the production of wealth, land, the

²¹⁸ NYERERE, *Ujamaa. Essays on Socialism*, p. 103.

²¹⁹ According to John Mbiti this relatedness aspect is the most profound expression of the African person's personality, indeed, his very existence. It is always a confession or admission of a radical relatedness: "I am because we are; and since we are, therefore I am." See John MBITI, *African Traditional Religions and Philosophy* (London: Heinemann, 1969), pp. 108-109; See also MAGESA, *Ujamaa Socialism in Tanzania: A Theological Assessment*, p. 345.

²²⁰ NYERERE, *Freedom and Socialism*, pp. 5-7.

major means of production, is communally owned. As Nyerere explains, “To us in Africa land was always recognized as belonging to the community. Each individual within our society had a right to the use of land, because otherwise he could not earn his living and one cannot have the right to life without having the right to some means of maintaining life. But the African’s right to land was simply the right to use it; he had no other right to it, nor did it occur to him to try and claim one.”²²¹

The Arusha Declaration was not meant to be a nostalgic return to Africa’s past. Building socialism in Tanzania was to take into account historical and contemporary circumstances of the nation. Drawing inspiration from the traditional African values of familiness, the aim was to get a model for facing the contemporary reality of socio-political, economical, cultural organizations and development in the nation and for the human race at large.²²² In principle, the Tanzanian brand of socialism was to have its own particularities. It was to be gradual and pragmatic in approach, having as its goal to ensure that citizens care for each other’s welfare.²²³ The basic four tenets for building Ujamaa were spelled out as: First, absence of exploitation, i.e., avoidance of class formation by insisting upon working as a right and duty of all citizens. Second, putting the major means of production and exchange under the control of the peasants and the workers through the government controlled para-statal and people’s cooperatives. Third, the existence of democracy, i.e., having a government that is chosen and led by the peasants and workers

²²¹ NYERERE, *Ujamaa. Essays on Socialism*, p. 7.

²²² Michael TRABER, “The African Church and African Socialism: The Tanzanian Model,” *Concilium* 168 (1977), pp. 89; MAGESA, *Ujamaa Socialism in Tanzania: A Theological Assessment*, pp. 53-55; RWELAMIRA, *Tanzania Socialism-Ujamaa and Gaudium et Spes*, p. 3.

²²³ See NYERERE, *Ujamaa. Essays on Socialism*, p. 1; *Idem*, *Freedom and Socialism*, pp. 325-6.

themselves. Fourth, interpreting socialism as a belief rather than forcing it upon the citizens in the form of a rigid adherence to a standard political pattern. The slogan became *Ujamaa ni Imani*, i.e., Ujamaa is an attitude of mind based on convictions.²²⁴ Among the rights that were to be guaranteed to each Tanzanian citizen were a right to equality, dignity and respect, taking equal part in the government; freedom of expression, movement, religious belief, and association within the context of the law, protection of life, property ownership according to the law, and receiving a just return for labor.²²⁵

Ujamaa implied a denial of the claims of scientific socialism's recourse to class wars as a necessary condition for building a socialist state.²²⁶ As Nyerere puts it, the aspiration was "To build a society in which all members have equal rights and equal opportunities; in which all can live at peace with their neighbors without suffering or imposing injustice, being exploited, or exploiting; and in which all have a gradual increasing basic level of material welfare before any individual lives in luxury."²²⁷ As Robinson notes, the timing of building Ujamaa in Tanzania belongs to a period in which there were renewed interests among African socialists to promote social rights. Without necessarily removing or impairing individual rights and duties, an attempt was being made to balance man's nature as an individual and as a member of society.²²⁸

However, the putting into practice of traditional ethical values in a modern state system has led to debates on Tanzanian's difficult balance sheet of rights and freedoms of

²²⁴ See Julius NYERERE, *Ujamaa. Essays on Socialism*, pp. 15-17.

²²⁵ NYERERE, *Ujamaa. Essays on Socialism*, pp. 13-14.

²²⁶ See NYERERE, *Freedom and Socialism*, p. 24.

²²⁷ NYERERE, *Ujamaa. Essays on Socialism*, p. 110.

²²⁸ ROBINSON, "Religion: Conscience and Guide of Society," pp. 118-120.

the citizens. As James Read notes, typical questions that have been raised include these: Is it necessary and justifiable to restrict civil rights in order to promote economic development? When must the private property of the few give way to ensure the subsistence of the many? Must the personal freedom of the individual be denied in order to protect the security of the nation?²²⁹ A strong leaning towards building an egalitarian and self-reliant society whereby basic needs are equally guaranteed to all citizens led to the nationalization of the major tools of production and mechanisms of exchange and putting them under the control of the peasants and workers through their government and their cooperatives. Public ownership of the major means of production involved nationalization of institutions such as banks, insurance, export trade, and key industries and creating state-owned and controlled parastatals. The desire to bring together scattered citizens into Ujamaa villages in order to ease accessibility to social amenities, and participatory rights in development led to the implementation of the villagization policy that forced more than two million people to move from their original settlements in the first part of the 1970's. Rectification of glaring differences in salaries that were interpreted as legacies of colonialism involved taking drastic measures to reduce salaries. Emphasis on self-reliance (*kujitegemea*) involved the enforcement of the duty to work, at times involving the using of compulsive measures that taxed the individual's freedom.²³⁰ It is within this background

²²⁹ See READ, "Human Rights in Tanzania," in LEGUM and MMARI, eds., *Mwalimu. The Influence of Nyerere*, pp. 126-128.

²³⁰ See NYERERE, *Ujamaa. Essays on Socialism*, pp. 15-18; 29-31; 103-4; *Idem, Freedom and Socialism*, pp. 324-25; Rodger YEAGER, *Tanzania. An African Experiment* (Boulder, Colorado: Westview Press, Hampshire, England: Gower, 1982), pp. 59-91.

that the TEC made a prudential evaluation of the Arusha Declaration for the enhancement of the rights and duties of the Tanzanians.

2.1.2 Ujamaa: Possibilities and Limitations

In the pastoral statement *Church and Developing Society in Tanzania (CDST)* of 1968 the TEC took its official stand towards Ujamaa. With regards to human dignity and human rights of the Tanzanians, the bishops wrote:

“Now the Arusha Declaration manifests the intention of the government to promote human dignity in concrete terms, by meeting the basic needs of the human person. The real intention is to offer to all citizens in this country accessibility to the right to development, so that not any individual person or group of persons may interfere in this process to exploit the others. The government intends to protect the rights of the defenseless, the majority of the Tanzanians who never had a chance for attaining secondary education, the peasants living in rural areas. It is the duty of the state and the church to defend the rights of the have-nots, those who have no fair share in the world’s wealth.”²³¹

Elaboration on these so-called “rights of the have-nots” will take place in the second part of this chapter. However, there are two remarkable observations in the pastoral statement of 1968 that must be emphasized from the outset. First, emerging from the background of the fear of communism, the TEC did not support Ujamaa without taking precautions of pointing out what differentiates this African brand of socialism from other models of socialism. This was in view of making sure that two of its main concerns during the first period be safeguarded: the right to religious freedom and the peace and

²³¹ TEC. *CDST*. No. 5 (my translation); See also John SIVALON. *Kanisa Katoliki na Siasa ya Tanzania Bara 1953 Hadi 1985 (Church and Politics in Tanzania Mainland)* (Ndanda. Peramiho: Benedictine Publications. 1992). pp. 39-50.

mutual understanding approach to rights issues. According to the TEC, Christians have had reservations in supporting some brands of socialism which are anti-spiritual and anti-religion. Socialism has carried with it potentialities of authoritarian leadership, a tendency to perpetuate class struggle and divide people into antagonistic groups. By so doing, such forms of socialism have been endangering human dignity and freedom. Socialism that closes up the churches and denies God does not deserve praise.²³² In the judgment of the TEC, Tanzanian socialism is differentiated from such brands by its African finesse and fraternal approach. Ujamaa leaves a free space for citizens to believe and hope in God, and never denies the power and wisdom that goes beyond those of temporal earthly governments. It is not against what is spiritual and religion, it is not authoritarian, and it does not propagate the breeding of antagonistic classes which perpetuate hatred among the people and endanger the promoting of human dignity.²³³ As van Bergen confirms from grassroots analysis of the attitudes of the various Christian denominations towards the implementing of the villagization policy, it was the desire of the Christian churches to ensure that religion will keep its proper place in socialist Tanzania. Specifically, the Catholic church associated the role of religion as a key for constructing a social order founded on truth, built on justice, and animated by love.²³⁴ The TEC's position confirmed this view in the notes of the 17th Plenary Meeting of 1970. The bishops agreed that church members were to be encouraged to participate in the work of implementing the Ujamaa

²³² TEC, *CDST*. No. 11.

²³³ TEC, *CDST*. No. 10-11.

²³⁴ See van BERGEN, *Development and Religion in Tanzania*, pp. 259-69; *Idem*, Appendix 13: Christopher Mwoleka (Bishop of Rulenge) Answers 5 Questions, pp. 320-24; *Idem*, Appendix 15: Confidential "President Nyerere and the Role of Priests in Tanzania," pp. 333-36.

policy that was the current overall engagement of the nation. The TEC explains: "Since the key principles of Ujamaa policy are freedom, dignity and equality of men, brotherhood and co-operation, the same values for which the church stands, the vigorous work put in by Christians to implement this policy will shed a Christian light, bring out the concept of human dignity, of the rights of man, of freedom, of responsibility, of work, of social harmony and the good values, even temporal ones."²³⁵

Second, in supporting the Arusha Declaration, the TEC pointed out three key areas where the rights of the citizens would be potentially endangered in implementing the Ujamaa principles. Troublesome areas included the misuse of power and positions of leadership to suppress freedom of the citizens and exploit their rights for personal gains; the dignity and role of women in the nation; and misinterpreting self-reliance (*kujitegemea*) for isolationism. Concerning the leadership and the freedoms and rights of the citizens, the TEC forewarned that the socialist government's tendency to vest too much power in the hands of the few, accompanied by a stringent control over the people's economic and other essential aspects of life, easily breeds grounds that endanger the dignity of the human person and his freedom, the two values that the same government intends to protect.²³⁶ In particular, the TEC associated the misuse of power and positions of leadership for personal gains with the endangering of the rights of ordinary citizens living in the rural areas.²³⁷ The TEC makes two suggestions on how to strike a balance between the use of power and positions of leadership and the rights and freedoms of the citizens. First, that

²³⁵ TEC. 17th Plenary Meeting 24-28 November, 1970, *TEC Files*, 1970, p. 20.

²³⁶ TEC. *CDST*. No. 12.

²³⁷ TEC. *CDST*. No. 13.

when freedom of citizens is restricted, it should be in view of bringing about greater freedom. Such measures could be appropriate in the process of extending medical care, education, and social amenities in the nation.²³⁸ Second, in order to control the power of those in leadership positions from exploiting the rights of the others for personal gains, institutions for mutual correction (*kusahihishana*) have to function properly within the nation. In the judgment of the TEC, it is important that the equality principle be preserved among the citizens whereby every citizen has to keep in mind that those in positions of leadership have to be respected due to the roles they play in society, but at the same time know that leaders are there to serve the citizens. Thus, dialogue with the leadership should be more open and free, and the leadership should be changed by exercising the voting rights. The TEC proposes that as much as the government leadership wants to be obeyed by the citizens in rural areas of the country, the leadership in turn must be ready to take the opinions of citizens seriously. Besides, the citizens have to know that they have the right and duty to expose directly all tendencies of exploitation, discrimination, and corruption as soon as they occur in community.²³⁹

Though it is a recent phenomenon in Tanzanian history to assess the role of the leadership in promoting and protecting the rights and freedoms of citizens, it is possible to trace how TEC's above raised concerns correspond to the situation in the nation.²⁴⁰ The

²³⁸ TEC, *CDST*, No. 12.

²³⁹ TEC, *CDST*, Nos. 12 & 13.

²⁴⁰ See NYERERE, *Uongozi Wetu na Hatima ya Tanzania (Our Leadership and the Fate of Tanzania)* (Harare: Zimbabwe Publishing House, 1994); See also Aikakeli KWEKA, "One Party Democracy and the Multi-Party State," in LEGUM and MMARI, eds., *Mwalimu. The Influence of Nyerere*, pp. 61-79; READ, "Human Rights in Tanzania," in LEGUM and MMARI, eds., *Mwalimu. The Influence of Nyerere*, pp. 125-145; Max MMUYA, Amon CHALIGHA, *Towards Multiparty Politics in Tanzania* (Dar es Salaam: Dar es Salaam University Press, 1992).

policy of Ujamaa was masterminded by the personality of Nyerere who desired to transform the existing leadership into a people's leadership whereby the leaders respect the judgment of the people. Honest as Nyerere might have been, and despite the clarity of the Arusha Declaration's leadership code that "I shall not use my position of leadership for personal gains,"²⁴¹ as the bishops and other sources confirm, good will and good policies were not enough. There was no miraculous eradication of the earlier tendencies and potentialities of misusing positions of leadership for corruption and exploitation of the rights of the citizens. Ujamaa leadership was emerging from the age of differentiation and from an uneasy amalgamation of the post colonial elite and the traditional leadership in rural areas. There was a great shortage of educated and committed modern thinking socialist leaders for undertaking the Ujamaa enterprise. Formation of the socialist leadership proved to be a gradual process. Besides, Ujamaa was born within the ambients of the one party system. Much power was vested in the leadership of *The Tanganyika African National Union (TANU)* for the Tanzania mainland, and *Afro-Shirazi Party (ASP)* for Zanzibar. The government remained an instrument through which the party tried to implement the wishes of the people and serve their interests. As Jan van Bergen remarks, the using of the dictum of "*TANU inasema*" (the party says) and exploiting the ignorance of the citizens on how to implement some of the Ujamaa policies sometimes were at the origins of infringing upon the rights and freedoms of the citizens. The situation was complicated with initial attempts to centralize both government and party activities. With developing tendencies of authoritarianism, it is the few "haves" as compared to the

²⁴¹ See NYERERE, *Ujamaa. Essays in Socialism*. p. 36.

majority “have-nots” who were the favoured category in the distribution of power and wealth.²⁴²

Second, the implementing of socialist principles in Tanzania inclined towards the subordinating of civil and political rights to economic and development rights. The individual’s freedom was to come second after the basic needs priorities. Nyerere’s vision was that freedom exists on three levels: on the national level it entails the ability of the citizens to determine their own future, and to govern themselves without interference from outside; then there is freedom from hunger, disease, and poverty; and third, personal freedom of the individual that includes freedom of speech, participation in decision making, and freedom from arbitrary arrest. Though accepting the inseparability of freedom and development, Nyerere stood for the precedence of economic and social development over civil and political freedom on the grounds that to the extent that Tanzania remained poor and its people illiterate and sick, it was impossible to assure the other two aspects of freedom.²⁴³ While supporting the idea of subordinating the freedom of the citizens in view of promoting the common good in the fields of education and the health care systems, the TEC throughout the Ujamaa period warned against the possibility of the leadership endangering the rights of the citizens. For example, in the period following the Arusha Declaration, the TEC twice pointed to the need for making modifications in the system of

²⁴² See van Bergen, *Development and Religion in Tanzania*, pp.248-49; YEAGER, *Tanzania. An African Experiment* pp. 49-55; See also TEC, *CDS*, Nos. 12 & 13; NYERERE, *Freedom and Socialism*, pp. 394-97; KWEKA, “One-Party Democracy and the Multi-Party State,” pp. 73-74; Knud Erik SVENDSEN, “Problems After the Arusha Declaration,” in Knud Erik SVENDSEN, Merete TEISEN, eds., *Self-Reliant Tanzania* (Dar es Salaam: Tanzania Publishing House, 1969), pp. 209-218; Raymond HOPKINS, *Political Roles in a New State. Tanzania’s First Decade* (New Haven: Yale University Press, 1971), pp. 64-107.

²⁴³ See NYERERE, *Man and Development*, pp. 25-30.

leadership in order to protect the rights of the citizens. In *The Christmas Pastoral Letter* of 1984 the bishops wrote:

“New methods of leadership should be devised within the Tanzanian society. Without leadership that is mature and prone to serve the citizens, it will be hard to solve the Tanzanian problems. It is important that the leadership be well prepared for occupying the various positions. Leaders should know that they are there to serve instead of using their positions to enrich themselves, to accumulate power for themselves and then divert the political target of the nation. Selfish and egoistic leaders cannot defend the rights of all people. Once such leaders are identified they should immediately be removed from positions of leadership, otherwise they will contaminate the whole system.”²⁴⁴

Then in its comments and recommendations on the National Executive Committee (NEC) Constitutional Proposals the TEC insisted that there was a need for creating a system whereby provisions are built in the constitution essential to prevent the abuse of the enormous powers that were in the hands of the executives. Separation of powers was essential in the classifications of functions whereby the government organs of the state, namely, the executive, the legislature, and the judiciary should be subject to mutual restraints by means of checks and balances. For the TEC, rule of law was to be part of institutional means for solving the problems of leadership and the rights of the citizens.²⁴⁵ Looking ahead for a moment, it is worth mentioning that in the documents of the third period, the TEC continues to put emphasis on the need for reforming leadership structures and institutions in order to protect and promote the rights of the citizens.

With regard to the position of women in the building of a socialist state, the TEC noted that women belong to a category of citizens that in practical terms has been denied

²⁴⁴ TEC. *DWKK*. p. 6 (my translation).

²⁴⁵ See TEC. Comments on the NEC Constitutional Proposal. *TEC Files*. 1990. p. 1.

equal rights and dignity within the nation. As supportive examples, the TEC points to the forcing of young girls into marriages, and the imbalances in the distribution of tasks in the rural areas whereby women both take care of children and are the main producers of wealth while men stay idle. In order to rectify these situations the TEC makes an appeal for recognizing and appreciating more the dignity and role of women in the building of the nation, and for that matter supports the government efforts to give more chances to women to participate in national building activities by insisting that they should be accorded duties that befit their nature.²⁴⁶

Emphasis on revisiting the position and dignity of women in the building of a socialist nation reflects the limitations and inadequacies of the African traditional system for the promoting of equal rights for all citizens. There was no need to exaggerate the egalitarian principle within most of the Tanzanian societies. Tanzania aspired to be socialist under the circumstances in which in most parts of nation women were regarded as having a place in the community which was not different from men but was also to some extent inferior. By virtue of their sex, they suffered inequalities which had nothing to do with their contribution to the family welfare. Tendencies to have women loaded with work in the fields and in the homes was not solved by a mere declaration of equality at Arusha. The TEC's observation was in agreement with Nyerere's explanation that "If we want our country to make full and quick progress now, it is essential that our women live on terms of full equality with their fellow citizens who are men."²⁴⁷ However, despite the fact that the TEC's social teaching on the position of women took a step forward in comparison to

²⁴⁶ TEC. *CDST*, No. 8.

²⁴⁷ NYERERE. *Ujamaa. Essays on Socialism*, p. 109.

the first period's concern for hierarchically structured relationships, the cause for the rights of women was far from getting a satisfactory paradigm. Recognizing and appreciating the dignity and role of women is not the same as giving them equal rights. The fact that the TEC still emphasized giving women duties that befit their nature points to persistency of some of the inequality elements of the first period. According to Marie Giblin, despite Tanzania's avowed efforts to build a future of equitable development for all its people, the fate of peasant women in socialist Tanzania was linked to a trio of concentric circles, having as the innermost circle the household and village relationships. The situation of women's participatory rights was being aggravated not only by the class issues and the male/female dynamics at the village level, but also, second, by the national realities of the peasant/state class and, third, the international political-economic system of the neo-colonialism strategies.²⁴⁸

Third, the TEC forewarned and supported the view that self-reliance should not lead to the isolation of Tanzania from the community of nations by insisting that:

"As our nation progresses and matures in establishing among its citizens the values of mutual respect, fraternity, and self-reliance, it should not alienate itself or go against the ideal of the common brotherhood with the other nations in the world. Human beings have many elements in common, especially nowadays when unity of mankind is being reinforced. We are proud to see that the Tanzanian government has been in the forefront in supporting international programs starting with the Organization of African Unity (OAU),

²⁴⁸ Women within the AMECEA countries are coming forward to confirm the perpetuity of some of the issues that the TEC hinted upon in the 1968 pastoral statement with regard to the position and dignity of women. Olive Luena for example affirms that women continue to perform 60 to 80 percent of all agricultural labor and 95 percent of all domestic labor. See GIBLIN, "Tanzania Women Peasants. An Ethical Theological Reflection," pp. 30-31; see also Olive LUENA, "The Role of Women in Development in AMECEA Countries," *African Christian Studies* 12 (1996), pp. 10-11; Margret OGOLA, "The Role of Women in the African Family Today," *African Christian Studies* 11 (1995), pp. 59-60; Kris OWAN, "The Plight of Women in African Marriage Patterns: A Cry for Social Justice," *African Christian Studies* 11 (1995), pp. 56-70.

and the United Nations (UN). We hope and believe that Tanzanian socialism will add new vigor to the establishment of friendly relationships with humanity throughout the world. Our pride will be to see the intellectuals of Tanzania's Dar es Salaam University working to foster mutual understanding that is urgently needed in the modern world."²⁴⁹

The emphasis of the TEC on the need to avoid isolationism reflects two aspects of the Tanzanian situation. First, the Arusha Declaration was concluded under circumstances in which the nationalist movement was still strong both in character and objectives in Tanzania. Efforts were being made to instill among the Tanzanians a sense of belonging to the nation (*utaiifa*). At the same time in its foreign policy, Tanzania opted for the policy of non-alignment, i.e., non-commitment to great power alliances that would allow the government to chart its own political course, working with the United Nations in the search for peace and justice, and working for the unity, liberation and economic co-operation for Africa.²⁵⁰ Insistence upon breaking with the colonial models of transactions and the external world in so far as they were interpreted as exploitative, and the choice to depend upon the Tanzanian people and their own resources for development, could easily breed parochial attitudes and isolationism.²⁵¹ Second, within the Tanzanian configuration many Christian denominations functioned in close contact with their Northern hemisphere origins. This led to the intertwined interests, outlook, attitudes and perspectives of the West and the Christian values. Because of attachment to aid agencies of the West for their

²⁴⁹ TEC, CDST, No. 15 (my translation).

²⁵⁰ NYERERE, *Freedom and Socialism*, pp. 367-8; See also Okwudiba NNOLI, *Self Reliance and Foreign Policy in Tanzania* (New York, Lagos, London: NOK Publishers, 1978), pp. 1-18, 47-52, 201-243.

²⁵¹ See NYERERE, *Freedom and Socialism*, pp. 50, 318-19

functioning, church institutions found it difficult to have wholesale self-reliance or to accept the Tanzanian standards in terms of material well-being.²⁵²

This section gives us evidence that the TEC did not support Ujamaa for the advancement of rights and duties in Tanzanian without prudential reservations. The pursuit of human rights under Ujamaa needed checkpoints on certain aspects where human dignity and freedom of the Tanzanians could be endangered. It is appropriate now to examine the objects of rights and duties that the TEC accorded priority, and to analyze what they reflect of the Tanzanian situation.

2.2 Objects of Rights and Duties

2.2.1 Emphasis on Cultural Identity Rights

Concerns for cultural identity rights of the Tanzanians feature in the pastoral statement *Church and Developing Society in Tanzania (CDST)* of 1968 and *The Christmas Pastoral Letter (DWKK)* of 1984. The TEC's two main pre-occupations that evolved with changing times are encouraging the faithful to take seriously the cultural heritage of the Tanzanians and a quest for purifying and expounding the vision of the national culture that was in the prime of its making in the 1980's. First, in the pastoral statement of 1968, without denying the existence of universal principles guiding humanity, the TEC argues that the applicability of such universal principles has to take into consideration the cultural heritage, traditions, and the currently pressing needs and priorities of the citizens:

²⁵² See van BERGEN, *Development and Religion in Tanzania*, pp. 260-62.

“We Tanzanians have the obligation to learn from other people and other nations of the world because Tanzania is part of the one nation of humanity and as Christians we are members of the one universal Catholic church. Freedom should never be interpreted as self alienation. Likewise, we should not copy from the others in a slavish manner. Tanzanians have every right to be proud of themselves and of their nation, their traditions of antiquity, and their most recent history. They, today, as other human beings elsewhere, should be creative in planning how to live and govern themselves according to what befits their situations. Various knowledges from the nation’s past and the multiplicity of cultural values are helpful elements for the advancement of the people’s scientific and technological knowledge. We must seek and sustain mutual ways of learning from each other.”²⁵³

For the TEC, success in actualizing cultural identity rights of the Tanzanians at a national level demanded the courage to go beyond egoistic boundaries of clan and ethnic communities to the building of a greater *jamaa* (family). Based on the principle that knowledge from the various cultural heritage of every nation forms an important component for enhancing the wisdom of the nation, and due to the pluralistic nature of the Tanzanian society, the TEC argued that true unity of the citizens, including the cultural aspect, must stem from the mutual respect of their differences and opinions, and their willingness to take seriously the rights of every pertinent ethnic group.²⁵⁴

This teaching reflects a *continuum* of efforts to inculcate among the citizens a sense of pride in the national culture (*utamaduni wa taifa*), a project that began with the attainment of independence in 1961. As Nyerere explains, there was a realization that culture is the essence and spirit of the nation and that a country lacking culture is a mere collection of people without the spirit of any nation. Regaining cultural pride was a necessary step toward redressing one of the worst crimes of colonialism which had

²⁵³ TEC, *CDST*, No. 7 (my translation).

²⁵⁴ TEC, *CDST*, No. 9.

attempted to make the Africans believe that they had no indigenous culture of their own, that they were worthless and ashamed of their past instead of seeing their past as a source of pride.²⁵⁵ With the Arusha Declaration, a guide was to retrieve principles from African traditional values in order to build a self-reliant nation. This implied learning from external cultures in so far as these cultures could help Tanzanians to perfect and broaden their own cultural heritages. Cultural growth was to emerge from traditional roots of the values of Tanzania's 120 ethnic societies as opposed to grafting on to those roots elements that were alien. Social changes were to be determined by the needs as Tanzanians identified them.²⁵⁶ Though the TEC does not make a link between its early defending of Catholic schools's role in promoting the African culture, there is an external motivating explanation behind this emphasis on advancing the African cultural identity rights. The TEC's emphasis reflects the impact of Paul VI's message *Africae Terrarum* that was addressed to the Catholic church leadership and all people in the African continent. This is one of the documents that the TEC recommends to the faithful in post Vatican II era.²⁵⁷ In the spirit of the Second Vatican Council, the pontiff affirmed that after the first phase of independence the new African states were now entering the new phase of organization and consolidation, and that the time was ripe for the Africans to take seriously the ethical and religious values embedded in their cultures. Due to the impact of modern studies about Africa's past, there was a change in outlook on Africa's traditional heritage. A fair knowledge of Africa's past was becoming essential for a more just appreciation and

²⁵⁵ See NYERERE, *Freedom and Unity*, pp. 186-87.

²⁵⁶ See NYERERE, *Freedom and Socialism*, pp. 315-16.

²⁵⁷ See TEC, *CDST*, No. 3.

understanding of the present situations of the Africans people. Though African countries were involved in the process of development by having closer affinity to modern science and technology, these new developments were not in contradiction with cultural heritages that are part of the law deeply treasured in the people's hearts. African ethical values related to family life, human dignity and participatory rights and religiosity were to be more appreciated and integrated in the transmission of the Christian message.²⁵⁸

In *The Christmas Pastoral Letter* of 1984, the TEC focuses on the necessity of purging the national culture of some undesirable elements, ranging from minimization of the concept of culture, the invading of the legal system by the culture of distinguishing the powerful (*wakubwa*) from the weak (*wadogo*), to imperfections of the one party system to protect participatory rights of all the citizens. With regard to the first issue, the TEC starts with an affirmation that culture is a fundamental aspect in the building of the Tanzanian identity because it touches the inner core of being and personality of the people and helps in shaping and orientating their capacity to mold their environment.²⁵⁹ Then the TEC exposes discontents and disillusionment on the national culture:

"We are disheartened by the very fact that the institutions that have been assigned the task of giving orientation, promoting, researching, and advancing the cultural values of all Tanzanian societies (tribal/ethnic groups) have concentrated their efforts only on folklore dances, games and drama instead of pulling efforts towards the strengthening of cultural and customary values related to work, discipline, love, and justice. So far we do not see specific and appropriate steps that are being taken to build the national culture."²⁶⁰

²⁵⁸ Paul VI gave a mandate to bishops and priests in Africa to facilitate the encounter between Christianity and African traditional cultures. Within the Tanzanian church these were the humble beginnings in the post Vatican II era of inculturation efforts that were directed first to the liturgical field. See PAUL VI. Message "*Africae Terrarum*," 29 Octobre 1967 (Montréal: Les Éditions Bellarmin. 1968). pp. 4-6: See also TEC. *CDST*. No. 1.

²⁵⁹ TEC. *DWKK*. p. 4.

²⁶⁰ TEC. *DWKK*. pp. 4-5 (my translation).

From this fundamental observation the TEC suggests that the project to build the national culture was to be integrated into and allowed to permeate the whole sector of the social well being (*ustawi wa jamii*) of the citizens. Instead of continuing to function on basis that camouflaged divisive elements and that could easily lead to creating antagonistic classes among the citizens, the TEC was in favor of respecting the dignity of the human person as expressed in the cultural values of each ethnic group and the willingness to accept the differences in opinions.²⁶¹ Second, taking into consideration the reality of the fast changing values in family life and in society at large, and due to inadequacies of raising youths in traditional moral and cultural values, the TEC proposed: "Education and upbringing of our children as a whole has to reflect the aspirations of the nation and the efforts towards the liberating of the Africans especially the Tanzanian. In order to build up a strong, stable, and free nation with a promising future in terms of reliable and stable manpower in the various fields, several forces must be mobilized for this one goal: committed teachers, efficient and reliable leadership of the party and the government, religious leadership animated by a patriotic spirit, and parents who have a vision for the future of their children."²⁶²

The tonality of the TEC on the national culture reflects the situation of the aftermath of the government's homogeneous control over the education system and the difficulties in implementing the policy of education for self-reliance. In attempting to foster cultural values within the formal school system especially in primary and secondary

²⁶¹ TEC. *DWKK*, p. 5.

²⁶² The TEC was of the opinion that the government had to motivate the teaching experts so that could pass on to the youths values that befit the well being of the nation. See TEC. *DWKK*, pp. 4-5.

schools in the post-Arusha Declaration period, the emerging picture was one of popularizing traditional dances and folklore to an extent that among the youths, the concept of national culture was synonymous with dances from the multi-ethnic societies making up the Tanzanian population. Besides, Tanzania entered the 1980's in the situation of heated debates on whether it was appropriate to approve population control measures by using artificial contraceptives. Up to the middle of 1981, the parliament failed to reach agreement on legalization of artificial contraceptives for girls who were in schools. As there were no adequate education preparations given to the citizens about the usage and side effects of these devices, this indecisive period witnessed increased rates of pregnancies among girls in schools. Within the church circles, these failures were being interpreted as consequences of not only setting aside religious values but also of lack of appropriate passing on to youths traditional cultural values on life and sexuality.²⁶³

As for the legal system, the TEC noted that though there existed laws and legal instruments there was a growing tendency of not defending the rights of the ordinary citizen. For the TEC, many citizens were being discouraged by the existence of the laws that discriminated between the powerful (*wakubwa*) and the weak (*wadogo*).²⁶⁴ In order to construct a legal system that reflects the Tanzanian culture of equality prone to protect the rights of all citizens, and assuring that justice is equally done to all, the TEC suggested that there was a need to replace functioning on the basis of laws for the powerful (*wakubwa*) and those of the weak (*wadogo*) by considerations of human dignity. Positions and wealth

²⁶³ See TEC. *DWKK*. pp. 4-5; see also Marcel BOIVIN et al., *Madawa ya Kuzuia Mimba-Contraceptives* (Tabora: Tanzania Pastoral Research Institute (TAPRI). 1982.

²⁶⁴ TEC. *DWKK*. pp. 3 & 5.

should not be taken as measure of doing justice to the citizens. Moreover, as law *per se* is not a guarantee and perfect model for distributive justice and the protection of human rights, the TEC proposed that citizens be educated and helped to understand and subsequently respect laws, otherwise the legal system remains bookish for intellectual amusement.²⁶⁵ The TEC proposed two modifications in the legal system: First, the Preventive Detention Act was to be abandoned on these grounds: "We firmly believe that the law of "Preventive Detention Act" is not appropriate in the nation; it violates justice and the rights of the citizens. The continual survival of this law makes our nation's fame as a protector of human rights a source of mockery. Some of the enemies of our nation fail to see the difference we have with the South African Boer racist regime."²⁶⁶ Detention without trial laws that allowed the state for any obscure reason to detain without trial were almost chronic in almost all African states. Specifically the Preventive Detention Act was inserted in the Tanzanian law by Act No. 60 of 1962. It was rarely used for political reasons. However, in the 1980's it was used to crack down on corruption but as applied mainly to the weak.²⁶⁷ Second, the TEC called upon the government to revise laws that ignored the spiritual component of the human person: "We Christians believe that the human person is spirit and body, the two components are indivisible for sustaining the dignity of the human person as we know it to exist. The laws that are being made by the

²⁶⁵ TEC, *DWKK*, p. 5.

²⁶⁶ TEC, *DWKK*, p. 6.

²⁶⁷ See PETER, *Human Rights in Africa*, pp. 9&15; *Idem*, "Incarcerating the Innocent: Preventive Detention in Tanzania," *Human Rights Quarterly* 19 (1997), pp. 113-135; Rhoda HOWARD, *Human Rights in Commonwealth Africa* (New Jersey: Rowman & Littlefield, 1986), pp. 157-58; John DIMSDALE, "Tanzania: Rhetoric Meets Reality," *Africa Report* (November-December, 1983), pp. 14-17; "TANZANIA. A NIGHTMARE ACT," *Africa Now* (January, 1983), pp. 12-13.

government focus mainly on the bodily and material aspects. Neglecting what is spiritual in the enactment of laws leaves out an important component of loving God and the neighbor. Justice among the people must be done on the basis of love and human dignity of every Tanzanian. Most of our laws aim at this goal but the implementation is far from being satisfactory.”²⁶⁸ The TEC concludes that if human rights were to be protected in Tanzania, then the time was ripe for inserting the Bill of Rights in the constitution of the nation that was under revision. Instead of relying solely on external experts who propose some of the values that are irrelevant for the advancement of the nation, the TEC was in favor of forming a committee made up of Tanzanian experts to review consistent human rights problems that were arising within the nation.²⁶⁹

As for the functioning mechanisms of the one party system, the TEC points out that there are anomalies between the existing system of membership to the Revolutionary Party (*Chama cha Mapinduzi (CCM)*), and the exercise of the voting rights by the citizens. The TEC illustrates that if all the *CCM* members are 2.5 million out of the total population and leadership positions are reserved only to this minority group, and non-party citizens are eligible to vote but denied a chance to be voted into positions of leadership or as members of the parliament, *CCM* could be rightly accused of perpetuating the culture of dividing the citizens and failing to do justice to all citizens.²⁷⁰ The TEC repeats this message in *Church, Ujamaa and Rights in Tanzania* of 1987. Whereas it was appropriate during the independence era to have the one party system when there were

²⁶⁸ TEC. *DWKK*. pp. 5-6.

²⁶⁹ TEC. *DWKK*. p. 7.

²⁷⁰ TEC. *DWKK*. p. 6.

fears of creating divisions in the young nation, times have changed. It is high time that freedom of individuals be respected, and it is a mistake to think that there is no opposition to the one party system because opposition is already working in the underground system.²⁷¹

Debates about the legal system and the one party system reflect the spirit of dialogue that was going on in the beginning of the 1980's on the Tanzanian Bill of Rights. As Chris Maina Peter notes, the proposal to amend the constitution of the country leading to the amendments in the 1980's was initiated by the ruling party. However, before The Revolutionary Party (*Chama cha Mapinduzi (CCM)*) gave official approval to the project, a large section of the population was in favor of incorporating a Bill of Rights in the constitution. That explains why individuals and groups of intellectuals took the opportunity offered by the party to air their views.²⁷² Detention without trial and the one party system were being evaluated as contradicting the aspiration of building the culture of equals in Tanzania. As early as 1976, jurists in Tanzania were already pleading for the restriction of preventive detention laws. As K. J. Jhaveri comments, these laws were not only leading to the grave erosion of the independence of the judiciary system, but also to the perpetuation of injustices. Unless legal means were allowed to operate in defending the detained citizens, it was hard to protect their rights.²⁷³

²⁷¹ See PJC, *KUHT*, pp. 22-23.

²⁷² See PETER, *Human Rights in Africa*, pp. 4-5.

²⁷³ See K.L. JHAVERI, "Legal Protection of Human Rights: The Principles of Administrative (or Preventive) Detention," in *Human Rights in a One-Party State* (London: Search Press, Geneva: International Commission of Jurists, 1978), pp. 60-63.

Moreover, the economic crisis of the 1980's accentuated class formation and differentiations among the citizens contrary to the Ujamaa aspirations. As Rodger Yeager explains, after the initial mistakes of nationalization and villagization systems, Tanzania's goals in the Third Development Plan (1976 -80) were to lessen inequalities and to consolidate the rural revolution and move the country closer to national self-reliance. These efforts received a setback partly due to an unprecedented crisis that was related to both internal and external factors. Chronic droughts, war with Uganda, and falling prices of cash crops contributed to the frustrating of socialist plans. Tanzania was caught up in the spiral of hardships: scarcity of basic commodities led to increased incidents of corruption, smuggling and black marketing, and a recourse to the economics of survival.²⁷⁴ With increasing cases of corruption the government took measures to crack down on smugglers and racketeers, many people were detained without trial, and the laws for detaining followed. However, the issue at stake was that the most affected were the weak citizens, leaving the powerful ones untouched. As reports in *African Now* and *Africa Report* testify, critics of detention without trial contended that law was being misused and that detention orders were sometimes postponed or improperly signed. Detainees were usually not told why they were being detained and thus, they could not appeal to the president. As Dimsdale confirms, many innocent people were detained and locked up for long periods. Disappointments with detention laws came from the fact that the economic purge could lead to investigating the economic crimes of senior officials and important people, the categories that were commonly believed to have enjoyed anything higher than

²⁷⁴ YEAGER, *Tanzania. An African Experiment*, pp. 82-91.

basic subsistence living in the nation. However, the fact is that while the majority of the convicted were petty traders, especially those living in remote areas of the country, the big ones escaped the ordeal.²⁷⁵ Thus the TEC's social teaching fits in with the efforts that were being made to protect the culture of equality among the Tanzanians.

2.2.2 A Focus on Development Rights Issues

During the second period, the TEC focused on two key development issues: First, supporting the human-centered type of development in the pastoral statement *Church and Developing Society in Tanzania* of 1968 and second, responding to an accusation that religion impedes development in the pastoral letter *Peace and Mutual Understanding* of 1972. Clarification on the role of the church in promoting development in a socialist milieu was a gradual process. In fact, articulation on the motivations and priorities of the church in enhancing development rights of the Tanzanians is a phenomenon that is discernible mainly in the documents of the third period.

In *Church and Developing Society in Tanzania* of 1968 the TEC, following the stipulations of the Arusha Declaration, supported the choice of the human-centered type of development: "Here in Tanzania we have the true foundation for development. This foundation is the people. True development should be people oriented, supported by their ethical values, courage, and good intentions, dignity and cultural values, religious beliefs and willingness to participate and cooperate with each other."²⁷⁶ The TEC had confidence

²⁷⁵ See DIMSDALE, "Tanzania: Rhetoric Meets Reality," pp. 14-17; See also "TANZANIA. A NIGHTMARE ACT," pp. 12-13.

²⁷⁶ TEC. *CDST*, No. 8.

that implementation of the principles of the Arusha Declaration could lead to the enhancement of the dignity of the Tanzanians in practical terms by helping them to meet the basic needs of life. By the very fact that this process demanded the mobilization of both human and material resources of the nation for the common good, the TEC suggested:

“In the heavy task of building up this nation by using peaceful means, we want to remind you of three values that are attached to and radiate from the principle of human dignity. These values are foundations to the Arusha Declaration and to an authentic Christian life. First, Ujamaa is for the people, that is, the fraternal spirit (*roho ya udugu*) that is manifested in mutual co-operation and service. Second, freedom, the God-given gift to every human person, makes everyone of us understand that he/she is not a creature to be forced or be commanded as a slave. Third, the obligation to work. Men and women have to do all they can to meet their basic needs and those of the community. This is the spirit of self-reliance (*roho ya kujitegemea*) that is at the origin of creating a strong society, a strong nation and a strong church.”²⁷⁷

It is on this basis that the TEC supported the government's nationalization of the major means of production by stating that: “We are satisfied to see that the government is determined to make sure that the wealth and income of the nation is used prudently for the common good of the whole nation, not for the personal gains of individuals or groups of minorities. In this way the Tanzanian nation as a whole could move from the state of poverty to the state of prosperity.”²⁷⁸ Later during the Seminar Study Year (SSY) of 1969, Bishop Joseph Spendi made it clear that despite the church's firm position on individual property ownership rights, it was important to make a distinction between nationalization and socialization of the major means of production for the common good. The Arusha Declaration Act of nationalization by taking over certain instruments of

²⁷⁷ TEC. CDST, No. 6 (my translation).

²⁷⁸ TEC. CDST, No. 5 (my translation).

production in the country from private owners and companies and placing them under the control and ownership of the people's government, socialized rather than nationalized the means of production. Such a move was justifiable on the basis that it led to the wider *jamaa* of the whole of Tanzania through the government and its co-operatives, and was essential for meeting the necessary conditions conducive to the advancement of development in the modern world.²⁷⁹

The TEC's support of the human-centered type of development reflects the situation of socialist Tanzania's search for standards of evaluating development other than mere economic and material growth. Tanzania was trying to resist the temptation of assessing development in terms of national grandeur as opposed to the well being of the citizens. As Laurenti Magesa explains, the concept and reality of development has been subjected to different indices. Socialist Tanzanian had to make a choice between development that is primarily concerned with things (or depersonalization) and development that is humanizing in the sense of preserving creativity, dignity, and a sense of community, directing the purpose of the production of wealth to the human person.²⁸⁰ Nyerere's vision was that evaluating development in terms of material wealth for its own sake must be rejected because life is more meaningful than amassing riches. For Nyerere, when the pursuit of wealth clashes with ideals like human dignity and social equality, then the latter will be given priority. The purpose of all social, economic and political activity must be the human person in the sense of all the citizens.²⁸¹ Thus, without setting aside the

²⁷⁹ See SIPENDI. "Christian Concepts of Socialism and the Arusha Declaration." pp. 29-34.

²⁸⁰ See Laurenti MAGESA. "Development and Development Policy: J.K. Nyerere's Vision for Tanzania." *African Christian Studies* 3 (1987), pp. 5-11.

²⁸¹ NYERERE. *Freedom and Socialism*. p. 316.

importance of creating material wealth, socialist Tanzania refused to give priority to the situation under which wealth ceases to serve man and begins to be served by man. The Tanzanian choice stemmed from a realistic reappraisal of the conditions of the nation, that it is futile for a poor country to rely on money and industries for development. The Arusha Declaration defined the four prerequisites for development as people, land, good policies, and good leadership. Lacking big capital and industries, Tanzania's rational choice was to invest and rely basically on its readily available resources, the people and their land. The vision was that development is brought by people, not by money for money. The wealth it represents is the result and not the basis of development.²⁸² The Catholic church, including the position of most of the theologians who focused on Ujamaa as their field of study found easiness in reconciling Ujamaa ideals and those of the social teaching of the church mainly due to this vision of the human-centered type of development. In the post Vatican II era, as Rwelamira exposes, Ujamaa was seen as a sign of the time, an experiment that had convergence with the vision of *Gaudium et spes* in its humanization aspect of development. Though Ujamaa was to remain earthly, its most attractive aspect to Christians consisted in emphasizing that in the socio-economic realm, the dignity and total vocation of the human person must be honored and advanced along with the welfare of society as a whole.²⁸³

²⁸² NYERERE, *Ujamaa. Essays on Socialism*, pp. 28-9); *Idem, Freedom and Socialism*, p. 318.

²⁸³ See John CIVILLE, "Ujamaa Socialism. An Analysis of the Socialism of Julius K. Nyerere in the Light of the Catholic Social Teaching" in DUGGAN, William, John, CIVILLE, eds., *Tanzania and Nyerere. A Study of Ujamaa and Nationhood* (New York, Maryknoll: Orbis Books, 1976), pp. 230-247; Bernard JOINET, *Le soleil de Dieu en Tanzanie* (Paris: Cerf, 1977); RWELAMIRA, *Tanzania Socialism-Ujamaa and Gaudium et Spes*, pp. 67-76; MAGESA, *Ujamaa Socialism in Tanzania. A Theological Assessment*, pp. 208-286.

The second key development issue concerned the TEC's response to an accusation that religion is an opium of the people that impedes development. In the pastoral letter *Peace and Mutual Understanding* of 1972, the TEC describes the nature of tensions that were fermenting between religion and aspirations to development:

"Nowadays there are citizens who are proud of their unbelieving in God, and are determined to do away with all religion. Such persons claim that in order to actualize the development right it is necessary that the world be freed from religion. Hence, they convince others to set aside what is termed as "opium of the people." One expert in attempting to defend the potentialities of the human person described religion as opium which intoxicates people and makes them blind to their own capacities. Religion is presented as an enemy and opponent to human dignity, making people crazy dependents on God, rather than striving to use their own intellectual potentialities."²⁸⁴

Responding to this allegation, the TEC identifies two root causes of the tensions. On one hand, the TEC traces the source of conflict to the enmity of some of the citizens who do not want to examine carefully the relationship that exists between a human being and his obligations towards God. For the TEC, it is a grave mistake to think and spread the idea that believing in God reduces human dignity. This antagonism between the people's faith and their right to development is not of African origin, but originates from foreign influences and is being spread in the nation by stooges of communism to undermine the African values.²⁸⁵ Another reason that makes people think that religion impedes development stems not from religion, as such, but from the attitudes of some of

²⁸⁴ TEC, *PMU*, p. 9 (my translation).

²⁸⁵ TEC, *PMU*, pp. 8-9.

the persons within particular religions who refuse to get involved in development programs.²⁸⁶

For the TEC, these tensions were to be resolved within the perimeters of peace and mutual understanding. First, the TEC invited the church's leadership to assume fully the responsibility of educating citizens about their relationship with God and their duty to show their faith in actions. The TEC contended that it is the duty of religious leaders to remove doubts from the people by reassuring them that religion is not opium of the people. According to the TEC, the human destiny exceeds economic, educational and material development, extending to the level of establishing a loving relationship with God and the neighbor. Hence, it is religion that invites and motivates the human person to expound the boundaries of development beyond human and economic horizons to include the true human destiny.²⁸⁷ Humanity needs God and religion as motivating factors for going beyond egoistic boundaries and giving attention to the needs of others. It is the absence of God in people's lives that leads to individualistic concerns for one's own rights without caring for the violated rights of the neighbor. Once God is set aside, doors are open for the stronger to endanger the rights of the weaker.²⁸⁸

Second, the TEC argued that though self-reliance (*kujitegemea*) demands using human efforts and talents, this must not to be misinterpreted as legitimating isolationism from both God and fellow human beings. According to the TEC, "*Kujitegemea sio kujitenga ila ni kukiri vipawa vyetu na vya wenzetu pia*" (self-reliance far from being self-

²⁸⁶ TEC, *PMU*, p. 8.

²⁸⁷ See TEC, *PMU*, pp. 8 & 10.

²⁸⁸ TEC, *PMU*, pp. 8-9.

alienation has its true meaning in recognizing personal talents and those of the others). In so far as knowing God and establishing a personal relationship with him leads to seeking the perfecting of the image of God in mankind, the faithful are invited to cooperate with God in perfecting humanity and renew the world. God, despite his greatness, never abandons the worldly project.

Following these suggestions, the TEC concluded that every human person has the right to work and participate with others in realizing the same development goals in the nation. Second, human beings have the right to profess their faith in God and put themselves under the guidance and protection of God in their religions and development endeavors. It is for these two reasons that Tanzanian government never interferes in the religions rights of the citizens. Hence, religion can never dissociate itself from development of the country. Promoting development is one of the major services that can be offered to the nation. The truly Christian spirit is one of enhancing the holistic well being of citizens. In so far as the church and the state have a common goal, i.e., the betterment of the Tanzanian situation, both adhere to the ideals of encouraging participatory rights in development planning, and paying due consideration to particular circumstances and conditions of where the citizens live.²⁸⁹ It is in *Peace and Mutual Understanding* that the TEC encouraged the laity to get actively involved in politics and take their positions in the church's structures.

The TEC's response reflects two aspects of the Tanzanian situation. First, the Arusha Declaration did not simultaneously resolve conflicts between the church and the

²⁸⁹ TEC. *PMU*, pp. 11, 13-14.

state on the issues of communism and implementation of socialist principles for development. While the Catholic church was still haunted by the fear of communism, Ujamaa was not all that free from communist influences. Though Ujamaa was envisioned to be different from other brands of socialism by not interfering in the right to religious freedom of the citizens, infiltration of communistic influences especially in the intellectual milieu were gaining ground on the threshold of the 1970's. As indicated in the first chapter, communist propaganda and publications were circulated freely in Tanzania even in the pre-Arusha Declaration era. As John Sivalon and other scholars confirm, in the period that followed the Arusha Declaration some of the university students and party leaders were pronouncing themselves avowed atheists. Through articles in the daily papers of the nation, especially in the bulletin "*Cheche*" of the Dar es Salaam University critiques of religion as opium of the people, an obstacle to the realization of the self-reliance goals, were made. Tensions were fermenting between believers and this new brand of atheistic groups.²⁹⁰ Some of the leaders in the church suspected Ujamaa of being tainted with communistic ideology. Tensions were accelerated by the printing in Swahili in 1970 of Pius XI's encyclical letter *Divini Redemptoris* under the title "*Huu Ndio Uhuru*" (This is Freedom) in which the pope had written warning against the dangers of communism. The timing of printing it in Swahili was interpreted by some of the political leaders as a clear sign of the Catholic church's hesitation to support the advancement of the cause for Ujamaa in practical terms.²⁹¹

²⁹⁰ See SIVALON, *Kanisa Katoliki na Siasa ya Tanzania Bara 1953-1985*, pp. 59-60; see also van BERGEN, *Development and Religion in Tanzania*, pp. 235-37.

²⁹¹ See van BERGEN, *Development and Religion in Tanzania*, pp. 237-38, 333-35.

Second, the TEC's social teaching reflects the nature of the transitory stage from compartmentalization of society in spheres and life's activities between "state and politics" and "religion". As Bishop Blomjous testifies, there was a need for making a serious reappraisal of the church's position on development by attempting to answer two key questions: "What priority in the total mission of the church is to be given to development work and through which concrete forms and institutions is the church to carry on her role in the secular sphere?"²⁹² Whereas Christian churches were by far the most powerful non-governmental institutions, especially in the rural areas, for the advancement of education and medical care services, time was ripe to re-examine their approaches to human development. In terms of power structures, the predominant concept was one of bringing development to the people via the agencies of the mother churches in the West. The image of development that was portrayed was one of foreign aid sustained development. Christian churches sustained deliberate and conscious paternalistic attitudes and were primarily interested in individuals. They accepted existing structures as givens instead of helping the people to stage rebellion against the structures of poverty, disease and ignorance.²⁹³ Thus, the church's involvement in promoting development was attached to issues of identity and ideology. Societal prestige of church institutions was being determined by their concrete contributions to development and interests in developing their "own" communities, although not necessarily excluding non-Christians from their

²⁹² Joseph BLOMJOUS. "The Church in a Developing World." *Cross Currents* (Summer, 1970), p. 288; See also SANGU, "Evangelization and Development." pp. 2-4.

²⁹³ Julius NYERERE. "The Church and Socio-Economic Development in the Context of African Socialism." *ADS* 218 (1981). p. 2; *Idem. Man and Development*, pp. 82-101.

services and facilities.²⁹⁴ With the Arusha Declaration development was taking a political agenda. The process of political mobilization of the people for development carried potentialities of conflicting values and divergent orientations between the party and the church. Most of the developmental works assumed by the churches were to be integrated into the framework of the nation's self-reliance goals. Instead of bringing development to the people, it became now a focus on helping the people to develop themselves. Tensions were inevitable on how to bridge the gap between interests and priorities. Both the church and the state needed each other. Churches had to accept the party directives in the various national building processes and the party needed the many church institutions to influence people in the process of social-economic transformations. The political leadership, knowing the prestige and influence of the churches, was willing to channel their efforts through them. Among the obstacles that were to be overcome was the existence for a kind of ecclesiastical "petty bourgeoisie" that was not willing to give up the privileges of the churches and that was in favor of strengthening ties with rich countries overseas. The desire to safeguard close connections with subsidizing institutions, groups, and benefactors at times collided with the aspirations to self-reliance. Thus, there existed a structural dilemma in a country where the major institutions need each other, while their ideologies did not converge completely.²⁹⁵ What would be the specific role of religion in development. Nyerere was of the view that as the new orientation was one of working with Africans and not just for Africans, adaptation to African situations implied the

²⁹⁴ See BLOMJOUS. "The Church in a Developing World," pp. 287-299; Julius NYERERE. "The Church and Socio-Economic Development in the Context of African Socialism." van BERGEN. *Development and Religion in Tanzania*, pp. 259-67.

²⁹⁵ See van BERGEN. *Development and Religion in Tanzania*, pp. 260-61.

church's getting actively and responsibly involved in the society of men. The church's distinctive contributions and major role in the development field consists in helping people to become what they aspire to become. Because personal integrity is vital for the success of cooperative development activities, the church was expected to instill in society integrity, honesty, discipline, and a sense of commitment. Moreover, the church was equally expected to encourage development activities from the communal perspective of the human person. In promoting development the church was to create conditions for individual human dignity as the basis of man's common membership in society.²⁹⁶ Bishop Joseph Blomjous expressed this viewpoint well: "The church's role is rather the religious and Christian inspiration and animation of human secular development. She exercises this role when she gives a religious and Christian meaning to the human efforts of making this world a better one, when she shows that these human efforts are in reality a collaboration with God in his work of redemption. The church reminds individual men and the whole of human society that they are obliged to "humanize" this world and make it a better place to live in."²⁹⁷ For Blomjous, in the post-Vatican II configuration, the church is not an instrument of power in struggle. The church collaborates with and contributes to the development efforts of the human community. His four guiding principles for the church's involvement in promoting development are: educating the moral sensitivity of the conscience of Christians, developing a theology of development, achieving an effective

²⁹⁶ NYERERE, "The Church and Socio-Economic Development in the Context of African Socialism," pp. 4-5.

²⁹⁷ BLOMJIOUS, "The Church in a Developing World," p. 293.

presence of the laity, and influencing the political parties.²⁹⁸ The TEC's social teaching points in this direction in documents of the third phase, as we shall see in the next chapter.

2.2.3 Priority of the Rights of the Poor Majority

Concern for the rights of the poor majority, the farmers, appear in four documents: the pastoral statement *Church and Developing Society in Tanzania (CDST)* of 1968, and publications of the Peace and Justice Commission of the TEC (PJC): *Priority of the Farmer (TMK)* of 1986, *A Human Being is a Person (BNS)* of 1987, and *Church, Ujamaa and Justice Rights (KUHT)* of 1987. From the initial focus of giving explanation for protecting the defenseless citizens, the TEC documents expose the inadequacies of the practical side of Ujamaa to promote farmers' rights. First, in *Church and Developing Society in Tanzania* of 1968 the TEC identified the poor majority as the farmers living in rural areas, less privileged in the distribution of formal education and material wealth in the nation. This category of citizens needed to have their rights protected and their dignity enhanced by helping them to meet the basic needs of life and giving them equal accessibility to the right to development so that no individual or group of persons could continue to despise or exploit them. For the TEC the obligation to protect the rights of the farmers was to be jointly undertaken by the state and the church.²⁹⁹ However, it is in *Church, Ujamaa and Justice/Rights* of 1987 that a more profound explanation was given for the TEC's concern for the rights of the poor majority:

²⁹⁸ BLOMJOUS. "The Church in a Developing World." pp. 295-97.

²⁹⁹ TEC. *CDST*. No. 5.

“Justice obliges us to examine first the situation of the farmers because as Christians we must follow the Christian directives of caring first for the rights of the poor, those who have neither power nor wealth in society, often falling victim to the rich who can manipulate their rights as they wish. Also, following the original intentions of the Arusha Declaration, the common task is to unite the ordinary citizens and make them equal participants in the political and economic life of the nation. The Tanzanian nation should not be built on basis of class strata. In all decision making, participatory rights of the citizens should be respected. How far have we succeeded to meet these objectives?”³⁰⁰

The quest for defending the rights of the poor majority stemmed from three related factors. First, though Ujamaa had roots in the egalitarian setting of the traditional African societies, the scale of operation in production remained low, and hence, African traditional societies had not fully broken away from poverty. As a consequence, there was more of an egalitarian distribution of poverty among the members in society than prosperity. Raising the standards of living of the farmers from the subsistence level demanded overcoming imperfections and inadequacies of the traditional systems of production. Defeating poverty demanded increasing output per worker and making each person's efforts yield more satisfactions to the individual and his family. According to Nyerere, correcting shortcomings of traditional systems implied learning and adapting from the technological development of other societies in other continents.³⁰¹ Second, farmers had to be protected from the malaise of the rural bias. From the point of view of population distribution, the majority of Tanzania's 120 ethnic groups lived in rural areas. Urban dwellers made up less than 10% of the total population. Life standards of the tiny minority living in urban areas were becoming a source of envy for the majority. Most of the social amenities were

³⁰⁰ PJC. *KUHT*, pp. 12-13, 15 (my translation).

³⁰¹ NYERERE, *Ujamaa. Essays on African Socialism*, pp. 109-110; *Idem. Freedom and Socialism*, pp. 339-340.

concentrated in urban areas. It was inappropriate in a nation determined to build an egalitarian society to perpetuate exploitation and injustices. Whereas it was the farmers' exports that paid for a greater part of the social amenities found in town, provision of similar services were non-existent or meager in rural areas. In the nation of farmers, it was the majority who were condemned to poverty and insecurities.³⁰² Third, Tanzania was learning from the mistakes of the post-independence First Five Year Development Plan (1961-5). With 97% of the total population living in rural areas, the first step towards rural development in the post-independence era was to boost agricultural production by improving progressive farmers. The government initially believed that boosting cash crop production could lead to improved standards of living of the farmers. However, experiments of improving certain farmers as models within the basically subsistence peasantry *milieu* led to the accentuation of the legacies of the age of differentiation. What was achieved was an increased scale of the national wealth at the cost of uprooting the spirit of equality from the hearts of the majority of the citizens. Hence, the Arusha Declaration marked Tanzania's refusal to have mere increased standards of national wealth without necessarily having the majority of the people's lives made better off. Rather than encourage the creation of classes, the choice was one of mobilizing the human and material resources of the nation in view of meeting first the basic needs of all the citizens. This was the spirit of self-reliance appropriate for building an egalitarian society.³⁰³

³⁰² NYERERE, *Freedom and Socialism*, p. 341; See also, *Idem*, *Freedom and Unity*, p. 111.

³⁰³ See NYERERE, *Freedom and Unity*, pp. 183, 236-237; *Idem*, *Freedom and Socialism*, p. 344; See also IRENE, Roland BROWN, "Approach to Rural Mass Poverty," in Colin LEGUM, and Geoffrey, MMARI, eds. *MWALIMU. The Influence of Nyerere* (Dar es Salaam: Britain-Tanzania Society and Mkuki na Nyota, 1995), pp. 9-22.

Through the publications of the Peace and Justice Commission, the TEC exposes the inadequacies of the Ujamaa system to promote the rights of the farmers and to raise their standards of living in the period that followed the Arusha Declaration. In *Priority of the Farmer* emphasis is put on the importance of confessing that injustices have been done to the farmers not only during the first development plan but also in the period after the Arusha Declaration. The TEC points out that though 85% of foreign currency comes from agriculture, only 15% goes back to the rural countryside. This inequitable distribution of the national wealth does harm by incapacitating those who come to the rescue of the nation's economy each year. Thus, doing justice and regaining the farmers' confidence demanded remotivating them by making sure that they get access to necessary farm implements, fair prices for their products, and a fair distribution of the basic needs of life.³⁰⁴

In *Church, Ujamaa, and Justice Rights* without denying or failing to appreciate the remarkable achievements of Ujamaa in improving the standards of citizens living in rural areas in terms of adult education, and extending social amenities such as health care and water systems to the village level, the TEC questions the failures *to sustain development infrastructures* that had been constructed. The PJC insists that though building infrastructures such as schools, hospitals and industries was essential for development, failures to sustain them implied imbalances in growth. Schools without books and paid personnel, hospitals and dispensaries without medication and sufficient staff, and village shops without necessary goods were warnings that without involving the majority of the

³⁰⁴ PJC. *TMK*. pp. 7-8.

people in sustaining infrastructures it was not possible to attain the desired development goals. For the PJC, the general impression that Ujamaa villages gave in the 1980's was that they were autonomous without real power and inefficacious in meeting the dreams of the farmers's heavy sacrifices. Farmers continued to bear the burden of the economic crises, feeding town dwellers, and earning foreign currency to sustain industries that were numerous but producing below their capacities. The PJC recommends that as farmers continue to be the key producers of the nation's wealth, it was not fair to consider them last when it came to the distribution of this wealth. As long as the distributive machinery remained inefficient, farmers were victims of the vicious circle: poor prices for their primary goods, manufactured goods being sold to them at exorbitant prices, and, due to scarcity of goods, corruption paralyzes the system and leads to further exploitations. Unless the government takes appropriate steps in order to rectify the situation, the real threat is one of making the urban dwellers real exploiters of the rural areas. The dream of creating a classless society in Tanzania was on the verge of fading away.³⁰⁵

The TEC's emphasis on protecting the rights of the farmers in the post Arusha Declaration era reflects the imperfections of Ujamaa in attaining the goal of enhancing the dignity of rural citizens to meet the basic necessities of life. The standards of the poor majority of the Tanzanians were to be improved by encouraging cooperation, hard work, and communal marketing of their products. The aspiration was to improve the rural countryside and raise the standards of living of the farmers on the basis of the equality of all citizens and their common obligations and common rights, so that there exists no

³⁰⁵ See PJC. *KUHT*. p. 16: See also *Idem*. *TMK*. pp. 4-5.

masters and servants, but people working together for the good of all and for their own good. In fact, improving the rural countryside was expected to be the standard measure of the success of socialism in Tanzania.³⁰⁶ However, as Reginald Green notes, there were tensions between socio-political conceptualisation and practice in Ujamaa's objectives to enhance human-centered development. By concentrating primarily on fostering the human relationships aspect among the citizens, Ujamaa's rural policy encouraged "participation" and getting access to services without necessarily investing equal efforts in productivity of the Tanzanians.³⁰⁷ Instruments such as cooperatives and marketing boards that were formed for advancing the cause for the rights of the farmers ended up being victimized by the malaise of institutionalization. Most of the time farmers became victims of bureaucratic controls, substitutions in frenetic institutional change for serious problems without betterment of their situations. Subsequently, whereas in the pre-Arusha Declaration the fate of the farmer could be interpreted in terms of the legacies of the colonial modes of production, the post-Arusha Declaration era led to new bureaucratic drains. Among the persistent tendencies were too much trusting of experts rather than the farmers themselves, doing things for them, and determining what they had to produce.³⁰⁸ Of course, the failure of the internal mechanisms was being worsened by drought and adverse conditions for primary agricultural products in international markets, factors that the TEC takes into

³⁰⁶ NYERERE, *Ujamaa. Essays on African Socialism*, p. 119.

³⁰⁷ Reginald GREEN "Vision of Human-Centered Development. A Study In Moral Economy." in LEGUM, Colin, Geoffrey, MMARI, eds., *MWALIMU. The Influence of Nyerere* (Dar es Salaam: Britain-Tanzania Society and Mkuki na Nyota, 1995), pp. 81-82.

³⁰⁸ GREEN, "Vision of Human-Centered Development. A Study In Moral Economy." pp. 82-107.

consideration in its social teaching. But as such, the main focus of the TEC was on the home-front sector.

2.2.4 Balancing the Rights of the Individual and Those of the Community

A fourth object of concern by the TEC was a determination to bring harmony between the rights of the individual and those of the community. This concern was expressed in the pastoral letter *Peace and Mutual Understanding of 1972* and in the *TEC Files* in the notes of five plenary meetings ranging from 1969 to 1983. The TEC turned its focus to the operation of the inner mechanisms of the Catholic church in Tanzania as well, to sustenance and remuneration of its personnel, the clergy, catechists, and the situation of the religious leaving their communities. This was a period when the bishops jointly attempted to handle new realities of the local church that was becoming predominantly indigenous and aspiring to be self-reliant.

It is within the context of giving the criteria for assessing the maturity of the nation and the church after ten years of the nation's independence that the TEC argues that there is a reciprocity between the rights of the individual and those of the community. In part three of the pastoral letter *Peace and Mutual Understanding of 1972* the TEC explains:

“Therefore, it is imperative to recognize and understand the basic needs of the individual and those of the community at large. The needs and aspirations of the community should reflect the hopes of each of the members. The fulfillment of basic needs flows from harmony between the personal rights of an individual and the rights of the community. When rights of the individual are denied, rights of the community can neither be protected because the community is made of individuals having a common purpose.”³⁰⁹

³⁰⁹ TEC. *PMU*, p. 17.

For the TEC, just as an individual can oppress and exploit the weak, a group or a community can equally cross the border and exploit the individuals. Hence, part of the solution for the harmonious balancing of the rights of the individual and those of the community depends on the competency of the leadership to build the community in the spirit of respecting individual initiatives and preserving human dignity.

What is gathered from the *TEC Files* is that the struggle for the applicability of this principle *within the structures of the Catholic church in Tanzania* matured over a period of time. The first challenge was how to maintain the standards of living of the diocesan clergy while adhering to the principle of *congruo sustentatio* (equal up-keep of same standards for the clergy offering their services in the same diocese) in the wake of an increasing number of priests who earned salaries from the government and other non-church institutions.³¹⁰ This issue was raised first during TEC's Plenary Meeting in 1969, following the recommendations of the Seminar Study Year (SSY) on the decent up-keep of the diocesan clergy. The quest for finding ways and means whereby the Tanzanian church can grow to a state of self-reliance in personnel, finances, ideas, and planning was one of the priority issues of the SSY.³¹¹ In response, the TEC first sent out a questionnaire to all dioceses in the country in order to gather the necessary data on the existing means for the up-keep of diocesan priests.³¹² It was from the reports on this preliminary data that

³¹⁰ See TEC. Plenary Meeting, 1974, *TEC Files*, 1974. p.11

³¹¹ The recommendation of the SSY of 1969 was that it was urgent to pay attention to the problems of financial insecurity and sustenance of the local manpower not only due to the diminishing financial aids from abroad but also due to the very ideals of self-reliance and equality that Tanzanians were aspiring to attain. This recommendation was freshly examined by the representatives of diocesan priests in the Dodoma Meeting of 1971. See "The 1969 Seminar Study Year," pp. 1-7; "SSY 1970s-The Church in Dialogue. Tanzanian Clergy Meet (Dodoma, April 20th-24th)," pp. 2-3. 21-25.

³¹² TEC. Plenary Meeting, 1969. *TEC Files*, 1969. pp. 15-16.

the TEC discussed the subject during the Plenary Meeting of 1974. After a lengthy discussion on the usefulness of a certain uniform system of *congruo sustentatio* for the clergy throughout Tanzania, some ordinaries thought that each diocese should be left to decide on the amount of the *congrua sustentatio* according to the financial means and resources of each diocese. Others thought it was high time that the bishops arrived at a uniform system of *congrua sustentatio* because in certain dioceses the priests are entitled to all their mass stipends plus an extra allowance from the diocese. In other dioceses it was reported that priests got mass stipends as their allowance. It was agreed that a certain uniform system of *congrua sustentatio* was necessary. It was decided that the TEC finance committee was to discuss the issue with representatives from *UMAWATA (Umoja wa Mapadre Wazalendo Tanzania)* (Fraternity of Secular Diocesan Priests of Tanzania) in order to work out a reasonable uniform system. During this plenary meeting of 1974 the TEC tackled the subject of the church personnel that received allowances and salaries from the government. After a fair discussion on the subject, the TEC approved that the clergy and the religious employed in money earning institutions which give salaries to employees could also get a salary according to their qualifications. As regards the disposal of this salary, the priest or religious will be entitled to an allowance to be deducted from the salary, and the rest of the salary should be given to the diocese or religious institute for training other priests or religious.³¹³

The issue of just wages for catechists was raised during *The 28 Plenary Meeting*, of November 18-20, 1976. Background preparations for discussions on the subject were

³¹³ TEC Plenary Meeting, Nov. 26-29, 1974. *TEC Files*, 1974. p. 14.

presented by the bishop chairman of the Commission for Catechesis. Following the report on the present situation of remuneration for catechists, the bishops approved that full time catechist-pastors receive the minimum wage as recommended by the government. Full time catechist pastors were to be paid a salary according to labour regulations for minimum wages in rural and urban areas. Concerning retired catechists it was agreed that each diocese would work out a plan for the up-keep of those catechists in need of assistance. It was agreed also that the TEC's pastoral department complete the questionnaire on retired catechists in view of submitting to Missio Aachen for a special fund to subsidize diocesan efforts for the up-keep of retired catechists who merit assistance.³¹⁴

The problems of religious sisters leaving the religious life came up during the plenary meeting of 1983. From their discussions, the bishops reached an agreement that religious sisters leaving religious life be helped to start a decent life in the laity and that proper education and formation will immensely help a nun to live a straight and religiously-motivated life, both within and outside the congregation. This criterion was to be taken into consideration right from the formation period. The TEC recommended the establishment of associations for ex-nuns and ex-seminarians to help those who leave the seminary or the religious congregation. Also, the mother general of a congregation and the ordinary concerned should have sittings intermittently to study together and analyze specific charisma of each individual in the congregation, hence, inculcation upon the

³¹⁴ TEC. Plenary Meeting, Nov. 18-20, 1976., *TEC Files*, 1976, Appendix XII.

congregation's individual ways and means to improve their practical lives akin to the congregation's specific religious needs.³¹⁵

The efforts of the TEC to look for ways of balancing the rights of the individual and those of the community reflect the situation of the church that was facing the challenges of maturity. As Bishops Joseph Blomjous and Mark Mihayo confirm, the local church in its transitory stage from a basically missionary to a typically local church demanded some adjustments in assuming responsibilities that were formerly shouldered by missionaries. Efforts were needed to localize the Tanzanian church by making it self-reliant in personnel and funds, structures, and thinking and theology.³¹⁶ The idea of balancing the rights of the individual and those of the collective was taking shape in the modern social teaching of the main stream church from Leo XIII to John XXIII. The Second Vatican Council added sensibility to the urgency of reducing inequalities among the workers living under similar circumstances as an essential element in building the kingdom of peace and justice.³¹⁷ However, what was particular within the Tanzanian configuration is that localization of the church coincided with the aspirations of building a self-reliant nation. The Catholic church in Tanzania had to face the challenge of sustaining the increasing demand for priests in the scattered rural areas without imposing heavy financial burdens on the relatively poor and scattered population.³¹⁸ As van Bergen indicates, the Roman

³¹⁵ TEC. 37 Plenary Meeting, 1983, *TEC Files*, 1983, pp. 20-21.

³¹⁶ See BLOMJOUS, "The Church in a Developing World," pp. 287-89; See also Mark MIHAYO, "Practical Solutions to the Increasing Crisis of Priest Shortage," *SERVICE* 6 (1970), pp. 2-3.

³¹⁷ See JOHN XXIII, Encyclical Letter "*Mater et Magistra*," *AAS* 53 (1961), pp. 401-464; See also Walter ABBOTT, ed., *The Documents of Vatican II* (New York: Herder & Herder, 1966), pp. 273-74.

³¹⁸ Looking for ways of balancing the rights of the individual and those of the community was part of the wider reflection on the mission of the Church in Eastern Africa in the post Vatican II era. Bishop Mihayo confirms that less than 10% of church expenses were being met by contributions from

Catholic church's situation was more complicated when it came to the questions of self-reliance and sustenance of the clergy. Whereas the expatriate priest had his financial resources from abroad, the Tanzanian priest had none. The local priest faced the challenge of a moral responsibility to share material goods with his relatives. With daily mass stipend of 15 Tanzanian shillings a day, and due to the fact that most of the donors for mass intentions were churches in the west, the fate of most of the diocesan clergy depended on getting a benefactor. Unless self-reliance and common decisions on sustenance were arrived at, there was an imminent danger of creating glaring differences and perpetuating class formation of haves and have-nots, not only between the local clergy and the missionary, but also among the diocesan clergy.³¹⁹ Facing the reality of diminishing financial help from overseas, there was a need to make rectifications in the structures of the missionary church stage, and make sure that justice rather than generosity is a determining factor in up-keeping of personnel in the typically local church.³²⁰

Besides the up-keep of the clergy, remunerating catechists was among the acute problems in the majority of the dioceses in Tanzania. For so long remunerating this category of the church's manpower was subsidized by funding from abroad, and there

local Christians. In order to advance the responsibilities of the church's personnel beyond cultic duties new ways to be self-reliant were needed. Among the suggestions that were being proposed for the decent up-keep of the clergy were options of training a self-supporting working clergy, and putting emphasis upon the duty of the laity communities to sustain their clergy. These issues were delicate because not all Catholic dioceses were in the same situations; some were better off than the others both in resources and personnel. Due to the reality of financial inequalities among the Catholic dioceses in Tanzania, it was being discussed whether it could be possible to share personnel and funds with the poorer neighbors. A common stand on issues of up-keep, illness and retirement plans for priests was needed due to the fact that though Rome provided something, begging was becoming more and more unacceptable. See MIHAYO, "Practical Solutions to the Increasing Crisis of Priest Shortage." pp. 3-8.

³¹⁹ See van Bergen, *Development and Religion in Tanzania*, pp. 262-264.

³²⁰ "SSY 1970's-The Church in Dialogue. Tanzanian Clergy Meet (Dodoma, April 20th-24th)." pp. 21-25.

were perpetuations of the systems of distinguishing trained from non-trained catechists. As Bishop Alfons Nsabi and Bernard Joinet confirm, in the post Vatican II era the Catholic church in Tanzania faced the challenge of an increasing number of trained catechists who had to be paid as full time employees at the moment when funds from abroad were diminishing. Some kind of guidelines were needed on how to remunerate catechists; otherwise, leaving each parish to decide on what to give could easily breed injustices.³²¹ As Nsabi explains, the Catholic church in Tanzania realized the urgency of having trained catechists and opening up catechist schools or catechetical training centers (CTC) in most of the dioceses. Operating in a milieu of a country that was putting much emphasis on development and education, the church was not supposed to lag behind. However, with catechists assuming major roles in the church, sharing in the ministerial duties of the clergy and playing an important role in the education system, remunerating them was not yet given a fair consideration. In many dioceses, untrained catechists received little or no remuneration at all, while trained catechists received a bit more but far from a full salary. Justice demanded that catechists be paid what was fair for sustaining themselves and their families. Nsabi proposed two alternatives; either making local churches strive to be self-reliant, or employ working catechists. Both ways, Nsabi's advice is that in order to avoid surprises and disappointment, the church in Tanzania needed a vision and a strategy for the future. The question of remunerating manpower needed long term planning and policies.³²²

³²¹ See Alfons NSABI, "What Type of Catechist," *SERVICE* 7&8 (1971). pp. 17-21; Bernard JOINET, "The Future of Catechists in Self-reliant Parishes," *SERVICE* 6 (1971). pp. 1-5

³²² NSABI, "What Type of Catechist," pp. 20-21.

Concluding Remarks

This chapter has focused on exposing first how the TEC made a breakthrough to approve Ujamaa as a system under which rights of the citizens could be enhanced in Tanzania. The TEC put to light the fact that there was no need to exaggerate the socialist choice of the equality principle as a guarantee for equal distribution of rights among the citizens. Second, the expository task of the objects of rights and duties in the social teaching of the TEC has been accompanied by attempts to analyze what these teachings reflect of the Tanzanian situation. The TEC was impressed by Arusha Declaration's aspiration to spread among the Tanzanians the culture of equality, and the human-centered type of development. However, the approach of the TEC on how to reconcile religion and development reveals a transitory stage in the post Vatican II era to bridge the gap between the purely divine and the purely secular spheres of human activities. Despite the difficulties in defining the specific role of the church in development, this period stands as a watershed in the TEC's approach to human rights. Not only did the bishops attempt to go beyond the fears of communism, they equally encouraged the laity to take their appropriate positions both in politics and within the church as an institution. Moreover, the TEC's continual emphasis on the culture of equals was a reminder not only to the faithful but also to the government that the goals of the Arusha Declaration were far from being achieved. Sensitivities to the importance of balancing the rights of the individual and the collective led to initial common reappraisal of the functioning of the inner mechanisms of the local church in sustaining its personnel. However, as the TEC did not offer definitive solutions to development and participatory rights issues, it is appropriate to turn to the third chapter

and examine how the TEC advanced the human rights of the Tanzanians on the eve of multiparty democracy.

CHAPTER THREE

HUMAN RIGHTS AT THE DAWN OF MULTIPARTISM: 1987-1995

Entry into the third period is signaled by the TEC's emphasis on making a retrospective analysis of the pillars that contributed to the peaceful situation in Tanzania's thirty years of independence. The TEC wishes that just as independence was attained without bloodshed, and dialogue rather than force had been respected in building a unified pluralistic nation without declining to religious, ethnic or regional factions, peace and mutual understanding might now sustain the nation through the wave of multipartism.³²³ Backed up by a newly revised national constitution containing a Bill of Rights, the TEC plays a prophetic role in the democratization process by extending its partnership in promoting human rights related to development. Shouldering a joint venture with the Christian Council of Tanzania (CCT), the TEC focuses on promoting development in the fields of health and education. In collaboration with the Catholic Professionals of Tanzania (CPT), the TEC focuses on educating the faithful about participatory rights in a democratic multiparty setting, a task informed by values from the social teaching of the church.³²⁴ Among the factors strengthening the TEC's strategy was the African Synod's emphasis on integrating justice and peace in the evangelizing mission of the church and formulating appropriate tools for action taking in the pastoral program of each Christian

³²³ TEC. *MKM*, pp. 24-25; *Idem*, *MUMO*, p. 4.

³²⁴ TEC, 19th Permanent Council Meeting, Kurasini, 14-17 February, 1995, *TEC Files*, 1995; CPT, *MKMT*; *Idem*, *MPM*; *Idem*, *MUT*; *Idem*, *KKJ*: See also "Cooperation Between the State and Churches in Development: Memorandum of Understanding Between Christian Council of Tanzania and Tanzania Episcopal Conference and The United Republic of Tanzania," *TEC Files*, 1992.

community.³²⁵ Moreover, the era of multiparty democratization in Africa reawakened within Christian churches interest to play an active role in encouraging participatory rights of the citizens and mediating between the interests of the civil society and the state.³²⁶

The third chapter, and our thesis as a whole, takes 1995 as an end date because the researched literature covers the period that culminates with the first multiparty elections in independent Tanzania in October 1995. The research explores the contents of the pastoral letters *Maendeleo ya Kweli ya Mwanadamu (True Human Development (MKM))* of 1992, *Ukweli Utawapeni Uhuru (The Truth Will Make You Free (UUH))* of 1993 and *Dhamira Safi-Dira ya Taifa Letu (Good Conscience-Vision of Our Nation (DSDT))* of 1993; the pastoral statements: *Tamko Rasmi la Baraza la Maaskofu Katoliki Mintarafu Kashfa za Kidini (Statement on Religious Blasphemies (KZD))* of 1993, and *Maelekezo ya Maaskofu Katoliki Tanzania Juu ya Uchaguzi Mkuu wa Octoba 1995 (Guidelines for the National Elections of October 1995 (MUMO))* of 1995; publications of the Peace and Justice Commission: *Haki za Binadamu za Familia (Human Rights of the Family (HZF))* of 1989, and *Uchaguzi Mkuu wa Ockoba, 1995: Tutegemee Nini Kutoka Kwa Wagombea*

³²⁵ See JOHN PAUL II. *Ecclesia in Africa*, pp. 44-45; BYARUHANGA-AKIIKI et al., *Cast Away Fear. A Contribution to the African Synod* (Nairobi: New People, 1994), pp. 18-19.

³²⁶ See MAGESA et al., eds., *The Prophetic Role of the Church in Tanzania Today*; José CHIPENDA, André KARAMAGA, eds., *Le temps propice pour le changement* (Nairobi: Service de l'Information. La Conférence des Eglises de Toute l'Afrique, 1991); "SYMPOSIUM ON THE ROLE OF RELIGIOUS LEADERS IN PEACEMAKING AND SOCIAL CHANGE IN AFRICA." Kenya- July 18-23, 1993." *ADS 400* (1993), pp. 1-6; Gerald SCHMITZ, Eboe HUTCHFUL, *Democratization and Popular Participation in Africa* (Ottawa: The North-South Institute/ L'Institut nord-sud, 1992), pp. 17-18; *INTERNATIONAL CONFERENCE ON POPULAR PARTICIPATION IN THE RECOVERY AND DEVELOPMENT PROCESS IN AFRICA, Arusha, February 12-16, 1990* (Addis Ababa: UNECA, 1990); Michael BRATON, Nicolas van de WALLE, *Democratic Experiments in Africa* (London: Cambridge University Press, 1997), pp. 253-260; Chukwudum OKOLO, *The Liberating Role of the Church in Africa Today* (Eldoret: AMECEA Gaba Publications, 1991); *Idem. The African Synod: Hope for the Continent's Liberation* (Eldoret: AMECEA Gaba Publications, 1994).

(National Elections of October 1995: What to Expect from the Candidates for Leadership (TKW), and publications of the of the Catholic Professionals of Tanzania (CPT):

Mwongozo Kwa Makatekista (Directives to the Catechists (MKMT) of 1994, *Misingi ya Pamoja ya Maadili (Common Ethical Principles (MPM)* of 1994, *Mamlaka na Wasio na*

Mamlaka: Uzoefu wa Tanzania (Authority and the Common Man: The Tanzanian

Experience (MUT) of 1994, and *Kuwajibika Katika Jamii (Being Responsible in Society*

(KKJ) of 1995. The aim of this chapter is twofold: First, to expose how the TEC

understands and interprets tensions in the nation within the transition period to

multipartism in relatedness to the vision of the nation. Second, to identify the main objects

of rights and duties during this period, i.e., vision of human-centered right to development,

concerns for environmental rights issues, the TEC's response to Islamo-Christian tensions,

rebukes against misuse of freedom of the press, concerns for life and family rights, and

exercising voting rights under the multiparty system. These tasks are accompanied by

analysis of what the TEC's social teaching reflects or corresponds to of the cultural, social,

economic and political situations in the nation. The third chapter attains its zenith with

some concluding remarks concerning this important period in the TEC's teaching on

human rights.

3.1 Tensions Within the Transition Period

3.1.1 New Strategic Approaches to Rights Related Issues

Two pastoral letters *Truth Will Make You Free* and *Good Conscience-Vision of Our Nation* complement each other on the TEC's understanding and interpretation of the

Tanzanian situation on the eve of multipartism. In *Good Conscience-Vision of Our Nation* of 1993, the TEC reading the signs of the time, defines its triple strategic approach to human rights and duties as consisting of (1) helping citizens understand the actual situation by making them aware of the problems and their origins, (2) helping them understand their individual rights as well as those of the community, and (3) seeking and planning together how to acquire, defend, and promote these rights.³²⁷ As Tanzania crossed the threshold of Ujamaa to neo-liberal forces of the free market, the TEC maintains that citizens were being misled about the vision of the nation.

“The actual situation in Tanzania does not reflect the vision of the nation. In the place of Ujamaa, groups of strong ones, persons in positions of leadership and power start to amalgamate among themselves the nation’s wealth. We want to make it clear that the vision of the nation is not equivalent to the ideology of any political party. In fact, the success of any party’s ideology must be assessed in terms of affinity and truthfulness to the preservation of the vision of the nation. It is now evident that ideologies and programs of political parties do not reflect the vision of the nation.”³²⁸

For the TEC, guided by the vision of socialism and self-reliance (*ujamaa na kujitegemea*), Tanzanians ought to respect the dignity of the human person and enhance communitarian values of love, sharing, and supporting each other in the process of promoting development in the nation. The loss of the communitarian vision without an equivalent model was leading to tensions between the civil society and the state, replacing human-centered by material-centered development, and misuse of the right to freedom of expression both in the sectors of religion and the press.³²⁹ The contexts in which the TEC raises these issues will be examined in the second part of this chapter. However, within

³²⁷ TEC, *DSDT*, p. 13.

³²⁸ TEC, *DSDT*, p. 14 (my translation).

³²⁹ TEC, *DSDT*, pp. 14-19.

proximity of the transitory period from socialist to capitalist forces of the free market, the TEC first focuses on exposing behaviors and practices in the political and economic spheres that threaten the rights of the citizens.³³⁰

3.1.2 Behaviors and Structures that Endanger the Rights of the Tanzanians

Within the political field, the TEC makes this observation in *Truth Will Make You Free*:

“We are saddened by the fact that in the political sector there is a lot of cheating, treachery, hypocrisy, dubiousness and injustices. Persons without proper qualifications occupy positions of power and leadership. As a consequence they lose credibility in the eyes of the public. Cunning, opportunistic individuals exploit the situation to cause havoc in the nation, leaving good citizens demoralized in their efforts to promote development. Meanwhile, the weak leadership makes it easy for external enemies to penetrate in the nation and accelerate the disturbance of our peace. Briefly, the top leadership is shaky, and our nation is losing its political direction.”³³¹

The TEC points particularly to attempts of manipulating the national constitution for individualistic gains, and improper accountability of the leadership to the civil society. The TEC argues that so far as the constitution of the nation expresses the will of the citizens and is a standard measure that is recognized by other nations, the government in power has a duty of safeguarding not only the constitution but also the vision of the nation. Rather than succumb to egoistic inclinations, appropriate legal steps must be taken to safeguard the stipulations of the national constitution.³³²

³³⁰ TEC, *UUH*, pp. 10-11.

³³¹ TEC, *UUH*, p. 10 (my translation).

³³² See TEC, *DSDT*, pp. 14-15.

As for the functioning of the mechanisms of the free economy, the TEC expresses dissatisfaction with the new rules of the game in that they privilege the powerful and the rich at the cost of impoverishing the majority of the citizens.³³³ For the TEC, expectations were that economic liberalization was to revive the nation's economy, increase productivity capacities of citizens, and lead to improved living standards. To attain such goals, it was necessary to create effective mechanisms for evaluating earnings of citizens, making sure that income tax is paid, and that social services are made better for the good of all. Contrary to these expectations, the ordinary citizen experiences a decreasing income, increased prices for consumer goods, and increased taxes. The government demands cost-sharing for services such as education and health that were formerly subsidized. Greediness of the few who seek to enrich themselves quickly impoverishes the majority of the citizens directly involved in production, particularly in the agricultural sector. Injustices are even more evident in the wealthy class's tax evasions. Institutions such as the Tanzania Rural Development Bank were created to ease loans to the peasants and operate in favor of the interests of the rich. To aggravate the matter, cries and complaints of the citizens against the looting of the nation's natural resources, land, minerals, forests, wild game and fishery are intentionally neglected by the government. The TEC notes a variety of activities that ruin the nation's poor economy including: treacherous draining out of the nation's wealth into foreign bank accounts via the few who monopolize foreign exchange (*bureau de change*), government concessions on

³³³ TEC. *UUH*, pp. 10-11; *Idem*. *DSDT*, pp. 16-17.

environmental issues without consulting the citizens, receiving grants and donations with attached strings, and private company tax evasion.³³⁴

The conclusion that the TEC draws from the existing situation is that in order to liberate Tanzania from the vicious circle of poverty it is necessary to respect the dignity of the human person and take seriously the plan of the Creator, i.e., ruling over the created universe and exploiting its resources for the common good instead of looting it for personal gains "*wazo ni kutawala ulimwengu kwa mamfaa ya wote na siyo kufuja*".³³⁵

The TEC puts emphasis on this priority:

"The dignity of the human person cannot be traded either for money or corporeal pleasures. Even under the burden of poverty and misery, the dignity of the human person has to come first. Therefore, in seeking to satisfy the basic necessities of life and in all our economic, social, political and cultural planning, the dignity of the Tanzanian must come first because God created a human being in his own image. "God created them in his own likeness, in the image of God he made them male and female (Gen. 1:27)."³³⁶

The TEC's understanding and interpretation of the Tanzania's political and economic situation on the eve of multipartism responds to the wider context of the crisis that hit Africa during the late 1980's and early in 1990. The timing of the wave of democratic experiments in Africa in the early 1990's derived from the end of the Cold War. However, as Michael Bratton and Nicolas van de Walle point out, overcoming economic crisis while simultaneously achieving democratization was a distinctive challenge facing African states. The nature of the conflict stemmed partly from the fact that the pressure for incorporating rights in the establishment of multi-party elections in Africa was

³³⁴ TEC. *DSDT*, p. 17.

³³⁵ TEC. *UUH*, p. 11.

³³⁶ TEC. *UUH*, p. 12 (my translation).

a result of external donors and financial institutions which sought political stability and economic interests. African governments were forced into the widespread adoption of orthodox structural adjustment programs which initially acted as emergency measures to stabilize the economy by eliminating both public and external trading accounts deficits. In turn, governments adopted long-term programs to instill economic growth by reducing government controls and interventions in favor of market prices and institutions.³³⁷ Entry into an era in which economic interests come first and then humanitarian considerations second, was prone to trigger the state crisis in sustaining collective welfare of the civil society.

Some commentators view the transition as very positive to the churches. According to Bratton and van de Walle for example, the transitory stages to multipartism became springboards for religious groups, professional associations, and human rights groups to play new intermediary roles between the state and the citizens. These groups provided public arenas for political participation and promoted accountability of the political class. In a special way, religious groups and churches had advantages of being the most likely credible groups for defending the democratic order per se and served as the conscience of the nation. Roles of bridging the gap between the civil society and the government were significant because regime transitions in Africa occurred relatively swiftly, shortening opportunities for political learning and institutions building. Prospects for deepening democracy hinged on the strength of the permanent state apparatus relative

³³⁷ See BRATTON and van de WALLE, *Democratic Experiments in Africa*, pp. 132-33, 240-41.

to the ability of non-government actors to exert counter-veiling powers.³³⁸ Within the Eastern African context for example, a move in this direction is expressed in the statement of the Nairobi Symposium on the Role of Religious Leaders in Peacemaking and Social Change in Africa. Christian churches welcomed the second wind of change in Africa as a moment for restructuring the political order. Whereas Christian churches during the independence era had mainly committed themselves to a largely re-active agenda due to legacies of the structures inherited from colonial rule, the new era was interpreted as one choosing the pro-active agenda for the African continent by playing roles of peacemaking and acting as mediators for social change in Africa. Understanding democracy as a political, economic, social and cultural choice made by society, the church leadership preferred joint efforts of institutions, movements, and individuals in actualizing dreams for participatory governance and seeking cure for accountability sicknesses of each country.³³⁹

Within the Tanzanian context, the transition from single to plural politics benefited greatly from the political upheavals of 1989-90 in Eastern Europe. The demise of monopoly politics in Eastern Europe sent shock waves all over Africa including socialist Tanzania that had close political and ideological links with the East. Learning from what

³³⁸ Prospects for democracy and enforcement of participatory rights of the citizens demand legitimization and institutionalization of democratic practices. Key political institutions, including political parties, the legislature, and the judiciary need to function effectively and to successfully nurture broad-based pluralism because democracy is not possible without democrats. Beyond elections there was a need for internalization of the rules of the game in order to consolidate popular governance. See BRATTON and van de WALLE, *Democratic Experiments in Africa*, pp. 253-55, 259-60; See also Peter McISAAC, "Structural Adjustment Programs: Capitalist Myth in Africa," *African Christian Studies* 13 (1997), pp. 1-35.

³³⁹ See "SYMPOSIUM ON THE ROLE OF RELIGIOUS LEADERS IN PEACE MAKING AND SOCIAL CHANGE IN AFRICA, KENYA JULY 18-23," pp. 1-2; See also BYARUHANGA-AKIIKI et al., *Cast Away Fear*, pp. 18-21.

was taking place in Kenya and Zambia (1991), Tanzania's second phase government realized the futility of resisting what donors wanted. Hence, the state was quick to take the command of the transition by appointing a Presidential Commission on single versus multi-party politics. Debates followed, and finally the Presidential Commission recommended the multiparty system. Among others, the Commission pointed out the violation of fundamental human rights under the one party system: detention without trials, limitations on press freedom, prohibitions of rights to associate and to strike. Thus, the drive towards multiparty democratic practice in Tanzania officially dated from July 1st, 1992 with the presidential assent of the law for multipartism.³⁴⁰

However, the shift from single party to multipartism was not all that smooth. As Bratton and van de Walle confirm, Tanzania's political behaviors were embedded in the informal traditions of neopatrimonial rule, i.e., concentrating power in the hands of an all powerful president.³⁴¹ Such a system provided a narrow space for citizen participation in governance of the state. On one hand, as Gerald Schmitz and Eboe Hutchful note, it was by contesting the meanings of democracy that the political debate was kept alive in Tanzania. Tanzania claimed to maintain democracy under the one party system by having regular elections and giving opportunity to the citizens to determine their leaders.³⁴² On the other hand, however, and despite the call for regular elections, there are limits of the single party system for the leadership's accountability to the civil society. As Mmuya and Chaligha explain, the Tanzanian system was characterized by centralization and lack of

³⁴⁰ MMUYA and CHALIGHA. *Towards Multiparty Politics in Tanzania*. pp. 7-13.

³⁴¹ BRATTON and van de WALLE. *Democratic Experiments in Africa*. p. 242.

³⁴² See SCHMITZ and HUTCHFUL. *Democratization and Popular Participation in Africa*. p. 3; MMUYA and CHALIGHA. *Towards Multiparty Politics in Tanzania*. p. 5.

flexibility. Due to the close relationship between the party and the state, under the one party system it was difficult to hold anyone accountable for misdeeds and incompetence. The political system rested on cover-ups and silences. It became protective of its key members even when they committed the whole society to problems of a serious magnitude.³⁴³ Attempts to manipulate the national constitution and the inability of the government to be accountable to the civil society became even more evident in maneuvers to extend the period for the presidency, and the secret registration of Zanzibar as a member of the Organization of Islamic Conference (OIC).³⁴⁴ The issue at stake as Nyerere indicates in *Uongozi Wetu na Hatima ya Tanzania (Our Leadership and the Fate of Tanzania)*, is that once the Tanzanian government approved the decision to embrace the multiparty system, the constitution of the country was to act as the guiding light for action-taking. It is due to personal interests that the leadership made maneuvers to change the two term period of presidency to three consecutive terms, (i.e., from 10 to 15 years). Such maneuvers were signs of weakness in governance and lack of appropriate accountability to the civil society.³⁴⁵ Moreover, entry into multipartism fueled tensions within the already fragile union between Tanganyika and Zanzibar. Opposition parties in Zanzibar were in favor of establishing a three government system while pro-union citizens on the Tanzanian mainland interpreted such a move as breaching the nation's newly

³⁴³ The one party system was becoming more and more bureaucratic and restrictive, and used protective forces (*kulindana*) due to "membership of the club" (*huyu ni mwenzetu*). See MMUYA and CHALIGHA. *Towards Multiparty Politics in Tanzania*. pp. 6. 14-15.

³⁴⁴ See NYERERE. *Uongozi Wetu na Hatima ya Tanzania*, pp. 42-52.

³⁴⁵ For Nyerere, instead of allowing the culture of fear to reign in the nation, popular participation and democratic tools were to be used in contesting for the presidential position. Monopolistic tactics of the one party era were to give way to a competitive system. NYERERE, *Uongozi Wetu na Hatima ya Tanzania*. pp. 6-8. 52.

revised constitution. Tensions between the Tanzanian mainland and Zanzibar were accelerated by the activities of Moslem fundamentalists and the registration of Zanzibar as a member of Organization of Islamic Conference (OIC) without notifying the mainland partner. The failure of the government to uncover these plans and make timely interventions accelerated the government's loss of confidence among the citizens.³⁴⁶

The TEC's social teaching on the economic sector reflects the changing nature of the Tanzanian society during the transition from socialism to the free market. A new perception about the relationship of individuals to the state was taking shape. Under Ujamaa the perception of society and its organizations, including the political component, were encased in a frame which regarded society as homogeneous and united for a common purpose. Leaders were expected to be committed servants for the people. As indicated in the second chapter, starting with the economic crisis, the individual began to assert herself in her bid to make a living. With liberalization of the economy in the 1980's it is the party and government leadership that was in the forefront of making personal efforts for survival. New changes led to an upsurge of individuals with new ideas about how society should be organized and how politics should be conducted. New awareness about society, politics, and leadership led to conflicting values within society.³⁴⁷ Liberalization of the economy positively led to the rebirth of individual initiatives in business and the survival economy. However, as the TEC points out, the dominance of market forces paved the way for greediness of the few seeking to amalgamate among themselves the nation's meager resources. During the transition to multipartism Tanzania was enveloped in scandals of

³⁴⁶ NYERERE, *Uongozi Wetu na Hatima ya Tanzania*, pp. 66-7.

³⁴⁷ MMUYA and CHALIGHA, *Towards Multiparty Politics in Tanzania*, pp. 15-17.

corruption that led to massive complaints about the lost vision of the nation. Tax evasion in Tanzania was reaching such a high tide that foreign investors and donors were beginning to pressure the government to re-examine its taxation policies. As Herald Tagama notes, "The local media has indulged in an orgy of coverage of the indiscriminate tax exemptions given to major politicians. There were over 2,000 in 1993 costing the government Tshs 70 bn (\$ 113 m) and Tshs 35 bn between January and October 1994. President Mwinyi admitted that his government was collecting less than 20% of the forced revenue."³⁴⁸

It is within this context that religious groups, especially Christianity and Islam, found vitality and new roles to play in the political sector. The crisis of the 1980's paved the way for citizens to look for alternative ideologies that could offer new visions about life. Tanzanians turned to religious institutions and leadership not only as sources of supplying practical livelihood materials, but for offering significant directives on the conduct of politics in the nation. More than ever before, the time was ripe for religious groups to play significant prophetic roles in the political arena on issues related to economic reforms and democracy.³⁴⁹ The Catholic church leadership in AMECEA countries had a better chance for speaking out prophetically in defense of human rights and the needs of the poor because most of the AMECEA bishops are African, there is an increasing percentage of African clergy, and the wider availability of a Vatican II ecclesiology and the church's social teaching with its emphasis upon the promotion of justice as a constitutive dimension of evangelisation.³⁵⁰ However, in order to grasp how

³⁴⁸ See Herald TAGAMA, "Tanzania Faces Tide of Corruption," *New African* 328 (1995), p. 26.

³⁴⁹ See MMUYA and CHALIGHA, *Towards Multiparty Politics in Tanzania*, pp. 18-19.

³⁵⁰ See Peter HENRIOT, "The Social Context of the AMECEA Countries on the Eve of the African Synod," *AFER* 34 (1992), pp. 342-43, 360-61.

the TEC attempts to reconcile these tensions within the transition period and encourages participatory rights of the faithful in a multiparty democratic setting, it is essential to examine the objects of rights and duties in the TEC's social teaching. This examination is accompanied by an analysis of what the TEC's social teaching corresponds to of Tanzania's socio-political, cultural and economic situations.

3.2 Objects of Rights and Duties

3.2.1 Vision of the Human-Centered Right to Development

Concerns for the human-centered development on the eve of multipartism are presented in six documents of the TEC that complement each other: the pastoral letters *True Human Development* of 1992 and *Good Conscience Vision of Our Nation* of 1993 and from the *TEC Files*: "A Consultation on Cooperation Between the State and Churches in Social Services Held at Moshi From February 6-9th 1991," "Cooperation Between the State and Churches in Development: Sharing Responsibilities in the Field of Education. Resolutions of the Workshop Held at TEC Kurasini Dar es Salaam, 26th-29th November 1991," "Elements for An Agreement Between the Churches in Tanzania and the Churches in Germany," of April 1992, and "Cooperation Between the State and Churches in Development: Memorandum of Understanding Between Christian Council of Tanzania and Tanzania Episcopal Conference and the United Republic of Tanzania," of June 1992. The TEC's approach to development evolves in two main directions: First, the TEC clarifies the criteria for assessing true development for mankind in the modern times, a task accompanied by exposing the factors contributive to the stifling of development in

Tanzania. Second, the TEC focuses on the practical side of motivations and strategies for promoting development in the spheres of health and education.

In *True Human Development* the TEC specifies the two criteria for assessing true development for mankind in the modern times: (1) respecting the holistic nature of the human person, and (2) approaching development as an ethical issue concerning choices for both the individual and the collective.³⁵¹ With regard to the first criterion, the TEC explains: “Any society striving to plan and mobilize its resources for true development must take into consideration the unique element that distinguishes a human being from the rest of created things, i.e., “created in the image of God.”³⁵² As God created man male and female in an inseparable union of body and spirit, and gave them a mandate to take care of the created world, true development cannot be dissociated from the plan of the Creator. Any efforts to bring about development while undermining or neglecting the nature of the human being as *imago Dei* is likely to provoke chaos. Scientific and technological advancements that neglect the nature of the human person as tending towards God cannot bring about true development. For a believer, the dream for true development must be evaluated from the light of faith.³⁵³

With regard to the second criterion, the TEC explains:

“When we think about true development for mankind, we ought to bring in ethical considerations of making choices in conscience. True development depends on choices made by individual persons or groups of persons. A guiding principle for making decisions on true development is one of always choosing the good. All decisions made in conscience have impacts on the right to development. Likewise, scientific and technological advancements depend very much on decisions made in conscience. In order to promote

³⁵¹ TEC, MKM, pp. 1-3.

³⁵² TEC, MKM, p. 4 (my translation).

³⁵³ TEC, MKM, p. 5.

true development, scientific and technological advancements must evaluate the negative impacts of the various projects and experiments on humanity. For Christians and believers of other faiths, decisions on development can never be dissociated from the light of faith and the grace of God.”³⁵⁴

Since true development cannot be dissociated from accountability of the human actors, narrowing down the implications of these two criteria to the Tanzanian situation, the TEC remarks: “First, when we think about development for our country, we have the right to decide and choose what suits our spiritual, ethical, faith, and cultural values that are foundations for the dignity of the human person and for our patriotism. Without these values, mere amassing of material wealth resulting from technological advancements, and raised per capita income, remain inadequate standard measures for assessing development that befits human nature. Second, anybody intending to be our benefactor has to be well informed about our position. This is the only way to make sure that our values will be kept intact.”³⁵⁵ The TEC warns against certain donor groups and institutions that, under the guise of beneficence and bringing development to others, camouflage intentions of compelling poor nations to adore certain gods: wealth, ideologies, and technological advancements. Rather than succumb to the reign of values that are likely to set the nation on the road for self-destruction, Tanzanians must learn to preserve their collective identity and values.

The TEC identifies three factors that stifle development efforts in Tanzania: (1) the syndrome of wanting to get rich quickly, (2) slackness and indifferentism to work, and (3)

³⁵⁴ TEC. *MKM*, p. 6 (my translation).

³⁵⁵ TEC. *MKM*, p. 7 (my translation).

excessive bureaucratic control in production sectors.³⁵⁶ Culturally, Tanzania was being invaded by a get rich quickly syndrome without taking into consideration the need for hard work, justice, and respecting the rights of the others. As a consequence, the nation is experiencing increased incidents of embezzlement of public funds, an inability to prosecute looters of public wealth, and the retarding of payments to employees. The TEC relates such behaviors to the silencing of individual conscience. Once the inner voice that praises a person for doing good and rebukes him for doing evil is silenced, doors are open for encroaching upon the rights of the others. Hence, success of the government's effort to instill among the citizens the spirit of accountability must be accompanied by motivating them to feel responsible from within. Forming the conscience of Tanzanians is part of the solution to the problems of corruption, injustice, and exploitation that degrade the dignity of the human person in the nation. Whereas it is a legitimate human desire to seek improved standards of living, the TEC calls upon Tanzanians to avoid the extreme of seeking richness at the expense of destroying society, dignity, and rights of others. Citizens need constant education about finding joy in what they sweat for.³⁵⁷

Second, with regard to the malaise of slackness and indifferentism to work, the TEC argues that since development has its origins in the personalization of work, there is an urgent need to form responsible citizens who are convinced that what they do is theirs, and that success or failure in the work place is their personal success or failure. There is need for liberating Tanzanians from depersonalizing work and usage of the slogans such as *mali ya umma* (communal property) or *hali halisi* (the actual crisis situation in the nation)

³⁵⁶ TEC. MKM. pp. 6-7.

³⁵⁷ TEC. MKM. p. 8.

as pretexts for embezzling communal property. Part of the strategy for attainment of true human development is to resuscitate the spirit of responsibility, accountability and live consciences among the citizens.³⁵⁸

Third, without denying that bureaucracy is needed for the smooth coordination of human activities, the TEC points out that in many sectors of production, especially within the state sector of the economy, bureaucratic control leads to heavy losses due to lack of making appropriate decisions in time. Excessive bureaucratic control breeds corruption. In order to rectify this situation, the TEC suggests that the government must learn to maximize bureaucratic control in production sectors, and stop the game of employing people for the sake of creating jobs.³⁵⁹

Taking the three factors as a unit, the TEC proposes that efforts to bring about true human development in Tanzania demand integrating the right and duty to work into the plan of the Creator. Tanzanians have to respect the right and duty to work based on motivations other than mere satisfaction of basic material necessities, such as developing one's own talents, actualizing self-esteem, and acting as co-creators. It is hard to appreciate what it really means to be human without developing the inner-self motivation of wanting to achieve something. "*Kazi ni njia mojawapo tuliyowekewa tuweze kukua na kuwa binadamu kamili. Kinyume chake ni uvivu ni kukondesha utu* (work leads to human growth and maturity, laziness stunts human growth and dignity)."³⁶⁰ Thus, Tanzanians need to preserve the communal dimension of work and social cooperation in mastering the

³⁵⁸ TEC, MKM, pp. 8-9.

³⁵⁹ TEC, MKM, pp. 9-10.

³⁶⁰ TEC, MKM, p. 16.

created universe, a task that demands taming egoistic and excessive individualism beginning with the family.

Other scholars confirm the views of the TEC on development within the crisis situation of Tanzania entering the second phase of structural adjustment programs (SAP) known as the Economic Recovery Programs (ERP). The crisis of the 1980s intensified the development crisis in two ways. First, since 1967 Tanzania's economic frame was based on Ujamaa that gave the primacy to collective rights. Emphasis was on active state participation in economic development programs and financing social services. The Tanzanian government was initiator of its own policies. However, following the intensification of the crisis in the 1980s, Tanzania was increasingly under pressure to give up its pillars of policy direction. Some of the conditions for receiving foreign capital for financing the recovery programs were against some of the basic tenets of Ujamaa and Self Reliance. This point is well expressed by Mmuya and Chaligha that: "After the adoption of the Economic Recovery Measures, Tanzania increasingly began to lose its autonomy and independence to formulate her own policies. She was now increasingly becoming a policy taker and not a policy initiator. Economic policies and programs, social policy directions etc., all came in packages which Tanzania had to implement with little change to either their contents or timetable."³⁶¹ From 1981 onwards, external donors including the World Bank and the International Monetary Fund pressured Tanzania to adhere to the National Economic Survival Program (NESP) that was accompanied by the Structural Adjustment Program (SAP) from 1982-1986. Specifically, the issues that the TEC raises reflect in part,

³⁶¹ MMUYA and CHALIGHA. *Towards Multiparty Politics in Tanzania*. p. 20.

the impacts of implementing the second phase of the structural adjustment program known as the Economic Recovery Program (ERP) of 1986-1989, and partly, entry into the implementation of the Economic and Social Action Program (ESAP) in the 1990s.³⁶²

Structural adjustment programs in Tanzania as elsewhere in Africa signaled an era in which economic rather than human interests came first. External donors were more interested in paying debts and redressing trade imbalances according to the dictates of the forces of free market. Standard measures of development became the amount of the gross national product and the per capita income of the country. Jumanne Wagao, arguing in the same line of thought as the TEC, indicates that while Tanzania needed economic recovery and economic growth in terms of gross national product and per capita income, there were adjacent needs of keeping social rights in good health.³⁶³

As Mmuya and Chaligha point out, the state crisis became explicit in bureaucratic failures expressed in incidents of inability to act on critical areas and problems facing society, namely, corruption, shortages, economic inactivity, officials failing to work in accordance with rules and regulations. Instead, extra bureaucratic means such as favoritism, unofficial orders and corruption were used. Subsequently, budgetary constraints were inevitable. In a situation of decreasing production for exports, limited donor support and adverse terms of trade for both exports and imports, roads could not be repaired, hospitals went without medicine, schools could not be rehabilitated, and suffered the absence of desks and reading material.³⁶⁴ Actually, the near vacuum situation and the

³⁶² Jumanne WAGAO. "Tanzanie: Ajustement (1981-1989)," *Vivant Univers* 398 (1992). pp. 23-27.

³⁶³ See WAGAO. "Tanzanie: Ajustement (1981-1989)," p. 28.

³⁶⁴ See MMUYA and CHALIGHA. *Towards Multiparty Politics in Tanzania*. p. 21.

fragility of the government shook the foundations of Tanzania's communal rights. A liberalized economic system ushered into Tanzania a new context which produced individual, private economic and social groups who later on sought a new and corresponding political framework which would promote the new economic system.³⁶⁵

Entry into the period in which the culture of survival favored the powerful and the rich at the expense of impoverishing the already poor due to the burdens of increased taxes, high prices for material goods, currency devaluation, bureaucracy, corruption, and bribery, demanded the raising of prophetic voices to protect the rights of the poor majority. The TEC's suggestions on how to approach development is in line with Raymond Mosha's argument about the prophetic role of the church in Tanzania on the eve of multipartism. According to Mosha, the building of the kingdom of peace and social justice in Tanzania called for urgent prophesying in order to curb de-Christianizing and dehumanizing evil in the socio-economic perspective. The Tanzanian situation demanded prophecy in the sense of criticizing, dismantling structures, and energizing persons and communities so that a new consciousness could evoke, nurture, and nourish a fresh way of everydayness that necessarily breaks away with the dominating and deforming aspects of culture. The Tanzanian situation was ripe for the church to reject the status quo. Instead of the church being muzzled by diplomatic relationships with the state, the church needed self-dissociation from the state in order to speak from the side of the civil society. Success in actualizing human centered development demanded mobilization of individuals and communities for a common purpose.³⁶⁶

³⁶⁵ MMUYA and CHALIGHA, *Towards Multiparty Politics in Tanzania*, pp. 20-21, 23.

³⁶⁶ MOSHA, "The Prophetic Role of the Church in Tanzania Today," pp. 13-32.

As noted above, the second group of the TEC documents focus on the practical side of motivations and strategies for promoting development in the spheres of health and education. The process of carrying out a joint venture by the TEC and the Christian Council of Tanzania (CCT) in the two spheres matured in four steps. First, in "Elements for An Agreement Between the Churches in Tanzania and the Churches in Germany," it is indicated that motivations for carrying out a joint venture in health and education by Christian churches stem from membership to the One Body of Christ. A mutual agreement was that caring for welfare and development of the holistic nature of mankind in the world is integral to the mission of the churches.³⁶⁷ The TEC and the CCT reached a mutual conclusion that after independence it was necessary to nationalize schools and hospitals previously run by churches and other agencies. However, recognizing that economic hardships due to structural adjustment programs have led to considerable cuts in the nation's budget allocations for social services, Christian churches were ready to carry out a joint venture under the condition that these two sectors be approached from the perspective of sustained human development.³⁶⁸ Thus, the TEC and the CCT approached their sister churches in Germany both Catholic and Protestant with whom they have had long standing relationships, for assistance in partly funding the two projects. In turn, churches in Germany, realizing the limitedness of their resources, approached the Federal Government in order to channel additional funds for sustaining these social services in Tanzania over a period extending between ten to fifteen years. From this agreement, the

³⁶⁷ "Elements for An Agreement Between the Churches in Tanzania and the Churches in Germany." *TEC Files*, 1992. p. 1.

³⁶⁸ "Elements for An Agreement Between the Churches in Tanzania and the Churches in Germany." *TEC Files*, 1992. pp. 1-2.

TEC and the CCT had two tasks ahead: preparing and signing a Memorandum of Understanding with the Tanzanian government, and forming a joint Task Force that was to work towards the determination of the terms of cooperation.³⁶⁹

A second step, as indicated in "A Consultation on Cooperation Between the State and Churches in Social Services Held at Moshi, from 6th-9th February, 1991," consisted of bringing together church leaders, experts in health, education and development from both TEC and CCT, and representatives of partner churches in Germany (Berlin, Hamburg, Bavaria), Development Agency representatives (EZE, Bonn, MISERREOR Aachen, and DIFAEM Tübingen), as well as the World Council of Churches (WCC-CMC) in Geneva. The common concern was to discuss development.³⁷⁰ This meeting popularly known as the Moshi Consultancy, allowed the churches to explore the venue of state and church cooperation in development. On the practical level, two boards were formed: The Christian Education Board of Tanzania (CEBT), and the Christian Medical Board of Tanzania (CMBT). Second, Christian churches made it clear that giving priority to health and education stems from a realization that these two sectors are key to social and economic development. Due to the fact that government allocation of financial resources to these sectors has been diminishing drastically due to the crisis situation, it was necessary that the churches play subsidiary roles in helping the state to promote the two sectors. This

³⁶⁹ This joint venture between the TEC and the CCT was not meant to be exclusive; the churches were to see to it that peoples of other faiths are included in the programme, and that hopefully this venture could contribute to religious peace efforts by helping to create a peaceful and harmonious state in matters of religion. See "Elements for An Agreement Between the Churches in Tanzania and the Churches in Germany." *TEC Files*, 1992, pp. 2&4.

³⁷⁰ See "The Report to the Supreme Assemblies of the Churches in Tanzania by the Task Force, June 1992." *TEC Files*, 1992, p. 4.

consultancy led to the formation of a joint task force of nine members from Tanzania and three from Germany.³⁷¹

The third step as elaborated in “Cooperation Between the State and Churches in Development. Sharing Responsibility in the Field of Education: Resolutions of the Workshop Held at TEC, Kurasini, Dar es Salaam, 26-29 November 1991” consists of re-affirming that the Christian churches have an inherent responsibility in the field of education that is open to all citizen. Because the nation was falling short of resources to enhance education there was a necessity to complement government efforts in this endeavor. The Kurasini Workshop’s main achievement was identifying critical areas of action such as rehabilitating the existing church-owned schools, developing the staff for these schools, determining conditions of partnership with the government, and evolving a common structure for administrative and follow up purposes.³⁷²

The fourth step is elaborated in “Memorandum of Understanding between Christian Council of Tanzania and Tanzania Episcopal Conference and the United Republic of Tanzania,” of February 1992. The two parties reached an agreement that the motivation for giving priority to the provision of education and health services to the community constitute an essential ingredient for the well being of people, and that provision of such services in Tanzania contributes to the physical, mental and social development of the citizens. Due to the deteriorating state of services in the education and health sectors, Christian churches recognize that it is the duty of the government and the

³⁷¹ “Cooperation Between The State and Churches in Development.” *TEC Files*. 1992. p. 6.

³⁷² “Cooperation Between the State and Churches in Development. Sharing Responsibility in the Field of Education: Resolutions of the Workshop Held at TEC, Kurasini, Dar es Salaam, 26-29 November 1991.” *TEC Files*. 1992, pp. 1-3.

churches to provide, promote, foster, improve and expand education and health services all over Tanzania. The Memorandum charts out a common action for both government and churches in the development of these two spheres in terms of financing, coordinating, organizing, improving, expanding, and rehabilitating these services for the well being of the Tanzania people through the establishment of appropriate institutions.³⁷³ The churches formed a governing body the Christian Social Services Commission (CSSC) for making policies in matters related to education and health services. This Commission which had members from the representatives of the CCT and the TEC, had to devise and design programs for the provision, improvement, expansion and rehabilitation of services in these sectors. In view of effectively monitoring and administering the programs a secretariat and a trust fund, together with two boards: Christian Education Board (CEBT), and the Christian Medical Board (CMBT). The CMBT had as its mandate to promote health in terms of focusing on human resources recruitment and training manpower, assuring that just salaries are paid to the personnel, provision of social security, and motivating the workers. Also, this board had responsibilities of forming a central supply system for essential drugs, encouraging local research and production of medications, rehabilitating buildings, plants and equipment, improving communication and transport, and health learning materials. The CEBT had as its mandate the formation of a joint education coordination office, manpower development, monitoring just salaries and organizing pension programs.³⁷⁴

³⁷³ "Memorandum of Understanding between Christian Council of Tanzania and Tanzania Episcopal Conference and the United Republic of Tanzania." *TEC Files*. 1992. pp. 1-2.

³⁷⁴ "Memorandum of Understanding between Christian Council of Tanzania and Tanzania Episcopal Conference and the United Republic of Tanzania." *TEC Files*. 1992. pp. 3-4.

The strategies for promoting development as specified in the four steps reflect two key aspects of the Tanzanian situation. First, the very agreement between the TEC and the CCT to carry out a joint venture in promoting development rights reflects the context of the United Nation's Second Development Decade within the international development strategy that aims at bringing about sustained development in terms of improvement in the well-being of the individual and bestowing benefits to all.³⁷⁵ The approach of the Christian Churches to development shares much in common with the objectives of the Arusha International Conference on Popular Participation in the Recovery and Development Process in Africa in 1990. During this conference, held in Tanzania, it was unanimously affirmed that the crisis currently engulfing Africa is not only an economic crisis but also a human, legal, political and social crisis. This unprecedented crisis led not only to abysmal declines in economic indicators, but it was equally leading to suffering, hardship and impoverishment of the vast majority of African people. Social-economic development was partly being impaired by over-centralized political power and lack of accountability. The overall agreement was that at the heart of Africa's development objectives must lie the ultimate and overriding goal of human-centered development that ensures the overall well-being of the people through sustained improvement of their living standards and the full and effective participation of the people in charting their development policies, programs, and processes and contributing to their realization. Facing the reality of the situation in which Africa is becoming further marginalized in world affairs, both geo-politically and economically, there is a need to re-affirm that the greatest resource is the people and their

³⁷⁵ See *International Conference on Popular Participation in the Recovery and Development Process in Africa: African Charter for Popular Participation in Development (Arusha 1990)*. See also

active roles in finding solutions to their difficulties.³⁷⁶ The need is for promoting popular participation in development as an essential element in meeting basic needs while at the same time achieving economic and social justice by transforming structures and economies in view of attaining long-term self-sustained growth and development that is both human-centered and participatory in nature. The process of monitoring popular participation in development demands improved literacy, freedom of association, representation of the people in national bodies, the rule of the law and establishment of social and economic justice, promoting grassroots organizations with effective participation in development activities, ecological and environmental concerns, political accountability, decentralization in decision-making, and freedom of press and media.³⁷⁷ The fact that the two Christian churches were represented at the Arusha conference on popular participation, suggests that the conference goals influenced their policies in approaching development rights and duties.

Moreover, and with particular reference to the situation of Ecumenical dialogue in Tanzania, the TEC's approach reflects the nature of maturing relationships and shifts in outlook about the evangelizing mission of Christianity. Whereas during the first period under study (1953-1966) efforts were directed towards conversion and the prestige of having denominational schools and hospitals, carrying out a joint venture points to another level of mutual appreciation and the need for cooperating in serving the Tanzanians. The

LUENA. "The Role of Women in Development in AMECEA Countries," p. 10.

³⁷⁶ See *International Conference on Popular Participation in the Recovery and Development Process in Africa*, pp. 17-18.

³⁷⁷ See *International Conference on Popular Participation in the Recovery and Development Process in Africa*, pp. 17-18, 31-32.

TEC's broader approach to development reflects, *inter alia*, the impact of Pope John Paul II's apostolic visit to Tanzania (1-5 September 1990). In his speech to Leaders of Christian Denominations and Other Religions, the pope, appreciating the ecumenical efforts that had been made so far in Tanzania, adds: "Devant vous s'étend un champ immense de collaboration pour la défense de la dignité et des droits de l'homme, l'application des principes de l'Évangile, la vie sociale, le soulagement des calamités comme faim, la maladie, l'alphabétisme et le terrible fardeau de la pauvreté."³⁷⁸ Insisting upon the importance of dialogue, unity, and mutual understanding in the credibility of carrying out Christian mission in the modern world, the pope adds "je sais que l'Église catholique en Tanzanie s'est engagée sur ce chemin avec vous, et j'ai confiance que dans les desseins impénétrables de la Providence de Dieu vos efforts oecuméniques seront fructueux (afin que le monde croie (Jn 17, 21))."³⁷⁹

The TEC's emphasis and approach to development reaffirms the urgency for promoting integral human development within a world that popularizes development in terms of standards of material well-being and consumerism.³⁸⁰ Within the East African context, the TEC's approach to development shares much in common with what Peter Henriot teases out on the relevancy of the social teaching of the church to the African

³⁷⁸ "Le 7e voyage du Pape en Afrique. Visite Pastorale en Tanzanie: Discours aux responsables des autres confessions chrétiennes et des autres religions." *La Documentation Catholique* 2014 (1990), p. 898.

³⁷⁹ See "Le 7e voyage du Pape en Afrique. Visite Pastorale en Tanzanie: Discours aux responsables des autres confessions chrétiennes et des autres religions," p. 899.

³⁸⁰ See David KAMUGISHA, "The Church and Holistic Development," in MAGESA, ed., *The Prophetic Role of the Church in Tanzania Today*, pp. 43-62; Peter HENRIOT, "Integral Development Guidelines for Africa from the Church's Social Teaching," *AFER* 8 (1992), pp. 3-35; Vincent COSMAO, "Populorum Progressio, 30 ans après," *Spiritus* 148 (1997), pp. 227-40; Giuseppe di SALVATORE, "Quand les paysans s'organisent au Cameroun," *Spiritus* 148 (1997), pp. 269-277; Gabriel MARC, "Une parole plus actuelle que jamais," *Spiritus* 148 (1997), pp. 278-287.

situation of crisis of the 1980's and the 1990's. Henriot indicates that the challenge before Christians in Africa in working to overcome the "maldevelopment" which marks the continent, demands acting as optimistic agents of social transformation, co-creators with God in bringing about a new creation of justice, mercy, harmony and love. Getting involved in promoting integral development is a task of reaching out in committed service and striving to overcome the odds against false development and the dominant models.³⁸¹ According to Henriot, the Church's input to the understanding of development rests upon an understanding of human nature and society. This explains why more than ever before Paul VI's idea of integral development as presented in *Populorum Progressio* of 1967, has found credibility in modern times, especially as updated and elaborated further in John Paul II's *Sollicitudo Rei Socialis* of 1987. Convincing discussions about development from the point of view of faith have to take into account the whole human person in the context of the whole social setting of human community and creation. A focus on integral development that is at the service of all humans becomes urgent in a world of ever increasing technological sophistication. It is the vision of integral development that is likely to sustain the value of *being more rather than having more*, and tame tendencies of equating development solely with economic-centered definitions. Hence, the right to development has to be raised above the narrow material aspects toward a more complete understanding of what it means to be human: in favor of a communitarian and humanistic vision whereby being takes priority over having (GS 53).³⁸²

³⁸¹ HENRIOT. "Integral Development Guidelines for Africa from the Church's Social Teaching," pp. 3-4.

³⁸² HENRIOT. "Integral Development Guidelines for Africa from the Church's Social Teaching," pp. 4-8.

Emphasis on the religious dimension of integral development within the actual African context has meaning in the sense of indicating that Christians cannot be indifferent to human conditions. Selfishness and apathy are no longer convincing. As Henriot notes, the primary role of the Church as regards development in Africa is to keep in front of the public-political leadership as well as ordinary citizens the vision of a model of development which puts people first.³⁸³ The church has to bring home the message that economic development is at the service of the people and not vice versa. The African church leadership has to make the voices heard in the North about justice being done. From there, the church can promote integral development through the many institutions and projects it runs. But the church must pay attention to two things: trying to involve the people as much as possible in identifying the problems, planning the solutions and implementing the projects. *Participation* is key if the people are to be subjects of development and not simply objects of development. Second, the church should strongly promote self-reliance in all its development programs.³⁸⁴ The TEC's social teaching evolves toward giving priority to the attainment of such goals in terms of practical propositions on how to promote development in health and education sectors.

3.2.2 Concerns for Environmental Rights Issues

While we have just seen the TEC's strong vision of the human-centered right to development, the TEC may not be charged with anthropocentrism. Concern for

³⁸³ HENRIOT. "Integral Development Guidelines for Africa from the Church's Social Teaching," p. 29.

³⁸⁴ See HENRIOT. *Integral Development Guidelines for Africa from the Church's Social Teaching.* pp. 29-30.

environmental rights is expressed in the pastoral letter *True Human Development* of 1992.

The TEC argues that environmental issues cannot be dissociated from the efforts of bringing about true human development. From general global environmental concerns, the TEC focuses on the importance of mobilizing citizens for preservation of water sources and catchment areas, and maintaining agreeable environmental standards in urban areas.

The TEC makes a *liaison* between concerns for environmental rights and the role of humanity's mastery and ruling over the created universe by arguing that at the core of the environmental crisis is the setting aside of God's plan in creation of which human beings form a part. Once human beings rule over the universe by neglecting the plan of God in creation, chances are that chaos will reign and nature in turn will stage a rebellion against humanity. The major defect leading to environmental problems originates from humanity's approaching the reality of the created world from a narrow perspective of utility. Adverse impacts on the environment are related to greediness for getting rich quickly and a focus on satisfying short term needs of humanity. The failure to approach the reality of the created world from the perspective of surprise and discovering the hand of God who takes care, leads to destruction of nature. Hence, part of the solution to the environmental issues lies in maintaining the vision that the world has been entrusted to humanity for caring, loving and decorating rather than ruining it irresponsibly.³⁸⁵

While appreciating the efforts of the government to protect the environment and natural resources, the TEC makes this important observation:

³⁸⁵ TEC, MKM, pp. 12-13.

“It is mainly the government that takes initiatives towards the protection and promotion of environmental issues. For the ordinary citizens, reasons and efforts for concerns of environmental issues are not all that obvious. Many citizens continue to kill wild life, set forests on fire, and accelerate deforestation in the nation. The greatest challenge is to conscientize our people and help them develop from within themselves love and concern for the pleasant and agreeable environment. Natural resources and environment must be valued for what they are, not only as sources of food and economic gains. Motives of enriching the human mind, spiritual growth and relaxation must be integrated in the process of taking care of the environment.”³⁸⁶

From this basic observation the TEC proposes that efforts for protecting and caring for the environment must be integrated into the educational system, starting from the family unit, through the primary education system, up to institutes for higher learning. The TEC wishes that modern means of communication can be used to educate the whole Tanzanian society about the importance of caring for environmental rights and that this will lead to desired fruits. Particularly, the TEC draws attention to two environmental issues that need immediate attention in the nation: preservation of water sources and maintaining agreeable standards in urban centers. The TEC exposes the fact that many springs and river sources are disappearing due to unplanned deforestation and agricultural activities. As plant and animal life cannot be preserved without water, urgent steps must be taken to preserve forests along the sources of rivers and springs. As for the urban environments, the TEC argues that because cities are images of the nation’s civilization, and centers for learning values of decent living, there is a need to preserve them as schools for good citizenship. In order to make Tanzanian cities attractive, city dwellers must be involved in the upkeep of cities as dignified places for human habitation. The TEC calls

³⁸⁶ TEC. *MKM*. p. 13 (my translation).

upon the government to fulfill its duty by making sure that environmental issues are given desired attention in urban centers of the country.³⁸⁷

The TEC's social teaching corresponds to the larger context of struggling to reconcile global environmental concerns with the realities of the economy of survival in the crisis-hit Africa of the 1980s and 1990s. African states, including Tanzania, have witnessed tremendous concerns and projects related to environmental issues whose initiatives originate from without. It is mainly countries of the West, including the United Nations and other international development agencies both governmental and non-governmental that launched a series of initiatives to address environmental issues and reconcile environment and development needs not only within their respective countries but in the world at large. However, as Nomsa Daniels notes, for the most part, the global environmental movement has been shaped by Western values, perspectives, and priorities. Instead of treating the African environment as a complex and changing environment in which people have actually to live, Westerners seek to protect the African environment as a kind of Eden for the purpose of appeasing the European psyche.³⁸⁸ In Tanzania, as elsewhere in Africa, the success of Western environmentalists has been facilitated by a democratic political tradition which encourages open public participation in policy-making and planning. Entry into multipartism has facilitated effective lobbies that exercise considerable influence on the national development agenda. However, the fact remains that environmental organizations from the grassroots are still in their infancy in Tanzania. Their ability to challenge local government, mobilize the public and raise funds must not be

³⁸⁷ TEC, *MKM*, p. 13.

³⁸⁸ See Nomsa DANIELS, "Guardian of Eden," *Africa Report* (September-October, 1991), p. 14.

exaggerated. Lasting solutions for environmental issues in Africa must originate from grassroots interests. Already under Ujamaa socialism, mobilizing citizens for environmental issues was done through committees in support of government policies rather than reflecting real grassroots concerns. Thus, as the TEC points out, success in protecting and promoting environmental rights in African greatly depends on the capacity to incorporate indigenous traditions and everyday life. There is a need to listen to Tanzania's local conditions and needs in order to create mutual respect and common interests, rather than perpetuating mutual distrust and competing visions.³⁸⁹

With regard to Tanzanian urban centers, environmental problems have been aggravated by two key aspects. First, town-planning programs never manage to catch up with the fast growing population of city dwellers due mainly to the rural-urban exodus. As Aristarko Konga explains, whereas at the time of independence only 3.5% of Tanzanians were living in towns, by 1988 this number was 20%, and by the year 2000 it will be 30%. One of the chronic environmental problems in major cities has been the sewage system. About 60% of city dwellers in 52 considerable cities in the country face water drainage problems. In Dar es Salaam, for example, there are between 2.5 and 3 million dwellers, of which the increasing rate per year is 12%. Unless the builders provide adequate drainage systems, city life faces hardships every year due to heavy rainfalls and uncared for roads.³⁹⁰ Moreover, as Mmuya and Chaligha confirm, structural adjustment programs and the economy of survival have accelerated the looting and destruction of the natural

³⁸⁹ See Aristariko KONGA. "Mazingira Yawekwa "Kitanzini" Tanzania (Endangered Environment in Tanzania)." *Kiongozi* (October 1-15, 1995). p. 17; See also DANIELS. "Guardian of Eden." pp. 16-17.

³⁹⁰ See KONGA. "Mazingira Yawekwa "Kitanzini" Tanzania." p. 17.

resources both in urban and rural areas. The crisis situation led to the intensification of efforts for alternative survival strategies that had negative impacts on the environment, especially in urban areas. Urban employees try to compensate for the declining purchasing power of their salaries with these small projects in view of earning cash via trading activities. From senior government employees down to the ordinary citizen, there has been engagement in some form of income generating activity ranging from petty business, private farming to consultancy. While urban dwellers focused on these small projects for making ends meet, rural Tanzania was equally facing environmental crisis due to cultivating and harvesting natural resources such as forests and wild game in non programmed ways. The situation was becoming worse due to activities such as granting hunting concessions to foreigners and illegal mining.³⁹¹ Situating the TEC's concerns within the wider African perspectives, as Peter Ezech and Fatima Jappie confirm, within Commonwealth African countries, following the Malaysia summit of 1989, there was a common resolution for caring and improving environmental issues. One of the key targets was to launch systematic tree-planting campaigns in all the 16 countries in order to counterbalance the harmful depletion of forest depletion. However, the fact remains that felling woods, overgrazing, and use of pesticides are persistent problems. Unless local people are involved in decision making and solution finding in their areas, efforts to reverse destruction of the environment in Africa and developing nations as a whole are far from being successful.³⁹²

³⁹¹ MMUYA and CHALIGHA. *Towards Multiparty Democracy in Tanzania*, pp. 16-18 & 42.

³⁹² See Fatima JAPPIE. "Environmental Degradation: Third World Equally Guilty." *New African* 275 (1990), p. 36; Peter EZEH. "Commonwealth Environmental Project." *New African* 275 (1990), p. 36.

It is within this background that is situated the relevance of the TEC's emphasis on establishing a link between concerns for environmental rights and the role of humanity ruling over the created universe within the plan of God in creation. Success of environmental efforts in Africa demands proposing to the people motivations that go beyond mere utility purposes and the economy of survival. As Rob Clobus explains, African theological concern for the integrity of creation is of recent origins.³⁹³ Most environmental studies of the past two decades do not regard the major religions as possible allies. The input of Christian churches in environmental concerns focuses on justice and peace and the integrity of creation by making allusion to the unity and purpose of everything that exists. Churches have a role to play in awakening people of all walks of life to their obligations as creatures. According to Clobus, "Our own quality of being, the integral functioning of the earth, and in a wider sense, of the whole cosmos, depend largely on our positive appreciation of the earth as the medium through which we exist and must fulfill ourselves. This conviction calls for a religious response."³⁹⁴ Hence, the church has the role of conscientizing the people that we are in the world but not alone. Humanity is part and parcel of the existence and well-being of their environment. By bringing in the motives of the goodness of creation, image of God and stewardship and conservation, Christianity can effectively contribute to environmental concerns not only in Africa but in the world at large.³⁹⁵

³⁹³ See Rob CLOBUS, *Environmental Care: A Possible Way to Restore God's Image to the Earth* (Eldoret, Kenya: AMECEA Gaba Publications, 1992).

³⁹⁴ CLOBUS, *Environmental Care: A Possible Way to Restore God's Image to the Earth*, p. vi.

³⁹⁵ CLOBUS, *Environmental Care: A Possible Way to Restore God's Image to the Earth*, pp. 1-11, 28-48.

Within the perspectives of the African Synod, concerns for environmental rights were raised by Cardinal Emmanuel Wamala and Bishop Zithulele Patrick Mvemve. Their key argument is that from the African perspective, it is a combination of concerns for the holistic well-being of the human person soul, and body, and the African tradition of reverence to land, that can be the effectively appealing motivations for caring for and protecting the environment. The care and protection of the environment is not only a matter of good or sound economics or mere academic curiosity; it is part of the African tradition to reverence land and nature.³⁹⁶ Elochukwu Uzukwu insists upon the importance of the web relationship in making a theological meditation on human rights from the African perspective. According to Uzukwu, man, a historical being, originating and prospering within the universe, has the primary responsibility of tending the universe to ensure his very survival and the enjoyment of his freedoms. Concern for human rights in Africa involves dealing with the art of relationship. Infringing upon the right of another implies disturbing the whole environmental set up. From the theological point of view of traditional religion, the issue of rights appeals to a universe integrally perceived. The survival of the human species is linked to humanity's respecting the various dimensions of life in the universe. A human person is a subject of rights in a universe where he lives in a dynamic (life enhancing) relationship. He is a subject of rights because God bestowed his breath on him making him a sharer in the work of creation.³⁹⁷

³⁹⁶ See Emmanuel WAMALA, "Hunger and Poverty are Linked to Environment. *ADS* 441 (1995), p. 11; Zithulele Patrick MVEMVE, "In Our Tradition We Revere Land," *ADS*, 441 (1995), p. 11.

³⁹⁷ See UZUKWU, "Human Rights in Africa: A Contextual Theological Reflection," pp. 112-15, 122-23; See also Joseph KI-ZERBO, "Les Droits de l'homme en Afrique: Tradition et modernité," *Foi et Développement* 237-238 (1995), pp. 2-3.

3.2.3 The Islamo-Christian Tensions: Misuse of the Right to Religious

Freedom

Various tensions cropped up between Christians and Moslems during the multiparty period. The TEC's suggestions on how to handle these tensions are presented in *Statement on Religious Blasphemies* of 1993, the pastoral letters *Good Conscience-Vision of Our Nation* of 1993 and *Truth Will Make You Free* of 1993, and a publication of the CPT *Common Ethical Guidelines* of 1994. Articulation on strategies for handling the Islamo-Christian tensions became more precise with the changing times and circumstances.

It is after making through investigations and analyzing data of the activities being carried out by Moslem fundamentalists,³⁹⁸ that TEC sums up its findings in *Statement on Religious Blasphemies* on the nature of tensions that were mounting between Moslems and Christians:

"The following are some of the events we have witnessed: there are open and deliberate contempts, slanders and blasphemies against Christianity. Using street pulpits and public speeches, cassettes, and newspapers, constant derogatory and insulting messages are directed against Christianity. We have realized that by keeping quiet on these matters, the government is condoning blasphemies, insults and the subsequent hatreds. We have realized that Christians and all people of good will, including Moslems, are fed up not only with blasphemies but also by the silence of the government in its incapacity for taking action to stop such activities."³⁹⁹

Actually, the TEC's first reaction to the Islamo-Christian conflicts consists of sounding an alarm against the adverse impacts of misusing the right to freedom of religion. Religious fundamentalism was threatening Tanzania's culture of peace, love, calmness, and

³⁹⁸ TEC. KZD, p. 3.

³⁹⁹ TEC. KZD, p. 3 (my translation).

mutual understanding. These values took thirty years to build and helped citizens to live and work together regardless of religious beliefs, ethnicity, color or sex. Erosion of these basic values accentuates misunderstandings and confrontations, and possibly prepares the nation for a shameful experience of bloodshed.⁴⁰⁰ In response to blasphemy, the TEC suggests first, that the government defend the right to freedom of religion of all citizens without discrimination. Otherwise, the failure to silence fundamentalist propaganda makes citizens lose confidence in the leadership. Second, Christians should strive to ensure that justice and peace are maintained by holding firm to the principle that it is through respect of the sacred that citizens can effectively work toward respecting human dignity in the nation.⁴⁰¹

Three months later, in May 1993, realizing the precarious nature of mounting religious tensions, the TEC, in the pastoral letter *Truth Will Make You Free* strengthens its suggestion: "We emphasize that citizens respect religions of each other. For we Christians, "Faith is having certainty about things hoped for, the not yet seen reality" (Heb. 11:1). Revelation was given to us by the Almighty God through his own son Jesus Christ. Faith remains a revealed gift from God. Any person who has not received revelation cannot rightly claim either having this faith or authority to interpret revealed doctrines. Pretending or usurping power to do so implies blasphemy to that faith."⁴⁰² The TEC advises the faithful not to take seriously the teachings of Moslem fundamentalists who pretend to be experts in interpreting doctrines of other religions. For the so-called "*strict adherence to*

⁴⁰⁰ TEC, *KZD*, p. 3.

⁴⁰¹ TEC, *KZD*, pp. 4-5 (my translation).

⁴⁰² TEC, *UUH*, p. 7.

faith” is presumptuous faith, and bears no weight of true faith (*kile kinachoitwa imani kali ni imani potovu na si imani sahihi*).⁴⁰³ Christians must learn to sift and ignore the teachings of false prophets on the ground that it is only the community of believers that has authority to preserve, transmit and interpret revealed treasures. Hence, maturity in faith is manifested in making a decision to listen to Christ who speaks through his church.⁴⁰⁴

Six months later, in November 1993, when the major religions were getting more actively involved in the multiparty debates, in the pastoral letter *Good-Conscience Vision of Our Nation (DSDT)*, the TEC warns against the use of religion for utilitarian motives: “There are presumptuous, and misleading interpretations of faith and religion in our nation. There are tendencies of mixing up religious, political and economic motivations. Some of the citizens use faith and religion as cover-ups for their malicious intentions, and even as the means for usurping powers to interpret faiths of other religions.”⁴⁰⁵ At this stage, the TEC opposes two tendencies: First, the attitudes of self-proclaiming experts in religious matters who attempt to equate religion and faith to pure scientific knowledge, or handling religion as a mere human invention, i.e., those who are not ready to listen to opinions of others on issues pertaining to faith and religion. Second, attitudes of not incorporating and appreciating fully religion and faith as essential components in the building of the nation. The utilitarian tendency is to give value to religion only for boosting economic development. Particularly, the TEC is dissatisfied with the government leadership’s setting

⁴⁰³ Opposed mainly were the activities of Moslem fundamentalists known as the *Mudjahidin* who claimed to adhere to strict observance of Islamic rules and regulations.

⁴⁰⁴ TEC. *UUH*. pp. 7-8.

⁴⁰⁵ TEC. *DSDT*. p. 18.

aside advice given by religious leaders on policies that have major impacts in the nation.⁴⁰⁶

The message that the TEC passes on to the Christian faithful in these three documents focuses on developing a deeper understanding of faith, and adhering to peace and mutual understanding in seeking solutions to the mounting Islamo-Christian tensions.

The TEC's social teaching reflects the wider context of tensions between Islam and Christianity in Tanzania before and after independence. In the pre-independence era, Islam and Christianity penetrated the Tanzanian multi-ethnic milieu with both claiming to possess revealed truths. They co-existed, striving to convert and win over the "African pagan" to "the true religion." As indicated in the first chapter, pre-Vatican II Catholicism in its missionary stage claimed to have received a mandate to be the guardian and proclaimer of all truth for the salvation of humanity. However, the Vatican II ecclesiology, without diminishing the duty to seek the truth, tempered it and broadened the scope of respecting the right to religion and freedom of conscience of other religions. For Islam, this has not been the case; converting non-believers to the true faith remains a one way street.⁴⁰⁷

Under Ujamaa socialism, the three major religious groups, i.e., traditional African religions, Christianity, and Islam managed to co-exist without manifesting major confrontations. The policy of Tanzania as a secular state was to foster religious pluralism and mobilize religious groups for supporting humanitarian and welfare development goals. As such, the different faiths had chosen a path of tolerance and the avoidance of direct confrontation. What was new from the mid-1980s onward is that Moslems started to link

⁴⁰⁶ TEC. *DSDT*. pp. 18-19.

⁴⁰⁷ CPT. *MPM*. pp. 17-18.

their faith with new changes, seeking to penetrate the party machinery, and to make their voice heard in determining national policies.

This explains why several studies situate the current Islamo-Christian tensions within a wider context of the ascendancy of Islamic fundamentalism in Africa.⁴⁰⁸ Josef Stamer points out that Islamo-Christian tensions fit within the perspective of the 20th century search for Islamic identity in Africa. During the colonial era, Christians stood better chances for acquiring Western education and positions of leadership in the new governments. What is new in recent years is an evangelizing Islam with fundamentalist inclinations that fails to separate religious, political and cultural motivations. Another new phenomenon in Africa is the clash between rival Islamic groups as they struggle to gain ascendancy. Once in power, the tendency is towards making Islam the dominant culture. Financed by foreign capital, fundamentalists have been trying hard to penetrate especially the milieu of the youths, learning the tactics of provoking Christians by using polemics. “Si dans le passé, le mélange entre chrétiens et musulmans, dans la vie sociale, ne posait pas de problème, de plus en plus, les musulmans insistent sur leur spécificité: interdiction de l’alcool, abattage rituel, refus de partager le repas des chrétiens ou d’accorder leur fille en

⁴⁰⁸ CPT. *MPM*, pp. 15-20; Josef STAMER, *L’Islam en Afrique au sud du Sahara* (Estella. Navarra: Editorial Verbo Divino, 1996, pp. 112-117; Ariel CROZON, L’adhésion du Zanzibar à l’O.C.I. Chronique d’une crise. *Politique Africaine* 52 (1993), pp. 140-144; Peter SMITH, Christianity and Islam in Tanzania: Development and Relationships, *Islamochristiana* 16 (1990), pp. 171-182; Jumanne H. WAGAO, *Religion, Policy and Crisis: Tanzania, Islam in Africa South of the Sahara* (Sankt Augustin, Konrad-Adenauer-Stiftung, 1993, pp. 122-132; “Tanzania: Religious Blasphemies,” *ANB-BLA* 233 (1993), p. 20; “Tanzanie: Une brèche dans l’Union,” *ANB-BLA* 246 (1993), Supplement VI; “Tanzania: Is Islamic Fundamentalism Gripping the Country?,” *ANB-BLA* 237 (1993), p. 15; “Islam in Africa,” *New African* 325 (1994), pp. 11-14; “Relations islamo-chrétiennes en Afrique (1994),” *ANB-BLA* 272 (1995), Supplement I-II; “L’islam en Tanzanie,” *ANB-BLA* 281 (1995), Supplement, pp. 3-4.

mariage à un chrétien...; toute une série d'attitudes qui menacent l'harmonie au niveau local et rendent le climat social plus en plus conflictuel."⁴⁰⁹

Within the Tanzania context, the period from the mid-1980s has witnessed increasing tensions between Moslems and Christians due to Islamic fundamentalist propaganda and activities. The conflicts in Zanzibar between the Arabs and the Africans, Zanzibar's joining the OIC, and the integrating of the religious agenda into the multiparty debates serve as concrete examples.⁴¹⁰ As some scholars affirm, the fall of Ujamaa ideology and the economic crisis paved the way for Tanzanians to seek alternative ideologies that might help them pull themselves out of stark poverty. This led to re-interpreting religious faiths by stressing their socio-political dimensions rather than spiritual or cosmological orientations. When politics failed to help people move out of the maze of misery, they turned to religion as an alternative. Entry into multipartism led to radicalization of the citizens including the seeking of religious revivalism and liberation theology fit for the ideology of economic recovery.⁴¹¹ It is mainly during this period that the Islamic revival movement started to work actively towards the strengthening of formal Islam in Tanzania. Unfortunately, this move led to the extreme of religious fundamentalism influenced by modern Islamic movements in the Middle East, and with funds pumped in for religious propaganda. Thus, Islamic fundamentalism took advantage of the lost vision of the nation manifest in the loss of identity and autonomy, and surrendered to neo-liberal forces of the free market as an opportune moment for injecting religious motivations into

⁴⁰⁹ STAMER. *L'Islam en Afrique au sud du Sahara*. pp. 14-15; See also "Islam in Africa," pp. 11-12.

⁴¹⁰ "Tanzania: "A Religious Timebomb," *ANB-BLA* 219 (1992), pp. 12-13.

⁴¹¹ Tanzania: "A Religious Timebomb," p. 12.

the political arena. It is worth noting that whereas Christians interpreted Islamic revival as fundamentalism, Moslem hard-liners understood their mission as one of "*Mudjahidin*," i.e., staunch Moslems who fight spiritually and even physically in the name of Allah (the zealous ones).⁴¹²

The TEC's documents point to a context in which Moslem fundamentalists were starting to have recourse to violent means for propagating faith and seeking to penetrate the political milieu with an agenda of establishing an Islamic leadership. What started as a verbal war was evolving into the use of violence and even bloodshed. As Peter Smith and others confirm, from the initial exchange of words on interpretations of the contents of sacred books, preaching in the streets was accompanied by making propaganda using video cassettes accusing Christianity of being a remnant of Western colonialism that has to be done away with. The anti-Christian and specifically anti-Catholic ideology date back to the middle of 1986 with a series of public lectures that were delivered in Tabora by Ustadh Musa Fundi Ngariba and Ustadh Muhammad Ali Kawemba. Having as their major theme "The Word of God, and using the cover of BAKWATA (The Supreme Council for Muslim Affairs in Tanzania)", these preachers used the Koran and the Bible to reveal contradictions within the Christian doctrines about Jesus as the son of God. Their message was that the true religion is one that adores the one God.⁴¹³ Beyond these public debates, Tanzanians were becoming very disturbed by the spread of fundamentalism financed by petro-dollars supplied by extremist states. In December 1992 Zanzibar secretly signed its

⁴¹² See "L'Islam en Tanzanie." pp. I-II.

⁴¹³ See Peter SMITH. "An Experience of Christian-Muslim Relations in Tanzania." *AFER* 30 (1988). pp. 106-7.

membership to the Organization of Islamic Conference. This was going against Tanzania's constitution as a secular state because one of the hidden implications in joining this conference was the possibility of accepting the applicability of *the Islamic sharia* in the nation. Such a move was going against the wishes of the majority of the Tanzanians. Critics of president Mwinyi, a Moslem from Zanzibar, claim that he turned a blind eye. After a major row, the Zanzibar move was later reversed. However some sources still confirm that Zanzibar remains a secret member of the Islam in Africa Organization (IAO).⁴¹⁴ The year 1994 witnessed increased resort to violent means by Islamic fundamentalists. Early in 1994 fundamentalists attacked butchers' shops selling pork and liquor stores in Dar es Salaam. In April 1994, some 500 fundamentalists went on the rampage attacking shops and screaming religious slogans. This led to the government arresting 50 fundamentalists including Shekh Yahya Hussein, the chairman of an Islamic fundamentalist group. The Tanzanian government put blame on foreign powers wanting to use religious extremism to further their political aims. In July 1994, the Kiwanja mosque in Morogoro was stormed and 35 fundamentalists were arrested. Moreover, Balukta was recruiting Jihad volunteers for the Ikwiriri rice farm project west of Dar es Salaam.⁴¹⁵

Within the mounting tensions, Christian Catholics in Tanzania, apart from a certain number of the clergy and a small group of the religious who had chances of taking a course in fundamentals of Islam in houses of formation, were not fully prepared to respond to fundamentalists propaganda. Hence, initially, when the Moslem fundamentalists had a resort to violent means, the TEC adhered to the peace and mutual understanding principles

⁴¹⁴ See "Islam in Africa." p. 14.

⁴¹⁵ See "Islam in Africa." p. 14.

by forming a committee for studying the nature of the conflict, and sending a delegation to the president asking the government to intervene in finding a solution. There were even thoughts about resorting to counter apologetical means in responding to Moslem fundamentalists. It is this inadequate preparedness of Christians to respond to the Islamo-Christian tensions that explains the importance of the three suggestions made by the Catholic Professionals of Tanzania (CPT) in *Common Ethical Principles* of 1994. For the CPT, part of the solution to the Islamo-Christian tensions consists in making efforts to establish common ethical grounds. It is only then that any fruitful dialogue in the spirit of peace and mutual understanding can be carried out.

First, the CPT traces the gist of the Islamo-Christian tensions to the fact that, so far, serious religious conflicts that cropped up in the nation have been resolved without causing major disturbances to the nation's peaceful situation. However, it is not enough to be satisfied with maintaining peace at all costs. Tanzanians need to make in-depth analysis of their religious differences. This principle applies to both the major religious groups such as Christians, Moslems, and adherents to African traditional religions and the minority groups such as the Hindu. In order to attain the desired goal, Tanzanians must avoid making generalizations when religious conflicts arise. Even within major religious groups there are divisions and sects. It is totally unfair to identify and generalize activities of sects and groups with key doctrines of major religions.⁴¹⁶

Second, the CPT proposes that efforts to establish interfaith dialogue in the spirit of mutual understanding demand a background understanding of one's own faith and

⁴¹⁶ CPT, *MPM*, p. 15.

having sufficient knowledge of fundamental beliefs of religious groups having closer affinity in outlook on religious matters to one's religion. For the CPT, "It is important that we reach an agreement that not all believers are competent for making dialogue on the interfaith level. We must not give chances to those who pretend to establish dialogue with hidden agendas and selfish motives. Groups of Christians or Moslems showing tendencies of wanting to dominate and oppress other citizens be it Christians, Moslems or adherents to African traditional religions, must not be given chances to disturb peace in the nation."⁴¹⁷

A third suggestion of the CPT is that Tanzanians must make a shift from the naive view that "*siasa haina dini*" (the government has no religion). Within the pluralistic nature of the Tanzanian societies, including the component of religion, it is not uncommon that religious groups seek to uphold their points of view in the multiparty debates. The denial that religious influences have been penetrating the political milieu perpetuates a lack of in-depth analysis of the social problems in the nation. Hence, what Tanzanians need are common ethical grounds for protecting and promoting human rights, especially in the sectors of family, education, the press and health care. It is an illusion to think that peace will be maintained in Tanzania without making efforts to establish interfaith dialogue. What is essential is respecting first the dignity of the human person because without religious groups wishing good to each other and tolerating each other, interfaith dialogue remains a myth. As a consequence, Tanzanians are forced to live on defensive grounds, and relationships between people of different faiths remain on the level of give and take

⁴¹⁷ CPT. MPM. p. 15.

(utilitarian) without caring much for the common good. Hence, instead of sticking to the language of a *jihad*, and resorting to the vain glory of self-praising, Tanzanians must develop positive attitudes of using their religious differences as a richness rather than a divisive factor.⁴¹⁸ The concluding remarks of the CPT evoke what Ian Ritchie assesses as the desirable solution to interfaith dialogue among religious groups in Africa. Interfaith dialogue is absolutely essential if there is to be any progress toward a more peaceful, prosperous world. But dialogue based upon extreme religious relativism cannot be very useful in diffusing mass conflict in Africa today because it suffers from insufficient grounding in the life of the masses. Within the African cultural milieu that appeals to the categories of orality, friendship and hospitality, it is dialogue through friendship that can likely lead to desired fruits.⁴¹⁹

3.2.4 Rebukes Against Misuse of Freedom of the Press

Concern for freedom of the press features in the pastoral letter *Good-Conscience Vision of Our Nation* of November 1993 and *Directives to Catechists* of November 1994. The TEC focuses on two aspects: a quest for adhering to ethical standards in using the press, and inviting Tanzanians especially the leadership to accept the culture of criticism.

⁴¹⁸ CPT. *MPM*, pp. 16-17.

⁴¹⁹ See RITCHIE, *African Theology and Social Change: An Anthropological Approach*, p. 135; See also *Let Us Understand Each Other: An Attempt at Fostering Mutual Understanding Between Christians and Muslims* (Eldoret, Gaba Publications, 1986); Mario AIGUILAR, "Dialogue With Islam: An African Perspective," *AFER* 38 (1996), pp. 322-340.

In the pastoral letter *Good Conscience-Vision of Our Nation*, the TEC first situates the problems of the right to freedom of press within the context of the lost vision of the nation:

“Today, in Tanzania, freedom has lost its true meaning and flavor. A lot of discussions are going on about the right to freedom of expression including the press, economic freedom, freedom of multiparty democracy, freedom of religion, ethical freedom, etc. However, the tendency is toward demanding the right to freedom without taking seriously the legal, cultural, and ethical values of our society. In other words, the concept of freedom is being orchestrated as having primacy over other values such as human dignity, love, peace and justice.”⁴²⁰

It is from this basic observation that the TEC exposes the weak points of freedom of the press on the eve of multipartism in Tanzania. The aim of freedom of the press is to inform and educate society and foster the spirit of seeking the truth. In order to attain these goals, news that is communicated must be based on decent research methodologies and be in accordance with accepted ethical standards of communication in any given society.⁴²¹ The TEC’s main worry within the actual situation in the nation is that:

“It is becoming evident that within the sector of press a greater part of the news communicated presents half truths. Part of the news is written without respecting ethical principles, and some of the writers aim only at commercial gains. As a consequence, Tanzania is experiencing decadence in ethical values, increased incidents of defamation of the dignity of persons, and distortion of historical facts and subsequently endangering the nation’s cultural heritage that must be preserved and transmitted to future generations.”⁴²²

For the TEC, in order to maintain the standard of freedom of the press that befits building society, Tanzanians must learn to sift and pay attention to what is published, why

⁴²⁰ TEC, *DSDT*, p. 15 (my translation).

⁴²¹ TEC, *DSDT*, p. 16.

⁴²² TEC, *DSDT*, p. 16 (my translation).

published, for whom, where published and for which purposes. This aspect is more elaborated in *Directives to Catechists* of 1994. Within the context of educating the faithful about the essentials of a democratic setting, the CPT emphasizes that freedom of expression and use of the press must assure popular governance. Grouping under freedom of the press newspapers, television, video cassettes and journals, the CPT insists that the purpose of having freedom of the press is to build up society by easing expression of various opinions and helping citizens to make appropriate decisions on national and international issues. The government has the duty to defend and promote freedom of the press so that the citizens can offer their contributions to the nation's advancement. However, freedom of the press can be used for provoking havoc and disturbing peace in the nation. Thus, Tanzanians must be aware of the tools of the press that aim at dividing the citizens.⁴²³ To the whole scenario of preparing Tanzanians for multiparty elections, the CPT adds this important tag:

"In order to build a culture of receiving and acting upon criticism positively, and respecting differences in opinion, we need to develop both patience and a certain degree of maturity. It is possible that the language used by the media or the style of conveying messages hurt the feelings of those in positions of leadership. Worse still, there might be remorse and anxiety when different views originate from the opposition party, or another religious group or a certain social group. But we must learn to accept that it is through opposition and criticism that a truly democratic setting can emerge and develop to maturity."⁴²⁴

The TEC's social teaching reflects the situation of the transition stage from socialist Tanzania's control over the press to the first wave shock and extremes of freedom

⁴²³ CPT, *MKMT*, p. 14.

⁴²⁴ CPT, *MKMT*, p. 14 (my translation).

of self-expression under the multiparty setting. According to Ndimara Tegambwage, the problem of freedom of the press in Tanzania may be traced back to the nationalization of the press and the creation of barriers in forms of laws for protecting oneness in the country. Citizens received sifted and well-calculated types of information. The tactics of control included using government hand-picked editors as strict filters of news and information, and shutting down or threatening those who presented different points of view. The one party system had somehow a declaration of intent to stifle all discordant voices. With the emergence of multiparty democracy, starting with state liberalization of the economy, Tanzanians had a thirst for being informed. The private press is well known for its crusade for the liberation of Africa, a fervor that is still evident in both the state-owned and privately owned press. The literacy rate of over 85% of the Tanzanians being able to read and write provided citizens who were eager to be informed. Hence, the new challenge was one of accepting the co-existence of the state and the fast growing private press.⁴²⁵ The same point of view is confirmed by Ernest Zulu who indicates that the "News Act of 1976" allowed the minister of information to censure any newspaper that was judged as endangering the interests of the nation. With this tool for controlling the media, undesired criticism of the government was sifted or mitigated in the news delivered to the citizens. Starting with the revision of the national constitution and the accepting of multipartism, the private press expanded rapidly due to a fertile ground of literacy among the Tanzanians and the advantage of having Swahili as the widespread national language. By the end of 1994, the government had to formulate a law for controlling the media,

⁴²⁵ See Ndimara TEGAMBWAGE. "Rights and Responsibilities of the Press in the Frontline States." *Development Dialogue* 2 (1989). pp. 99-107.

accusing the private press as acting unconstitutionally and violating human rights. Open criticism against the government's incompetence led to fines and censorship of some of the leading private news papers.⁴²⁶

The TEC's critique of the misuse of freedom is confirmed by Bernard Joinet who confirms that education for democracy demanded making the Tanzanians aware that freedom of information, opinion and expression, are all interrelated. Accepting the rights to personal growth and development demand accepting the rights to freedom of opinion, information, the press. The basic attitude in exercising freedom of expression that helps the citizens to mature in making choices requires looking for facts, analyzing a situation, and looking for the truth. The exercise of freedom of self-expression was at times a bruising experience for leaders who were used to speaking and acting as they wanted without meeting with any open contradiction.⁴²⁷ With more precision, it is Tegambwage who confirms that during the transition to multiparty democracy it was important to make two clarifications on the right to freedom of the press: first, that the rights of the press are numerous and interrelated, but the fundamental one is the right to go to the press. This means the right to inform. All the rest are attendant rights. Second, that the responsibilities of the press are many, but the fundamental one is the responsibility of publishing the truth. The right to know depends greatly on the press fulfilling its responsibility to tell the truth.⁴²⁸ One of the key difficulties to freedom of the press in Tanzania is being connected

⁴²⁶ See "Tanzanie: Le gouvernement en guerre contre les médias," *ANB-BLA*, 262 (1994), Supplement IX; See also MMUYA and CHALIGHA, *Towards Multiparty Politics in Tanzania*, p. 17.

⁴²⁷ See Bernard JOINET, "A Controversial Issue: The Multi-party System Debate," *Education for Democracy* (3), *A Letter to My Superiors*, No. 18 (July, 1993), pp. 10-11.

⁴²⁸ TEGAMBWAGE, *Rights and Responsibilities of the Press in the Frontline States*, p. 101.

to the cultural setting in most of the African societies where children are not allowed to ask questions as often as in other societies because their questions appear to upset the father. For Tegambwage, the problem of freedom of the press in most of the African nations is related to paternalism, i.e., treating ordinary people like children and not allowing them to ask questions which would imply dissatisfaction with the status quo. Given the fact that the right to know, the right to be informed, the right to be heard, the right to hear others and the freedom of the press all come under the umbrella of human rights enshrined in the constitutions of free Africa, what is needed is to admit that rights have been confiscated or taken away via leadership monopoly in order to maintain the status quo. Censure and unwarranted interference are not appropriate solutions. Needed now is fostering the ethics of communication among publishers: on truthful coverage and analysis, on professional integrity and freedom of mind, and enforcing democratic principles and rights enshrined in the fundamental law of the land.⁴²⁹

3.2.5 Life and Family Rights

Concerns for life and family rights are expressed in *Human Rights of the Family* of 1989 and in Part Two of the pastoral letter: *True Human Development* of 1993. With exceptions of putting emphasis on integrating cultural values in protecting life and family rights, and responding to new challenges of population control, the TEC's social teaching retains much in common with its first period approach with regard to the relatedness and roles of the three societies: the family, the church, and the state.

⁴²⁹ See TEGAMBWAGE, "Rights and Responsibilities of the Press in the Frontline States," pp. 103-6.

In *Human Rights of the Family* the TEC encourages the faithful to study the human rights of the family in view of not falling prey to divided opinions about using scientific measures for controlling population growth in the world: "In recent years both developed and developing nations have been caught up in fears resulting from increasing population growth of humanity on the earth's surface. Speculations are that there will be a great famine. The opinion that appears to win is that, by all means, there must be control of human population growth in the world."⁴³⁰ For the TEC, in so far as the means proposed for population control touch the family, which is the first human community in the plan of the Creator, the faithful must be careful not be won over easily by simplistic solutions to this complex problem. There is a need for clarifying that human rights, though directly belonging to an individual, are strengthened by family ties. The human family and other human societies have in common the desire for the betterment of the lives of individuals. By protecting the rights of the family within any given society, there is assurance that education, cultural, religious, political, and development rights will be safeguarded. Hence, in order to protect the rights of the family, marriage, a freely consented union between a man and a woman, must be open to the perpetuation of human life on earth. By the very fact that the family takes precedence over the state or any other human society, inalienable human rights of the family may not be swayed anyhow by human will.⁴³¹ Hence, a conclusion is that whenever family rights that have been determined by the Creator are threatened, it is the duty of both the church and the state to defend them. Specifically, the Catholic Church has the duty to protect the rights and

⁴³⁰ PJC. *HZF*, p. 4 (my translation).

⁴³¹ PJC. *HZF*, p. 5.

directives of the Almighty God in the lives of humanity in earthly existence. It is the duty of the church to present and explain to the faithful the implications of human rights that touch the married state and family. As such, the purpose of presenting to the faithful the human rights of the family is to make them aware that population control measures must in no way be given chances to have adverse impacts on the sacredness of human life and family.

In the pastoral letter *True Human Development* of 1992, amidst increased opinions and a multiplicity of directives about human life and family rights on issues of birth control and education of youths,⁴³² the TEC decides to give guiding principles to the faithful and all persons believing in God about protecting the right to life. The right to life, both from the Biblical and the African traditional point of view, is approached from the perspective of being a gift from God, who sustains all living beings. From the Biblical point of view, it is due to the fact that human life is the handiwork of God, that human beings cannot justify themselves to handle life outside the eternal plan of the Creator. The greatest dignity and duty that has been accorded to the married state is to be participants with God as co-creators and to assist in bringing new human life on earth. One of the basic roles of humanity is to preserve and nurture rather than destroy life.⁴³³ From the point of view of African traditional cultural values, African ancestors attached a great value to human life. Life was respected and protected by various taboos. Having progeny was a means for self-perpetuation even after death. Children were received as a blessing from God, and, as such belonged to the whole clan. Hence, instead of continuing to assimilate foreign values that

⁴³² TEC. MKM. p. 14.

⁴³³ TEC. MKM. pp. 14&17.

do not accommodate traditional African ethical values, it is necessary that Tanzanians re-discover positive values of respecting life, family and education of children, and put emphasis on educating youths about human sexuality and natural birth control methods.⁴³⁴

It is worth noting that the TEC does not aim at making the Catholic faithful blind to the changes that are going on about the understanding of family and life rights. Actually, the TEC invites the faithful to take seriously changing factors: the rate of population growth in the world is not matched with economic means for feeding the people, modern economic conditions are inimical to large families, a new awareness of the dimensions of human freedom and the separation of love from procreative motives in human marriage, advanced scientific and technological means for birth control, and emancipation of women and emphasis on new dimensions about their rights. However, the TEC's key message is that the faithful must not accept simplistic solutions to complex problems that involve cultural and spiritual values. A prudential advice is that in handling issues that impact on human life, the holistic nature of the human person must be taken into consideration.⁴³⁵ Family planning must be approached from the holistic nature of the human person. There is need for avoiding the temptation of taking sides easily, be it biological, psychological or demographic, or certain educational systems in society. The human person has an earthly as well as an eternal destiny that goes beyond this life.⁴³⁶ The TEC calls upon the government leadership to maintain cultural values of Africans, and resist the temptation of passing laws that contradict the rights of the human person. The question of population

⁴³⁴ TEC. *MKM*, p. 16.

⁴³⁵ TEC. *MKM*, pp. 14-15.

⁴³⁶ TEC. *MKM*, p. 18.

control has to be approached from the point of view of Tanzanian ethical values, respecting the rights and freedom of every citizen. Solutions to population control demand: a holistic approach to what it means to be human, responsible parenthood, and respect for individual freedom. However, as such, the TEC remains in favor of using the natural methods of birth control.⁴³⁷

The TEC's social teaching reflects the situation of sounding alarms on an impending population catastrophe during the second half of the 1980s. In 1989, the UN population chart pointed to Africa's population hitting 1.5 billion by the year 2025. Africa has one of the highest fertility rates in the world. The East African rate of population growth at 3.1% was coming closer to the African rate of 3.3%. Among the major problems surrounding population issues in Africa is the gulf between awareness and action taking. The difficulties of addressing population issues in Africa arise from the inability to reconcile economic considerations of Gross National Product (GNP) and Per capita Income (PI), jobs and decent social services, with African cultural values of life as a gift from God and progeny as assurance of continuity of life and self-perpetuation, including old age security.⁴³⁸ One school of thought limits the debate over population control in Africa to considerations of dwindling national resources and the country's inability to provide decent social services, arguing that Africa's fragile economies cannot cope with the projected increase in population. Governments and individuals must accept slow birth rate, and approve the use of contraception (arguing mainly from data given by the United

⁴³⁷ TEC. *MKM*. pp. 19-23.

⁴³⁸ See Baffour ANKOMAH. "Facing the Population Nightmare." *New African* (September. 1989). p. 27.

Nations Population Fund (UNFPA).⁴³⁹ The other school of thought, including the position taken by most religious groups, is one of integrating cultural and religious values in approaching the issue of population control. The Catholic church insists that for complex problems such as life and family issues, scientific and technological solutions are not enough. Considering the holistic nature of the human person, demands the input of cultural, ethical, and religious values that complement each other in presenting a more balanced approach population issues. The TEC's social teaching falls into this category and puts emphasis on encouraging and educating the citizens about their life and family rights. By raising the standards of education of the people about the complexity of the issues involved in birth regulating measures, people can make choices on issues touching their economic, social and cultural lives based on a clear conscience, and human dignity, i.e., prepare people who are responsible for their own destiny as citizens and believers.⁴⁴⁰

The TEC's social teaching also reflects the influence of the AMECEA countries toward giving priority to the human family in the evangelizing mission of the church. Celebrating 25 years of AMECEA in Moshi Tanzania in 1986, the bishops chose as their major theme for their ninth plenary "Families Truly Christian Truly African".⁴⁴¹ From this plenary, Catholic Bishops of Eastern Africa took common stands on issues affecting family and human life rights. Actually, emphasis on the rights of the family has been enhanced by

⁴³⁹ Baffour ANKOMAH. "Population Catastrophe!" *New African* (July. 1990), p. 14.

⁴⁴⁰ See "Le 7e voyage du Pape en Afrique: Visite Pastorale en Tanzanie 1er -5 septembre: "Discours su Corps diplomatique." & "Discours à la Conférence épiscopale". *La Documentation Catholique* 2014 (1990), pp. 893-95; See also, Le 7e voyage du Pape en Afrique: Visite Pastorale au Burundi 7-7 septembre: "Discours à la Conférence épiscopale," *La Documentation Catholique* 2014 (1990), pp. 902-3.

⁴⁴¹ The family theme in AMECEA countries preceeded even the African Synod's recent emphasis on considering the church from the perspective of the African family. See "AMECEA Ninth Plenary: Families Truly Christian Truly African." *AFER* 28 1986, pp. 103-287.

the African Synod's choice of considering the church as a family. One of the major resolutions of the African Synod is that the future of the world and of the church passes through the family. The Christian family is the first cell of the living ecclesial community and the fundamental cell of society, a foundation upon which the social edifice is built. Thus, the Synod considered the evangelization of the family a major priority. Among the political, economic, social and cultural difficulties which African families must face as a result of great changes which characterize the contemporary society, the family is the greatest challenge. While adopting the positive values of modernity, the African family must preserve its own essential values.⁴⁴² Thus, efforts to save the African family from present-day threats has become one of the key concerns of the bishops. It is on such a basis that the African bishops denounced the preparatory document of a United Nations Conference held in September 1994 in Cairo. The African Catholic hierarchy vehemently opposed the adopting of values that contradict many African values. As the year 1994 was consecrated by the UN to the human family, the church leadership used that occasion to insist upon the value and dignity of marriage and the human family within the whole outlook on the pastoral mission of the family. It is due to this outlook that the Catholic church insisted that the Cairo Conference On Population and Development retain human love as expressed in marriage must be open to life.⁴⁴³

⁴⁴² See JOHN PAUL II, *Ecclesia in Africa*, p. 35.

⁴⁴³ See JOHN PAUL II, *Ecclesia in Africa*, p. 37; See also "Actes du pape Jean-Paul II: 1994: Année de la famille, des enfants, et de la défense de la vie: Discours aux cardinaux de la Curie romaine," *La Documentation Catholique* 2109 (1995), pp. 101-4.

3.2.6 Voting Rights Under the Multiparty System

Concerns of the TEC on voting rights in a multiparty democratic setting are presented in the pastoral letter *Good-Conscience Vision of Our Nation* of 1994, the pastoral statement *Guidelines for the National Elections of October 1995*, publication of the Peace and Justice Commission (PJC) *Elections of October 1995: What to Expect from the Candidates for Leadership*, and documents of the Catholic Professionals of Tanzania (CPT) *Directives to the Catechists* of 1994, and *Authority and the Common Man: The Tanzanian Experience* of 1994. The TEC's social teaching focuses on three key aspects: holding fair and free elections, exercising the right to vote, and getting leaders who are competent and with moral integrity. These tasks are carried out in a joint venture with the Peace and Justice Commission (PJC) and the Catholic Professionals of Tanzania (CPT).

It is in the pastoral letter *Good-Conscience Vision of Our Nation* that the TEC officially encouraged the faithful to get fully involved in multiparty politics by making two suggestions: first, that provided Christians are guided by a good conscience and have a common goal of building up good democracy geared to promote the common good, they can join any political party of their own choice. Second, that as good leadership does not depend on mere chance, there was a need for preparing and supporting leaders from the grassroot level.⁴⁴⁴ However, fully aware of the problems of the political leadership's weaknesses in protecting the rights of the citizens under the one party system, the TEC documents manifest concern for setting a climate under which the citizens could choose their leaders unencumbered by former limitations of fear. The TEC accomplishes the task

⁴⁴⁴ TEC. *DSDT*. pp. 24-25.

of preparing the faithful for exercising their voting rights under multiparty democracy in collaboration with the Peace and Justice Commission (PJC) and the Catholic Professional of Tanzania (CPT). It is in *Authority and the Common Man: The Tanzanian Experience* that the CPT invited the citizens to reject the category of leaders who give fake and unrealistic promises. For the CPT, one of the causes of democratic immaturity in Tanzania was related to the leadership's misusing of African traditional background of reverential fear and lack of open criticism to those in positions of leadership as a breeding ground for dictating from above. The CPT suggests that Tanzanians must assess the qualities of good leadership from the point of view of readiness of the candidates to cooperate with the citizens from grassroot level and give incentives to creativity from below.⁴⁴⁵ Elaborating further on this subject, in *Directives to Catechists* the CPT argues that under the one party system there was democracy in the sense of holding regular free elections to choose representatives of the people in governance of the nation; but there were shortcomings in accepting differences in opinion. Subsequently, this affected the quality of action-taking among the citizens who tended to act only after being told what to do. Hence, in order to make multiparty democracy a success, Tanzanians must be encouraged to assume fully their participatory rights, and nurture the culture of respecting opinions of others and taking criticism positively.⁴⁴⁶ For the Peace and Justice Commission (PJC), as indicated in *What to Expect from Candidates for Leadership*, it is important that Tanzanians choose good leaders who will support and give citizens a chance to analyze their problems and plan strategies for empowerment. According to the PJC, it is becoming more evident that

⁴⁴⁵ CPT. *MUT*. pp. 2-7.

⁴⁴⁶ CPT. *MKM*. pp. 8-9.

there are failures to think and plan collectively on how to solve poverty and development problems. Some of the citizens continue to think that solutions will always come from outside. There is still lack of self-confidence. Hence, what to expect from candidates for leadership are not mere exposures of weakpoints of the current government in power. Tanzanians need leaders capable of making concrete suggestions to the citizens on practical ways to solve social problems related to poverty and development. For the PJC, Tanzania needs a type of leadership that can make sure that planning and development give priority to the social well being of the people by aiming at eliminating poverty, creating job opportunities and raising living standards. Tanzania needs the type of leadership that is capable of protecting and promoting collective rights of the citizens.⁴⁴⁷

Within context of immediate preparations for multiparty democratic elections, as indicated in the notes of the 19th Permanent Council Meeting of 14-17 February 1995, the TEC decided to have a recourse to more practical and concrete strategies to mobilize and conscientize Christians about exercising their voting rights. Among these strategies was formation of a committee at the national level to coordinate and animate the people for coming elections. At the diocesan level, in each of the 29 dioceses, the TEC gave a mandate to Directors of the Lay Apostolate to coordinate seminars and workshops on political leadership, registering, casting, and monitoring votes in the coming general elections. Also, using the church media such as radio, newspapers, and diocesan news letters, the target was to mobilize and sensitize people about the coming elections.⁴⁴⁸ As

⁴⁴⁷ PJC. *TKW*, p. 4.

⁴⁴⁸ See TEC. "The 19th Permanent Council Meeting held at Kurasini 14-17th Feb. 1995." *TEC Files*, 1995, pp. 6-7.

Bishop Paul Ruzoka confirms, such efforts and initiatives to educate and remind the people of their responsibilities in the civic society and making a concerted effort to prepare for the October 1995 elections were part of playing a prophetic role in saving the nation from falling victim to what was taking place in most of the African countries on the eve of multipartism, i.e., the crumbling of the civil society and subsequently paving way for having people in the government with “unbridled self-interests”.⁴⁴⁹

Final touches on the essentials for immediate preparations of the faithful for multiparty elections are presented in the pastoral statement *Guidelines for the National Elections of October 1995*. Just as the first independence necessitated emphasis upon the pluralistic nature of the Tanzanian society, the holding of democratic elections under the multiparty system led the TEC to emphasize principles that have contributed to Tanzania’s identity, such as dignity, justice, freedom, respect for all, peace, unity, wisdom, and patriotism. The TEC puts a strong emphasis on the importance of considering the human dignity of the Tanzanian during and after the multiparty elections. It is respect for human dignity that can save the nation from falling victim to policies that give priority to material things at the expense of the welfare of the people. Due to the equality of all citizens before the law regardless of sex, religion, position, ethnicity, or colour, Tanzanians, in exercising their voting rights and in contesting for leadership, must resist temptations of electing candidates because of what they have (material wealth) rather than of what they are. The TEC decries the use of manoeuvres to eliminate candidates from registration, fraudulent trafficking of voters from one constituency to another, using favoritism and fraud, using

⁴⁴⁹ See Bishop Paul Ruzoka: Short Presentation by the Justice and Peace Commissions Delegation to the Meeting in Harare, Zimbabwe from 25th July -1st August, 1996.” *TEC Files*, 1996, p. 5.

procrastination and delay tactics on schedules and regulations of the polls, and using the mass-media or the means of transport and communication on a discriminatory basis or favoritism. Freedom of voters must not be tempered by any manipulations or intimidations whatsoever: practices like bribery, coercion, intimidation, propaganda, religious fanaticism, all must be avoided. For the TEC, preserving peace and unity in the nation demanded efforts from both the citizens and the government in power. Tanzanians needed to abide by the principles of mutual understanding, love, and agreement. Peace could be marred in the nation before, during, and after the general multiparty elections of October if at all Tanzanians fail to respect and accept each other regardless of their ideological, or faith choices. As for the government organs set to supervise the electoral process, needed was fairness and justice. It is through attitudes of self-confidence and self-reliance that the identity and vision of the nation could be preserved.⁴⁵⁰ With regard to the qualities for leadership, the TEC retains most of the suggestions made during the first independence era. Among the notable additions are the aspects of fearing God according to the norms of one's own religion, loving justice and defending the marginalized, having competence to lead, and having a wide vision and being intellectually mature, patriotic, knowing and respecting the constitution of the nation, and cooperating with all regardless of religious, ethnic, sexual or colour differences.

The TEC's social teachings corresponds to the context of Tanzanians exercising for the first time their right to change the government through multiparty elections in thirty years of the nation's independence. A multiparty political system was put in place in 1992,

⁴⁵⁰ See TEC. *MUMO*. pp. 2-3.

and matured with the elections held between October 29 and November 19, 1995. Among the problems of leadership was the divided nature of the opposition. By 15th July, 1992, 43 opposition groups had taken forms for registration as political parties. This was a very large number given an eligible voting population of about 12 million. By October 29, 1995, there were four candidates for presidency, 1300 candidates belonging to 13 opposition parties, all fighting for 132 seats. Only 52% of voters had registered to vote.⁴⁵¹ Multiparty elections were held within a context in which wealth was invading the democratic setting. Fears of compelling or manipulating citizens to vote on fraudulent basis were real. Bishops found it important to insist that multiparty elections will be misdirected if leaders are chosen according to wealth, i.e., "having" instead of "being" or if are conducted on basis of favoritism.⁴⁵² Some of the TEC's key concerns were confirmed by the way multiparty elections were conducted. The general and presidential parliamentary elections were not smooth, and peaceful transition was achieved at certain costs. The elections were held in Zanzibar in October 22 and in October 29 in Tanzania mainland. In Dar es Salaam, elections needed to be repeated on November 19th due to fraud and inconsistencies. Some of the results of local constituencies were to be contested in court.

The various religious groups saw it as their obligation to get involved in preparing the faithful and conscientizing them about exercising their voting rights, electing leaders who can lead the nation beyond religious, ethnic or class strata, and by making sure that

⁴⁵¹ See MMUYA and CHALIGHA. *Towards Multiparty Politics in Tanzania*. pp. 158. 163-165.

⁴⁵² See Edwin LAURENTI. "Uchaguzi Utavurugwa Ikiwa Kigezo cha Kura ni Pesa (Elections Will Be Messed if Money is the Motivation for Voting)." *Kiongozi* (Oktoba 1-15. 1995), p. 2.

corrupt means were not used by candidates in order to be voted into the parliament. However, judging from the secondary literature, especially articles of some of the bishops in the TEC's newspaper *Kiongozi*, the real challenge to religious groups revolved around the extent of getting involved in direct campaigns and supporting the candidates by using religious institutions such as pulpits. Within proximity of the October multiparty elections, the Electoral Committee was starting to give warning to certain religious groups not to use religious pulpits for purposes that might destabilize unity in the nation, and compel the faithful to choose certain leaders. The problem was one of setting limits to the direct involvement of religious groups in multiparty campaigns. Whereas religious groups wanted to lend a helping hand to the realization of multiparty democracy, motivations of getting one's own people in positions of leadership were still persistent. According to Bishop Pengo's advice, Tanzanians were to reject voting for any political leader appealing to a religious group to elect him on basis of making promises that he will enhance their rights as a group apart from the interests of citizens of other faiths.⁴⁵³

⁴⁵³ See Edwin LAURENT "Askofu Pengo Atema "Cheche" na Kutakia Nchi Amani (Bishop Pengo Speaks Out and Wishes for the Maintenance of Peace in the Nation)," *Kiongozi* (Oktoba 16-31 (1995), p. 3; *Idem*. "Madhehebu ya Dini Yafuatilie Kwa Karibu Uchaguzi Mkuu (Religious Groups to Monitor the General Elections)," *Kiongozi* (Oktoba 1-15, 1995), p. 10; *Idem*. "Chagueni Viongozi Bora-Pengo (Elect Good Leaders-Pengo)," *Kiongozi* (Oktoba 1-15, 1995), p. 5; Paulo LADDA. "Askofu Balina Akemea Wasiotaka Kupiga Kura (Bishop Balina Warns Those Who Resist Registering For Voting)." *Kiongozi* (Oktoba 1-15, 1995), p. 5.

Concluding Remarks

This chapter focused on exposing first the TEC's understanding and interpretation Tanzania's situation on the eve of multiparty democracy. The TEC's social teachings give important clues about the home front in which multiparty democracy is taking shape in Tanzania. The TEC draws attention to the fact that it is not mere change from one party to multiparty democracy and accepting the forces of the free market that guarantee protection and promotion of human rights. There was need for making rectification and smothering the home front, a process that involved educating the citizens to be more careful and critical minded in exercising their voting rights under the multiparty system. Positively, multiparty democracy extended boundaries of the right to freedom of self-expression including freedom of the press, individual initiatives, and participatory rights of the citizens in governance of the nation. However, as the TEC indicates, there was still much to be done on the side of the leadership and economic structures. Entry into an era in which economic interests come first, has had adverse impacts on sustaining common welfare of the citizens and promoting the rights of the citizens as a collectivity. The transition period needed the raising of prophetic voices to challenge behaviors and institutions that impeded protection and promotion of the rights of the citizens. Arguing in favor of safeguarding a certain vision of the nation indicates the importance of counterbalancing the views that give the impression that with multipartism Tanzania was starting from a *tabula rasa* background in advancing the cause for human rights. A certain vision in the nation must be preserved as part of the strategy for striking a balance between the interests of the civil society and those of the state.

In exposing the objects of rights and duties in the social teaching of the TEC, the importance of promoting human centered development cannot be over emphasized. The TEC points to the importance of carrying out joint ventures and involving the people concerned in protecting and promoting their rights. Beyond doubt there are elements in the TEC's social teaching that can be helpful in advancing the cause for human rights within the Tanzanian context. That is why with this completed scenario of the TEC's teachings on human rights issues in the three periods, it is appropriate to come to a concluding chapter that will attempt to make a synthesis and see the general picture that emerges from the TEC's social teachings. What has been the general trend in the TEC's emphasis on rights and duties? What are the limitations and the possibilities contained in the TEC's social teachings on human rights? To answer these key questions let us turn to the concluding chapter.

CHAPTER FOUR

TOWARDS AN ETHICAL-THEOLOGICAL SYNTHESIS

The historical-expository part of the thesis has brought together the TEC's key documents addressing human rights issues. We have identified the shifting historical contexts and the objects of rights and duties. As ethical-theological reflection does not appear in a vacuum, but corresponds to particular life-settings, the research was structured around the TEC's social teaching on social, cultural, political, and economic situations in Tanzania during the span of almost five decades. Three main periods have been identified: Tanzanians and their Political Aspirations (1953-1966), The Pursuit of Human Rights Under Ujamaa Socialism (1967-1986), and Human Rights Issues at the Dawn of Multipartism (1987-1995). As we have discussed in the foregoing three chapters, the rights and duties articulated in the TEC's social teaching have been influenced not only by the mainstream Catholic human rights tradition, but also by particular circumstances related to an independent secular state striving to face challenges of maturity.

However, this research remains greatly impaired without unlocking the inner logic that is embedded in the ensemble of the TEC's social teaching on rights issues within the three historical periods. In order to facilitate this task, in this chapter we will appropriate David Hollenbach's interpretative schema of the Roman Catholic rights tradition as a useful heuristic for interpreting the TEC's approach to human rights and duties in terms of personal, social, and instrumental rights. This task involves sifting out various human rights and responsibilities that are particular to the TEC's social teaching in comparison with Hollenbach's list based on the encyclical *Pacem in Terris*. The second part of the chapter

will, in turn, focus on limitations and possibilities of the TEC's social teaching in addressing human rights and duties. We will look at receptivity of the TEC's social teachings on human rights, its quest for peace and mutual understanding, and the significance of its emphasis on human-centered development. These analyses will be followed by a concluding praxis postscript articulating how the TEC's social teaching can be complemented by forming communities of concerned response on four levels: the Christian community level, the leadership level, the ecumenical level, and the level of forming a task force. On these four levels the TEC can act and contribute to setting the agenda for an even more thoughtful and committed plan for action in integrating protection and promotion of human rights in the Catholic church's evangelizing mission in Tanzania on the threshold of the third millennium of Christianity.

4.1 Towards an Interpretative Schema

4.1.1 Relevance of Hollenbach's Heuristic Framework

David Hollenbach's heuristic interpretative schema of the Catholic rights tradition as embodied in *Pacem in Terris* builds up around the umbilical knot of human dignity, whereby human rights are interpreted as conditions for the realization of human dignity in action. Surrounding the human dignity core are: (1) "Personal rights" which include basic needs, freedoms, and forms of relationship which characterize the person and which must be protected if human dignity is to survive and thrive. Under this category are such rights as life, bodiliness, self-determination, sociability, the need to work, sexuality, family life, and some form of ultimate religious or philosophical convictions that are characteristic of

PERSONAL, SOCIAL AND INSTRUMENTAL RIGHTS: AN INTERPRETATION OF *PACEM IN TERRIS*.

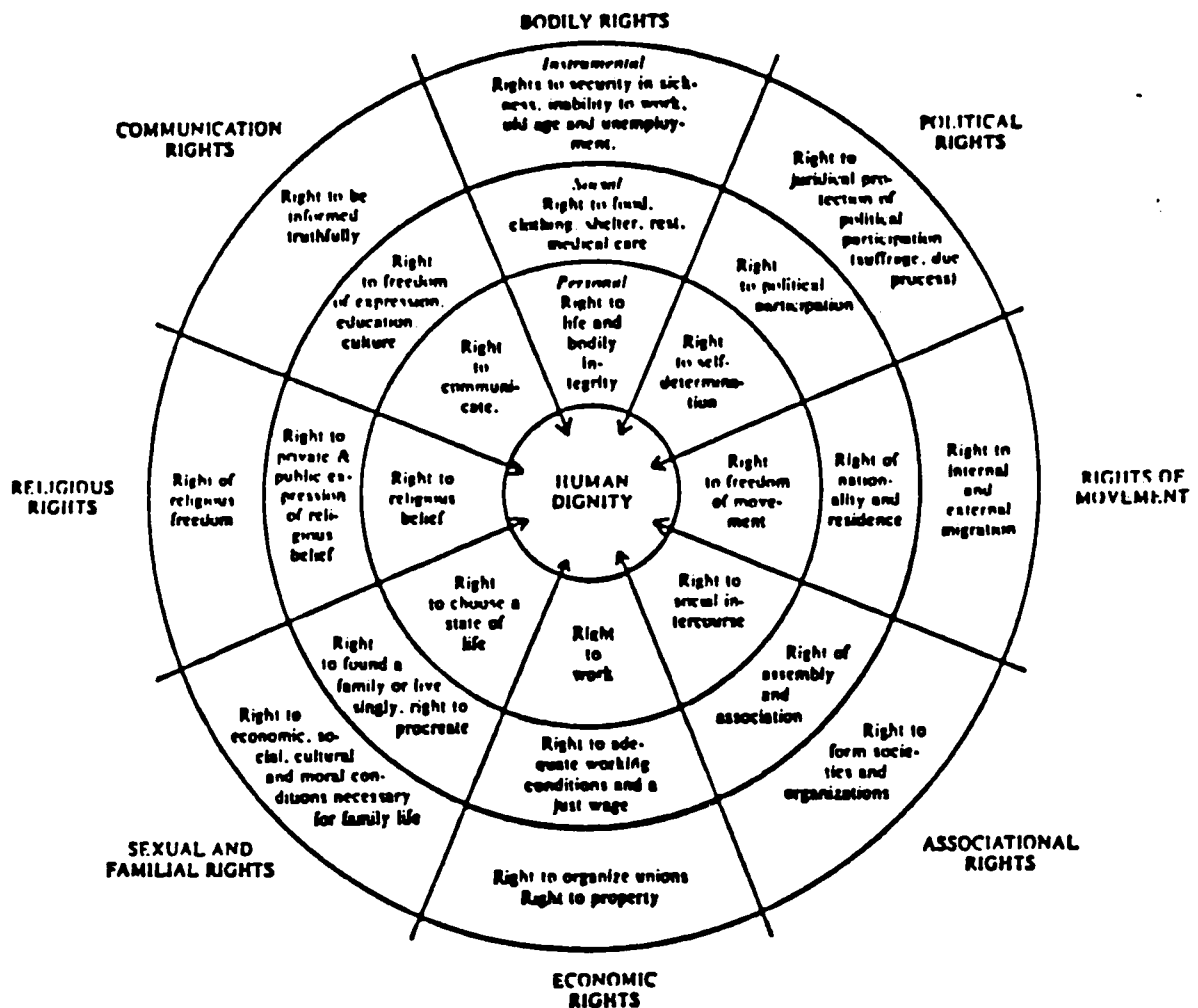


Figure 1: Retrieved from David HOLLENBACH, *Claims in Conflict* (Mahwah, New Jersey: Paulist Press, 1979), p. 98.

human persons. However, the need to provide for the realization of these personal rights through societal interaction and communal life necessarily gives rise to (2) “social rights” which are the conditions for the preservation of the well-being of the person. These specify positive obligations of society toward all its members and include rights to medical care, political participation, assembly and association, and adequate working conditions. Social rights mediate personal rights. (3) Finally, “instrumental rights” are distinguished “according to the kind of social interaction involved in its definition and protection.”⁴⁵⁴ While the primary concern of social rights is the preservation of human dignity in social interdependence, this social existence is shaped and structured by large-scale institutions such as the state, the law, the economy, and the health care system. The way these large-scale institutions are organized has an indirect, but extremely important, influence on the possibility of claiming one’s personal and social rights. Instrumental rights include rights to juridical protection of one’s social and personal rights, the right to organize politically and economically, the right to an organized system of social security, and the right to the social, cultural and moral conditions necessary for family life.

Hollenbach’s heuristic framework confirms the interdependence of various human rights and responsibilities, and the dynamism that exists between them. It uncovers the relationship that exists between rights according to the way their content is mediated by society and social institutions. Moreover, the historical mapping of the three categories of rights elucidates that rights have a direction, and that social and institutional configurations of human existence are increasingly important in attempts to preserve human dignity via

⁴⁵⁴ See the chart as retrieved from Hollenbach’s *Claims in Conflict*, p. 98.

the socialization process.⁴⁵⁵ Let us examine the TEC's social teaching within the three historical periods by using this heuristic tool of analysis.

4.1.2 The Interplay of Personal, Social and Instrumental Rights Within the Three Historical Periods

4.1.2.1 The Independence Period

The TEC's initial preoccupation in addressing itself to human rights and duties was to make sure that the newly independent nation is based on sound principles, and blessed with institutions that provide for the holistic nature of the human person (physically, mentally, and spiritually). It is this focus on integrating human rights within the guiding principles of an independent nation in view of making sure that the basic civic rights are recognized and satisfied that explains the predominance of instrumental rights in the TEC's social teaching. The main challenge emerging from the TEC's three pastoral letters consists of coordinating harmoniously the interests of the three society system, i.e., the family, the state, and ideological groups in promoting the rights of the citizens in a pluralistic milieu setting.⁴⁵⁶

Four categories of rights are identifiable in the TEC's social teaching during the independence period: political rights, economic rights, religious rights, and communication rights. Within the political rights category, the TEC put emphasis on the need for

⁴⁵⁵ HOLLENBACH, *Claims in Conflict*, pp. 94-5, 97&99.

⁴⁵⁶ Following Goran Hyden's analysis of the wider spectrum of the African continent, the general tendency was toward emphasis on a collective expression of rights. More specific rights were simply overshadowed by the fundamental call for self-determination or independence. Thus, during the independence period, a new rights consciousness was evolving, but it was mainly focused on eliminating domination by outsiders. See HYDEN, "The Challenges of Domesticating Rights in Africa," p. 261.

establishing a common civic status for all citizens as a prerequisite for the enforcement of equal civic rights. Collective enjoyment of the right to self-determination (political independence) by Tanzanian citizens demanded exorcising discriminatory tendencies based on race or ethnicity and dismantling the three race system. There were challenges of introducing democratic institutions for promoting participatory rights of the citizens within the indirect rule setting, and replacing the three race system with universal suffrage. Hence, it is the right to juridical political participation that was the anchor for protecting and promoting personal rights of expressing one's own political opinions and exercising one's own voting rights in a democratic setting.

Within the economic rights category, the TEC associated the inviolability of individual property ownership rights with, on the one hand, the strategy of stopping Tanzania from falling victim to the communist orbit and the subsequent formation of the propertyless working class, i.e., surrendering the rights of individual property ownership to state monopolistic property ownership was visualized as submitting free citizens to a certain form of slavery.⁴⁵⁷ On the other hand, warning against the abuses of misusing property ownership that condemns the majority of the citizens to misery and envy was a means for urging the state to make sure that every citizen obtains what is required to feed, clothe, and house a family.⁴⁵⁸

Within the communication rights category, the TEC focused mainly on the education right. At the personal level, the TEC associated the education right with defending familial rights of the parents to have their children educated according to the

⁴⁵⁷ See TEC. *ACWF*, pp. 11-12.

⁴⁵⁸ TEC. *ACWF*, pp. 40-44.

dictates of their consciences. At the institutional level the Catholic church sought the survival of the Catholic education system. The state's objective was to extend education rights to all citizens as the means for bridging gaps among the ethnic groups, nurturing and attaining the national priorities of unity, equal opportunity, planning for economic and social development, manpower, and inculcating the national spirit among the citizens. For the TEC, a fair compromise consisted of allowing private initiatives and mutual existence for parallel systems of public and private social services under the government control, i.e., reconciling national interests with those of the family and ideological groups by ensuring the essential freedom of the person, the rights of the family, and the rights of different ideological groups to get actively involved in the promoting the common good.⁴⁵⁹

As for the category of the religious rights, the TEC argued in favor of maintaining the role of religion as the conscience of society. Due to the pluralistic nature of Tanzanian societies, the TEC emphasized the state's guaranteeing protection of religious groups in the nation without bending to the interests of any particular group.⁴⁶⁰

4.1.2.2 The Ujamaa Socialism Period

The influence of Ujamaa socialism on the TEC's social teaching consists mainly of supporting action-taking and encouraging mutual cooperation to enhance the dignity of Tanzanians. New challenges emerging from the TEC documents consist of building the culture of equals, promoting human-centered development, protecting the rights of the poor majority, the farmers, and rectifying the church's remunerative policies for its

⁴⁵⁹ TEC, *ACWF*, pp. 24-30; *Idem*, *UFNT* 28-29.

⁴⁶⁰ TEC, *ACWF*, pp. 52-53; *Idem*, *UFNT*, pp. 21-22.

manpower. The background of seeking to strike a fair balance between the rights and freedoms of the individual with those of the community in building an egalitarian society offers an explanation for the predominance of social rights in the documents of the TEC during the Ujamaa period. However, in the TEC's prudential reservations in support of Ujamaa for the advancement of the cause for human rights we may find an explanation for its continued emphasis on the need to modify certain aspects at the instrumental rights if rights of the citizens were to be equally protected and promoted in the nation.⁴⁶¹

There are three main categories of rights identifiable in the TEC's social teaching during the Ujamaa period: communication rights, economic rights, and associational rights. During this period, the TEC addresses certain rights issues that were particular to the Tanzanian situation. More specifically, within the economic rights category, the TEC adds the aspects of promoting human-centered-development, protecting the rights of the poor majority (the farmers), and remunerating the church personnel (the clergy and the catechists).

Within the communication rights category, the TEC focused on building the culture of equals. At personal and social levels, the TEC put emphasis on the need for mutual respect of each ethnic group's opinions and cultural values, and the willingness of the citizens to learn from each other. At the institutional level, the TEC called for (1) broadening the concept of culture within the educational system from the narrow prisms of traditional dances to integrating values such as love, hard work, discipline and justice. (2) Modifying the legal system tendencies of treating citizens on basis of classes of the

⁴⁶¹ TEC. *CDST*. No. 5.

powerful (*wakubwa*) and the weak (*wadogo*), the TEC concretely called for the abolition of preventive detention laws and for inserting a Bill of Rights in the national constitution. In addition, the TEC called for the separation of legal, juridical, and executive powers in view of protecting the rights of the citizens from abuses of power and positions of leadership.⁴⁶²

With regards to human-centered development, at personal and social levels, the TEC argued in favor of the inseparability of development from the individual's freedom and willingness to accept the right and duty to work in the spirit of mutual cooperation (*roho ya udugu*) and self-reliance (*roho ya kujitegemea*). At the institutional level, the TEC supported the socialization of the major means of production as a necessary step for facilitating the citizens' equal accessibility to the right to development and enabling the whole nation to move from a state of poverty to prosperity. The target was to retain the humanization aspect of the right to development by resisting the temptation of limiting the indices of evaluating development to mere material and economic growth without considering the overall well-being of the citizens.⁴⁶³ As for protecting the rights of the poor majority (the farmers), the TEC recommended three key structural modifications: (1) rectifying mechanisms of redistributing national wealth that put farmers in a disadvantaged position (despite their being key producers of national wealth and foreign cash earnings); (2) revision of mechanisms that gave the false impression of having growth without development in rural areas, i.e., maintaining infrastructures such as schools, and dispensaries that mushroomed in Ujamaa villages without proper provision for sustaining them; and (3) setting up mechanisms for controlling the power of those in positions of

⁴⁶² See TEC, CDST, No. 9: *Idem. DWKK*, pp. 5-7.

⁴⁶³ TEC, CDST, No. 6: *Idem. PMU*, pp. 8-10.

leadership so that they might not use their power and positions to exploit the rights of the poor, i.e., strengthening institutions for mutual correction (*kusahihishana*), changing the leadership by using democratic means, and educating the citizens on the need and tactics of exposing immediately violations of human rights that take place in their local milieu.⁴⁶⁴

With regard to remunerating church manpower, the TEC associated the balancing of the rights of the individuals with those of the community with competency of the leadership to build the community in the spirit of justice, respecting individual initiatives and preserving human dignity. Remunerating church manpower was to reflect the aspirations of building a self-reliant church in a nation aspiring to be self-reliant.⁴⁶⁵

Within the associational rights category, the TEC recommended three modifications at the institutional level: (1) Avoidance of using the banner of self-reliance (*kujitegemea*) to making Tanzania a ghetto state, i.e., isolating Tanzania from the community of nations and developing parochial attitudes among its citizens in their relational outlooks. (2) Appreciating more the dignity and position of women in building the nation, and giving them equitable chances that could enhance their participatory rights in national building activities, and (3) changing monopolistic tendencies of the one party system over leadership positions, a process that blockaded participatory rights of non-party citizens.⁴⁶⁶

⁴⁶⁴ TEC. *CDST*. No. 12&13.

⁴⁶⁵ TEC. *PMU*. p. 17.

⁴⁶⁶ TEC. *CDST*. No. 8&13; *Idem*. *PMU*. pp. 8-10; *Idem*. *DWKK*. p. 6.

4.1.2.3 The Period of the Dawn of Multiparty Democracy

The dawn of multiparty democracy in Tanzania brought more sensitivity in the TEC's social teaching to the necessity of defending civic society against the state system. The tension-mounting background between the interests of the civil society and the crisis-hit state system leads to a more closely-knit emphasis on personal, social, and instrumental rights in the TEC's social teaching. For the TEC, the triple challenge in protecting and promoting human rights of the citizens consists of creating awareness among the citizens about the origins of the current problems, helping them to understand their personal and collective rights, and planning together how to protect and promote their rights.⁴⁶⁷

There are six categories of rights identifiable in the TEC's social teaching on the eve of multipartism in Tanzania: economic rights, environmental rights, religious rights, communication rights, sexual and familial rights, and political rights. The TEC brings in special particularities of the Tanzanian situation with regard to human-centered development, and environmental rights issues.

With regard to human-centered-development, at personal and social levels, the TEC calls for making choices in conscience on what befits the holistic nature of the human person, and insists upon the inseparability of the right to development from the right and duty to work. For the TEC, an effective response to the syndrome of wanting to get rich quickly, indifferentism, and slackness to work implies restoring the personalization of work and resuscitating the spirit of responsibility and accountability among the citizens. At the institutional level, the TEC emphasizes modifying structures of the economy that privilege

⁴⁶⁷ TEC. *DSDT*. p. 13.

the few while impoverishing the majority of the citizens. This process demands abolition of excessive bureaucratic controls that breed corruption, and encouraging participatory rights of the citizens in development activities such as was exemplified in carrying out a joint venture with the CCT in promoting education and health.⁴⁶⁸

As for protection and promotion of environmental rights, at both personal and social levels, the TEC calls for resisting the utilitarian syndrome of seeking to satisfy at any costs short term human needs. Instead, the TEC encourages nurturing attitudes of ruling over and caring for the created universe while respecting the plan of the Creator. At the institutional level, the TEC recommends education for environmental care at all levels of life (from the family unity up to institutions of higher learning), and the government's encouraging participatory rights of the citizens in state initiated environmental projects.⁴⁶⁹

Within the religious rights category, and responding to the misuse of the right to religious freedom by Moslem fundamentalists, the TEC at the personal and social levels calls for mutual respect of the other's faith. The TEC suggests the deepening of one's own faith as the basis for carrying out fruitful inter-faith dialogue and safeguarding peace in the nation. At the institutional level, the TEC urges the government to defend equally the right to religious freedom of all citizens, and to stop using religion for utilitarian economic motives. Instead, the TEC calls for accepting religion as an essential component in building the nation and taking into consideration advice given by religious leaders in formulating policies that have major impacts on the nation.⁴⁷⁰

⁴⁶⁸ TEC, MKM, pp. 6-7, 8-9, 9-10.

⁴⁶⁹ TEC, MKM, pp. 12-13.

⁴⁷⁰ TEC, UUH, p. 7; *Idem*, KZD, pp. 4-5; *Idem*, DSDT, pp. 18-19; CPT, MPM, p. 15.

With regard to the communication rights category at both the personal and social levels, the TEC argues in favor of both the citizens and the leadership (1) exercising the right to inform and be informed truthfully while respecting the communication ethics, and (2) nurturing attitudes of seeking and sifting truth and learning to accept criticism and respecting the opinions of others.⁴⁷¹

As for the sexual and familiar rights category, the TEC at personal and social levels, calls upon the families to take into consideration the holistic nature of the human person when having a recourse to population control measures, i.e., refusal of simplistic solutions to complex problems related to life at its beginnings, assuming responsible parenthood, and respecting individual freedom. At the institutional level, the TEC urges the government not to pass laws that contradict the rights of the human person. Instead, the government must safeguard cultural values of the African's understanding of life and progeny as a gift from God.⁴⁷²

Within the political rights category, the TEC associates the success of exercising fair and free elections under the multiparty democratic system with both personal responsibilities and institutional adjustments. At personal and social levels, the TEC invites Tanzanians to develop democratic maturity by overcoming attitudes of reverential fear and non-open criticism to those in positions of leadership. The TEC encourages the election of candidates with a vision of giving priority to the dignity of the human person and willing to cooperate with citizens from grassroots levels, rather than those who make fake promises

⁴⁷¹ TEC, *DSDT*, p. 15; CPT, *MKMT*, p. 14.

⁴⁷² TEC, *MKM*, pp. 14-15, 19-23; PJC, *HZF*, p. 4.

and use wealth to manipulate voters.⁴⁷³ At the institutional level, the TEC calls for respecting the national constitution as a means for controlling the greediness of the few misusing their political power for personal gains.

4.1.2.4 A Comparison of the TEC's Teaching and *Pacem in Terris*

The TEC's social teaching when compared to the *Pacem in Terris* list of rights reveals both non-developed and added aspects pointing to the particularities of the Tanzanian situation. (1) Of the eight categories that Hollenbach identifies in his interpretative schema of the Catholic rights theory, the TEC does not address in the same manner the rights of movement category. In Hollenbach's heuristic schema the rights of movement at the personal level focuses on the right to freedom of movement, at the social level, it focuses on the right of nationality and residence, and at the instrumental level he deals with right to internal and external migration. Preventive detention laws is an aspect that could be falling under the latter category. However, the TEC places these laws under the category of building the culture of equals.⁴⁷⁴ (2) Under sexual and familial rights category, the TEC addresses mainly familial issues related to family raising, planning, and education of children. As such, the sexual aspect, has not been treated forthrightly in depth

⁴⁷³ TEC. *DSDT*, pp. 14-15, 24-25; *Idem*, *MKM*, pp. 8-9; *PJC*, *TKW*, p. 4; *CPT*, *MUT*, pp. 2-7.

⁴⁷⁴ According to Chris Peter, for example, both before and after the new bill of rights, the right to freedom of movement has remained fluid in Tanzania. There have been numerous laws and executive regulations on freedom of movement, but only a few cases have been contested in courts of law. Whereas there have always been freedom of movement in the nation, the state has equally taken liberties to put laws restricting perimeters of exercising this right. To Peter's observations could be added the fact that it is only with the influx of refugees in the 1990s that Tanzania's handling the right to freedom of movement has been questioned in relatedness to forcing some of the refugees to return back to their war-torn nations. See PETER, *Human Rights in Africa*, pp. 21-26; See also "Tanzania: Tarnished Record." *ANB-BIA* 319 (1997), p. 9; Senne ANDRIAMIRADO, "Grand Lacs: rien n'est réglé," *Jeune Afrique* 1873 (1996), pp. 28-29.

in the TEC's social teaching. (3) Within the bodily rights category, the TEC focuses more on the social rights level by addressing the aspects of the right to food, clothing, and shelter, and to a certain extent, medical care. Given the limitations of the nation's resources, the instrumental rights level on issues of the rights to security in sickness, inability to work, old age and unemployment have not been dealt with in the same manner as *Pacem in Terris*.

(4) Instead, the TEC adds concerns for human-centered development, protecting the rights of the poor majority (the farmers) and environmental rights. These categories pertain mainly to the second and third generation of rights. Within the social teaching of mainstream Catholicism such issues appear mainly in the post-Conciliar documents.⁴⁷⁵

Taken as a whole, the TEC's social teaching within the three historical periods points to the fact that rights have a history. Personal existence in society is historical and developing. Protecting and promoting personal and social rights depend on the improvement of instrumental rights. The development of personal and social rights is closely linked up with modifications of certain structures and institutions. To a certain extent, the historical mapping serves as an indication that within the Tanzanian human rights community, the relationship between respect for human rights and its social and institutional underpinnings cannot be over emphasized. Human rights cannot be effectively addressed without unlocking the potentials of institutional foundations.⁴⁷⁶

⁴⁷⁵ See HOLLENBACH. *Claims in Conflict*, pp. 99; HENRIOT. "Integral Development Guidelines for Africa from the Church's Social Teaching," pp.17-32.

⁴⁷⁶ See HOLLENBACH. *Claims in Conflict*, p. 96; Marshall CONLEY, Daniel LIVERMORE. "Human Rights, Development and Democracy. The Linkage Between Theory and Practice." *Canadian Journal of Development Studies*. Special Issue. (1996), pp. 22-23.

However, while the TEC's social teaching reveals a penchant towards regularizing instrumental rights as a prerequisite for enjoyment of both social and personal rights, by the same token, it lacks articulated emphasis on the participation of the subjects of rights, both as individuals and as a collectivity, in protecting and promoting their rights. Compared to Hollenbach's heuristic schema, relegating responsibilities to the subject in advancing the cause for human rights starts to feature in the TEC documents of the Ujamaa period, and as such becomes more pronounced during the multiparty period. Unless the persons get actively involved in the process of protecting and promoting their rights, emphasis on the instrumental rights level is left with a certain lacunae. With this mapping of the TEC's emphases on personal, social, and instrumental rights levels, let us now make a close examination of limitations and possibilities that are contained in its social teaching.

4.2 The TEC's Social Teaching: Limitations and Possibilities

4. 2.1 The Nature of Receptivity of the TEC's Social Teaching

Key to any human rights discourse is its capacity to contribute effectively to the efforts of claiming, respecting, enforcing, and enjoying human rights within a given life setting.⁴⁷⁷ Though it is difficult to assess and almost impossible to quantify the receptivity of the TEC's social teaching on human rights, its receptivity gives hints on potentialities to motivate the addressees towards action taking in protecting and promoting their rights.

⁴⁷⁷ See HYDEN. "The Challenge of Domesticating Rights in Africa," pp. 256-7; Anthony GUBBAY. "The Protection and Enforcement of Fundamental Human Rights: The Zimbabwean Experience." *Human Rights Quarterly* 19 (1997), pp. 227-228; EL-SHEIKH, "Human Rights and their Development in Africa." pp. 46-47.

Within all three historical periods, it is rights issues that directly affect church interests or have direct repercussions for personal rights that resulted in debates and consultations. During the independence period it is the education right that drew attention of respondents both from within and from without Tanzania.⁴⁷⁸ The formal school system made an organic combination of interests of the state, the church, and the family. Tensions revolved around preservation of the essential freedom of the parents to have their children educated according to the dictates of their conscience, the Catholic church seeking preservation of the Catholic education school system in independent Tanzania, and the state seeking to promote unity and the common good within a pluralistic society milieu. Specifically, the education right affected the church's autonomy in imparting education. It was associated with the preservation of the denominational character of schools in the post independence period, and with safeguarding the right to religious freedom. Christian motives were not yet fully separated from purely secular motives in promoting the education right. Thus, the TEC's pastoral letters on the education right stimulated debates and clarifications on separating purely religious motives from the secular education system, and the need for preparing the laity to play their appropriate roles in carrying out Catholic education outside the formal school system. Among the conclusions from the debates was a realization that facing the situation in which national interests of unity and manpower development were taking shape, there was a need to apprehend that Christian education goes on throughout life, and cannot be limited to the formal school system. Such

⁴⁷⁸ See ROBINSON, "The Church, School and Religious Liberty," pp. 12-21; WALSH, "The Outlook For Catholic Education," p. 6; O'CONNOR, "The Social Dimension: Need of Mission Education," pp. 147-148; EKWA, "L'enseignement catholique dans la pensée actuelle de l'Eglise," pp. 58-59.

awareness was necessary for preparing Catholic citizens for playing responsible roles in the civil society. Likewise, the TEC's response to the accusation that Catholic education was limited in imparting African values led to debates that pointed to the paternalistic nature of Catholic education and its weaknesses in inculcating African cultural values. However, one limitation is that these debates remained mainly on the intellectual level and principally initiated within clerical circles. As such, the voices of the principle addressees of the TEC's social teaching, the laity, remained mute up to the multiparty period.⁴⁷⁹

During the Ujamaa period, the issue of remunerating the church's personnel led to discussions and consultations in the nation that was striving to be self-reliant. The Seminar Study Year (SSY) of 1969 recommended the need for having a uniform policy on remunerating the clergy. Therefrom, the TEC, during the plenary meeting of 1969 reviewed and discussed the recommendations. A questionnaire was sent to all dioceses in view of gathering necessary data on existing situations and opinions of the various groups concerned. Meanwhile, the subject was discussed by the fraternity of diocesan secular clergy (UMAWATA) in their 1971 annual meeting. Thus, when the TEC recommended a certain uniform system of *congruo sustentatio* during the 1974 plenary meeting, it was a result of consultations at both diocesan and national levels. Moreover, suite the 1974 plenary meeting, the Finance Committee of the TEC was to meet with representatives from UMAWATA to study the question and work out a reasonable uniform system. Hence, establishing the policy for a decent upkeep of the diocesan clergy was a process of being in touch with persons directly affected. Unfortunately, ever since, with changed situations in

⁴⁷⁹ See ROBINSON, "The Church, Schools, and Religious Liberty," pp. 12, 17-18.

the nation, there have been no any major follow ups on the subject. Each diocese is left to determine its own standards, a strategy that has not always been conducive to distributive justice being equitably done to the local clergy. Moreover, though the TEC at the national level has been in the forefront of establishing regulations for remunerating its personnel, the process of consultations with persons directly affected was not followed in determining principles for remunerating the catechists. This category of church personnel remains vulnerable and mainly at the mercy of each diocesan or parish policies.⁴⁸⁰

On the eve of multipartism, it is the TEC's social teaching on holding fair and free elections and educating the faithful about exercising the voting rights in view of getting good leadership that stimulated debates and discussions ranging from using the press to discussions and conscientization of the faithful at the parish level, even down to grassroots basis of Christian communities. This becomes possible mainly due to a shift in approach from giving instructions to the laity on their rights and duties to carrying out joint ventures with them in seeking together how to protect and promote their rights. In fact, during remote preparations of the faithful for multiparty elections, it is mainly via the publications of the Catholic Professionals of Tanzania on education for participatory democracy that one finds elaborate material for the faithful on issues that were briefly presented in pastoral letters and statements of the TEC. The CPT took pains to go into details of integrating values from the social teaching of the church and to critique some of the inappropriate

⁴⁸⁰ See "The 1969 Seminar Study Year," pp. 1-7; "SSY 1970's-The Church in Dialogue. Tanzanian Clergy Meet (Dodoma, April 20th-24th)," pp. 2-3, 21-25; TEC, Plenary Meeting, 1969, *TEC Files*, 1969, pp. 15-16; *Idem*, Plenary Meeting, 1974, *TEC Files*, 1974, p. 11; *Idem*, Plenary Meeting, 1976, *TEC Files*, 1976, Appendix XII.

experiences from the past in its education for democracy programs.⁴⁸¹ Within proximity of the October elections, the TEC formed a central committee to coordinate, encourage, and monitor elections in all 29 dioceses in the country by using mediumship of Directors of Lay Apostolate and the media to disseminate information. With this step, the role of the TEC's social teaching was taking a step forward. Beyond conscientization of the faithful about exercising their voting rights, the TEC moved to practical steps of monitoring the elections. However, difficulties are found at the level of not making in-depth analysis of the aftermath of the way the elections were conducted in the nation.⁴⁸²

When considered as a unit, the limited nature of feedback about the receptivity of the TEC's social teaching on human rights points to both limitations at the "take of stage" and lack of having a continuous coordinating task force. First at the "take of stage" of the TEC's addressing human rights issues there was a quadruple limitation: adopting a pedagogical approach, the small scale of overt violation of rights, the fear of communism, and, an inclination to visualize relationships in society as being hierarchically structured.

On the eve of Tanzania's independence, the TEC's focus was on giving instructions to the faithful so that their civic rights might be known and satisfied. The basic presupposition was that knowledge of right principles could lead them to appropriate action-taking by using the principles of see, judge and act. However, the fact is that the principle addressees of the TEC, the Catholic faithful, were not yet tuned to be analytical in responding effectively to rights issues. T. J. O'Kane's manual *Kanisa Katoliki na Maisha*

⁴⁸¹ See CPT, *MKMT*, pp. 5-8, 26-37; *Idem*, *MPM*, pp. 19-33; *Idem*, *MUT*, pp 10-18.

⁴⁸² See "Internet Enquiry April 1996, About Results of Election in Tanzania October/November 1995." Available at: <http://www.sanfu.de/~mjm/tz/digest.html>.

ya Watu (The Catholic Church and Lives of the People) supports this conclusion. This publication elaborates the church's social teaching on issues that the TEC raises in its documents. It remains mainly at the level of giving principles and guidelines to be acted upon, rather than stimulating the Catholic faithful to take their own initiatives in action-taking. Moreover, as Bishop Blomjous confirms, before the Second Vatican Council, the laity was still more relegated to the secondary and indirect mission of the church, i.e., the perfection of the temporal order. Though there was a willingness to perfect the world, the dichotomy of living in the world but not being of the world was still highly persistent.⁴⁸³ Emerging from the African cultural background that takes seriously the word of elders, there is no need to underrate the influence of the TEC's social teaching. However, this influence was more geared to implementation rather than preparing Catholics for contents analysis in the pre-action phase.⁴⁸⁴

Moreover, the very fact that the scale of overt violations of rights on the eve of Tanzania's independence was rather small, explains partly the non-detailed and elaborate nature of the TEC's social teaching on action taking to protect human rights. This phenomenon is not solely limited to the TEC's social teaching as such. As Goran Hyden points out, that within the Tanzanian situation where violations of human rights have been relatively few and certainly not blatant, when compared to the situations of her neighbors, Uganda and Kenya, consciousness about the importance of legal and constitutional rights was less developed in earlier periods. In the absence of arbitrary or autocratic rule, bringing about rights awareness may prove more difficult under the patronage system of

⁴⁸³ See BLOMJOUS. "The position of the African Layman in the Church." pp. 74-79.

⁴⁸⁴ Michael TRABER "The Church and African Socialism." *Concilium* 168 (1977). p. 91.

governance. Whereas there was emphasis on specific rights that served a useful purpose of shifting European opinion in favor of the plight of the colonized peoples, rights were never effectively internalized by sufficient numbers of Africans to become irreversible rules. A new rights consciousness was evolving but mainly in one direction against domination by outsiders.⁴⁸⁵ Ironically, it is mainly crises situations that lead to the capacity of combining sacred and profane resources in delivering, taming, and articulating on violated human rights issues. Probably this is what was lacking in the TEC's social thought on the eve of Tanzania's independence.⁴⁸⁶

As for the fear of communism, it contributed to scaring the leadership (mainly the clergy) from encouraging action taking in issues that were associated with "politics". Whereas the TEC was genuinely arguing in favor of promoting human rights in a pluralistic milieu, the fear of communism and warnings against mixing politics and religion bred attitudes of suspicion on the part of those who were supposed to initiate the faithful in the art of protecting and defending their rights. From the warnings to the clergy of the 1963 general meeting of the TEC up to the pastoral letter *Peace and Mutual Understanding* of 1972, where officially the faithful were encouraged to get actively involved and occupy their proper places in the politics and in the church, protecting and promoting human rights in a programmed and systematic manner was far from being achieved within the Catholic

⁴⁸⁵ HYDEN, "The Challenges of Domesticating Rights in Africa." pp.261-272.

⁴⁸⁶ See Galia SABAR-FRIEDMAN, "Church and State in Kenya 1986-92." *African Affairs. The Journal of The Royal African Society* 96 (1997), pp. 29-30; See also ONWU, "Theological Perspectives on Human Rights in the Context." pp. 73-74.

church as an institution in Tanzania. The sacred was to be separated from the profane, and every move in political direction was to be done *cum caute* (with caution).⁴⁸⁷

The hierarchical vision of relationships also limited the TEC's understanding of dignity and rights. It influenced the TEC's articulation on women's rights. Whereas the TEC argued in favor of promoting equally the rights of men and women, hierarchical approaches relegated women to queens of the home and the role of rearing children.⁴⁸⁸ Despite the fact that when used in context, both *Africans and Christian Way of Life* (ACWF) of 1953 and *Church and Developing Society in Tanzania* (CDST) of 1968, were *avant guard* documents for promoting the cause for women's rights in independent Tanzania,⁴⁸⁹ the inadequacy of the TEC's social teaching (on the eve of Tanzania's independence) in promoting participatory rights of women especially in rural Tanzania, as Marie Giblin testifies, was related to emphasizing natural hierarchical structures on the

⁴⁸⁷ See TEC. The General Meeting of 1963. *TEC Files*, 1963, Appendix 1, p. 3; van BERGEN, *Development and Religion in Tanzania*, pp. 235-241.

⁴⁸⁸ TEC, *ACWF*, pp. 13-15.

⁴⁸⁹ The TEC, by making quest for changing traditional customs and structures that deny women equal rights, and recognizing more the dignity and role of women in the nation, was addressing fundamental issues that within the East African context are still considered as basic for advancement of the cause for women's rights. It is of recent origins that within the AMECEA countries issues such as injustices, discrimination and domestic violence done to women in traditional and modern society begin slowly to enter the consciousness of Christians. Current emphasis in AMECEA countries on promoting the cause for rights of women is on issues of dignity, equal accessibility and empowerment of women. See "Eastern Africa Violence Against Women," *ADS* 463 (1997), pp. 1-10; Fortunata TEMU, "Gender Violence in Tanzania. Legal Point of View," *ADS* 463 (1997), pp. 7-8; Agreda MOSHA, "Spiritual Violence Related to Violence Against Women," *ADS* 463 (1997), p. 6; Gabriel MBOGO, "The Role of the Church in Relation to Violence Against Women," *ADS* 463 (1997), pp. 9-10; See Mercy Amba ODUYOYE, "Feminist Theology in an African Perspective," in GIBELLINI, ed., *Paths on African Theology*, pp. 166-181; Wolfgang SCHONECKE, "AMECEA Justice and Peace Task Force in the Making," *ADS* 482 (1997), pp. 1-4. JOHN PAUL II, *Ecclesia in Africa*, p. 36; See also Marja-Liisa SWANTZ, "Church and the Changing Role of Women in Tanzania," in Luke FASHOLÉ, Edward, GRAY et al., eds. *Christianity in Independent Africa* (London: Rex Collings and Bloomington: Indiana University Press, 1978), pp. 136-150.

family level. This emphasis was most likely leading to enforcement of submissive attitudes among women rather than give them a voice in public life.⁴⁹⁰ The TEC's social teaching reveals limitations of what Mercy Oduyoye identifies in African male led theological reflections, i.e., non-highlighting fully women's concerns, lives, and experiences. According to Oduyoye, there is need to integrate woman-inspired wisdom in the ethical-theological reflections in view of empowering them and giving them equal accessibility.⁴⁹¹ It is standard setting on recognition of rights of women as belonging to categories of groups who have been traditionally marginalized that was yet to be articulated in the TEC's social teaching on dignity and rights of women.

Lack of an effective coordinating task force is yet another aspect contributing to the limited nature of receptivity of the TEC's social teaching. With the formation of the Peace and Justice Commission (PJC) in the late 1970s, there were hopes for pursuing protection and promotion of human rights issues in a systematic manner. The mandate of the PJC included educating the faithful about their rights, obtaining information on specific acts of justice and violations of human rights, and contributing to drawing up appropriate action programs. True to this mandate, as the PJC indicates in its 1992 report to the TEC's plenary meeting, efforts were made to conscientize the faithful about their rights, especially through nine publications. The intention was to reach the grassroots levels. However, it was a top-to-bottom initiative. Integrating peace and justice issues, including human rights education at grassroots levels, remained on a rudimentary basis. It is in the 1990s that efforts to start from the bottom were starting to take shape, and an emphasis on

⁴⁹⁰ GIBLIN. "Tanzania Women Peasants: An Ethical Theological Reflection," pp. 33-38.

⁴⁹¹ ODUYOYE. "Feminist Theology in an African Perspective," pp. 166-7, 177.

coordinating efforts of various groups is starting to mature. Thus, without having an effective coordinating body, initiatives from above could not lead to high performance levels at grassroots. The importance of approaching human rights by coordinating efforts from the bottom levels forms part of the concluding suggestions.⁴⁹²

To conclude then, it is a combination of circumstances at the “take of stage” and lack of systematic linkage of human rights concerns from the national to the grassroots levels that explain the lack of pronounced receptivity of the TEC’s social teaching. Let us now examine some of the possibilities that are embedded in the TEC’s social teaching.

4.2.2 A Quest for Peace and Mutual Understanding

From the eve of Tanzania’s independence, the TEC in its social teaching established a liaison between protection and promotion of human rights and nurturing peace and mutual understanding among Tanzanians. Proposing the pluralistic milieu paradigm for the pursuit of human rights in the early 1960s, the TEC capitalized on the texture of Tanzania’s 120 ethnic groups as an asset not only for the enforcement of the rights of the majority and those of the minority, but also for the enhancement of inter-racial and inter-ethnic harmony. To every aspect of pluralism the TEC attached certain values that could enhance mutual respect for each other’s right, promote the common good, and make it easy for the citizens to accept each other and live together in harmony.⁴⁹³ The TEC played an early significant role in educating consciences and creating awareness among the faithful

⁴⁹² See PJC. *IHA*: “Tume ya Haki na Amani (Report of the Peace and Justice Commission).” *TEC Files*. 1992. pp. 1-3.

⁴⁹³ TEC. *UFNT*. pp. 3-10.

on the need for mutual acceptance. It was necessary to minimize ethnic and racial prejudices in view of facilitating equal enjoyment of basic civic rights in a pluralistic society milieu. As a matter of fact, in each of the three historical periods the peace and mutual understanding theme is recurrent in the TEC's seeking to reconcile conflicting rights issues.

During the independence period, a search for peace and mutual understanding was behind the TEC's compromise on the education right. In 1953, the TEC supported Catholic parents to maintain Catholic schools at any cost. By 1960 it had reached a compromise of integrating the promotion of the right to education in the paradigm of the pluralistic society milieu. The ideal was to maintain a parallel system of both public and private services in education under the central control of a unified educational system that ranked national interests first. Thus, whereas the TEC favored subsidiarity, it was opposed to isolationism and excessive sectarianism in offering services for the common good.⁴⁹⁴

During the Ujamaa period, the quest for peace and mutual understanding features in the TEC's prudential reservation when approving Ujamaa socialism. There was an expressed wish that Ujamaa be different from the brands of socialism that propagate and divide the citizens into antagonistic classes and perpetuate hatred among the people, endangering enhancement of human dignity.⁴⁹⁵ In *Peace and Mutual Understanding* of 1972 the TEC rejects attempts to antagonize the right to religious freedom and the right to development. In responding to the accusation that religion impedes the right to development, the TEC first makes a balanced assessment of the origins of the conflict

⁴⁹⁴ TEC. *ACWF*, pp. 21-24; *Idem*, *UFNT*, pp. 5-9.

⁴⁹⁵ TEC. *CDST*, No. 10&11.

between the two rights by admitting that part of the problematic stemmed from attitudes of religious leaders who refused to get actively involved in promoting development. As part of the solution, the TEC officially encouraged the faithful to get actively involved in implementing development programs in the nation.⁴⁹⁶

On the eve of multipartism, the TEC's quest for peace and mutual understanding is expressed in responding to the Islamo-Christian tensions. First, the TEC calls upon the government to defend the right to religious freedom of all citizens on a non-discriminatory basis. Second, the TEC formed a committee with the mandate to make an in depth study of the nature of the tensions, and to propose ways in which interfaith dialogue could be advanced on lines other than those of Moslem fundamentalists. Third, the TEC encouraged Christians to study well the background of their faith and seek peaceful means instead of having a recourse to violent means in response to activities of Moslem fundamentalists.⁴⁹⁷ Moreover, in preparing the faithful for exercising their voting rights under the multiparty system, the TEC made two important recommendations: First, that the quest for peace cannot be dissociated from mutual respect for each other's rights and acting toward others on the basis of justice. Second, that preserving Tanzania's peaceful situation demands continual nurturing of the multi-relational aspects of peace, i.e., forming consciences, seeking continually to establish mutual understanding, love, agreement, and the respect and acceptance of one another, notwithstanding differences of faith, ideas, ideologies or politics.⁴⁹⁸

⁴⁹⁶ TEC. *PMU*, pp. 8-14.

⁴⁹⁷ TEC. *KZD*, pp. 3-5; *Idem*, *DSDT*, pp. 18-19.

⁴⁹⁸ TEC. *DSDT*, pp. 17-18, 21; *Idem*, *MUMO*.

From the above cited cases, there are certain *prophetical values* embedded in the TEC's associating protection and promotion of human rights with a search for establishing peace and mutual understanding. Coming to the threshold of the third millennium of Christianity, African states continue to be assailed by wars, hatreds, and divisions based on ethnic, racial or religious grounds. Potentialities for the irruptive nature of such divisive tensions surfaced in Tanzania's preparations for its first multiparty elections of October 1995. Though there were threats to the peaceful situation that the nation enjoyed in over thirty years of independence, one of Tanzania's reputations is that neither ethnicity nor religious differences led to major discordance in the nation both during and in the aftermath of the elections. Part of the answer for maintaining this peace situation in the nation is found in the long-term strategy of establishing a liaison between protecting and promoting human rights and a search for peace and mutual understanding. Starting with the East African context, as the bishops of the Great Lakes point out, the church has a duty to educate the people about living together for attaining common goals. Before being messengers of reconciliation, the church's leadership needs to be a messenger of building up peace and mutual understanding. This strategy implies, on the one hand, that the church denounce any breach to human dignity and, on the other hand, proclaim the Gospel's message of hope, making known positive initiatives and experiences.⁴⁹⁹ From the eve of Tanzania's independence, the TEC revealed interest in creating a conducive background for facilitating peaceful mutual coexistence among the citizens. Nipping in the bud the divisive tendencies, and encouraging the citizens in African nations to make efforts for

⁴⁹⁹ See "Message of the Bishops of the Great Lakes Region of Africa." *ADS* 465 (1997). pp. 1-3.

living together in harmony despite their differences was part of the strategy for peace-keeping in Africa. The end point is not a conflict-free utopia, but a society in which conflict may be dealt with non-violently as it arises through sustainable indigenous structures and processes. Specifically, as Peter Walshe argues, the church has the responsibility to nurture a culture of political tolerance, the ethic of tolerance, of supra-ethnic ideas, and to keep alive the hope of a more egalitarian future as a means for bridging tribal and ethnic divisions.⁵⁰⁰

Besides these indicators from the TEC and African Christian churches, at the level of the international community, there is a growing conviction about the inseparability of peace building as part of the process for protecting and promoting human rights. The insiders of the United Nations make a realization that building peace, stability, and security encompass non-military sources for protecting and promoting human rights in the economic, social, humanitarian and environmental fields. Efforts to avert internal instability within independent nations before it starts is part of the strategy for reducing violations of human rights as we enter the third millennium.⁵⁰¹ What is needed now is concerted effort by the international community, including governments, non-governmental organizations and individual citizens to ensure that this trend toward peace and mutual understanding is

⁵⁰⁰ Peter WALSHE, "Evaluating Democratic Processes in Africa," in Mary PIGNONE & Mary GODFREY, eds., *African Faces Democracy. Proceedings Annual Meeting: Africa Faith and Justice Network (AFJN)* (Washington: AFJN, 1994), pp. 19-20.

⁵⁰¹ The three key challenges for translating the vision of 1948 to the reality of the 21st century are identified as: the need for stronger enforcement mechanisms, more human rights education, and more effective programs to assist countries in the development of human rights institutions. See Louise FRÉCHETTE, "Strengthening Global Human Rights: Challenges Facing the UN in a Changing World," *Human Rights Forum* (Fall&Winter 1994), pp. 2-4; Kenneth BUSH, "Beyond Bungee Cord Humanitarianism. Towards A Developmental Agenda For Peacebuilding," *Canadian Journal of Development Studies*, Special Issue (1996), pp. 75-92.

not frustrated. As Kenneth Bush indicates when commenting on the need for Peace Building and Reconstruction (PBR) in war-torn parts of the world, for example, there is a need for overcoming the tendency to frame peacebuilding far too narrowly as a short-term humanitarian exercise or even miscast it as a subset of military-peacekeeping (“enforcement”). Peacebuilding and reconstruction are fundamentally a developmental process with a crucial security component and not the other way round. It is the long-term commitment to the cultivation of peace rather than the largely ad hoc, short-term, high external input international initiatives that currently clutter our thinking and initiatives. Hopes for peace require opting for a proactive rather than reactive agenda. Peace building requires both the deconstruction of the structures and processes of violence, as well as the construction of the structures and processes of peace. Early warning mechanisms may be helpful for monitoring the disintegration of political, legal and social and economic structures. The challenge, finally, is one of recognizing and mobilizing indigenous resources that contribute to conflict prevention, peacebuilding and reconstruction.⁵⁰²

Though the issues addressed by the TEC are of small scale in nature, what counts most is the spirit of seeking to establish peace and mutual understanding rather the waiting to respond late to deteriorating situations. It is the process of long-term confidence building and establishment of the climate of tolerance through healing, peace education, and respect for truth that could help Tanzania as a nation to continue enjoying peace within its boundaries. Christian churches can better serve the nation if they put emphasis on the need for establishing peace and mutual understanding in their efforts to protect and

⁵⁰² BUSH, “Beyond Bungee Cord Humanitarianism. Towards A Developmental Agenda For Peacebuilding,” pp. 77-82.

promote human rights in the nation. Within a pluralistic milieu it is worth identifying and supporting peaceful coexistence. Part of the strategy for protecting and promoting human rights in Africa is to go beyond the imposition of solutions to the already deteriorating situations to the creation of opportunities in political, economic, social and cultural sectors where indigenous actors can identify, develop, and employ resources necessary to build peace. Beyond international peacekeeper efforts, the future for sustainable peace is in fostering local initiatives to do the job.⁵⁰³

4.2.3 The Significance of Emphasis on Human-Centered Development

From the Ujamaa period up to the dawn of multipartism, the TEC's social teaching emphasizes the necessity for understanding the right to development as being people oriented and relational, and as demanding joint efforts in coordinating personal, social and instrumental rights. The TEC's emphases throw light on how Christian and African aspirations can be reconciled in promoting integral development in Tanzania.

Starting with *Church and Developing Society in Tanzania (CDST)* of 1968 supporting Ujamaa socialism, the TEC put emphasis on understanding the development right as being people oriented, i.e., supported and reflecting their dignity, ethical, cultural, and religious values, and their willingness and freedom to participate with each other (*roho ya udugu*) in the spirit of self-reliance (*roho ya kujitegemea*). Human-centered development was visualized as inseparable from the right and duty to work.⁵⁰⁴ To this

⁵⁰³ BUSH. "Beyond Bungee Cord Humanitarianism. Towards A Developmental Agenda For Peacebuilding." pp. 75-92.

⁵⁰⁴ TEC. *CDST*. No. 6&8.

basic orientation, in the pastoral letter *Peace and Mutual Understanding (PMU)* of 1972, the TEC added sensitivity of retaining Christian motivations in promoting human-centered development. For the TEC, in so far as knowing and establishing a personal relationship with God motivates people to seek perfecting the image of God and renewing the world, there is no need for antagonizing religion and development within the African religiosity background. Relationship with God is presented by the TEC as a motivating factor for expounding the boundaries of development beyond human and economic horizons to accommodating the true human destiny, i.e., loving God and the neighbor and subsequently curbing egoistic tendencies of exploiting the rights of others.⁵⁰⁵ Building on this background, the pastoral letter *True Human Development (MKM)* of 1992 attains a new level by emphasizing responsibilities of the *subject of rights* (both individual and collective) in promoting integral development. Human-centered development is not only inseparable from the right and duty to work, but equally from making choices in conscience, and accountability. Thus, in this pastoral letter the TEC respects the holistic nature of the human person as demanding: (1) restoration of personalization and humanization of the right and duty to work, i.e., resuscitating the spirit of responsibility and accountability; (2) integrating development in the plan of God in creation, i.e., beyond seeking to satisfy basic material necessities, promoting development entails acting as co-creators. Hence, advancing the cause for human-centered development demands efforts both at personal and social levels as well as at the institutional level, a process that implies taming egoistic and excessive individualism starting from the family core.⁵⁰⁶

⁵⁰⁵ TEC, *PMU*, pp. 8-10.

⁵⁰⁶ TEC, *MKM*, pp. 14-16.

When considered as a unit, the TEC's approach to human centered-development points to the importance of safeguarding a certain vision of development in the nation. A major challenge facing the post-Cold War world, especially the South, is the search for relevant and new paradigms of development which can accommodate the aspirations of the individual without frustrating those of the collectivity. With neoliberalism gaining ground at wide strides on a global scale, and increased marginalization of the poor, there is a need for having a clear vision of the type of society we want to have and a certain conception of the human person that goes beyond his or her material limitations. Within the context of putting the indices for development on material wealth (that is mainly concentrated in the hands of the few), while the majority of the citizens are turned into aliens in their countries, there is also need for raising prophetic voices in protest against the system and carry out symbolic actions to counter-balance dehumanizing and dechristianizing elements.⁵⁰⁷

However, the situation of each country is necessarily different, informed by its own indigenous tradition and capacity to evolve. Between independence and multiparty democracy, Tanzania experienced the impact of the policy that put emphasis on the primacy of the human person in developmental undertakings within an understanding of the person as being both individual and communal. The vision for integral development put emphasis on the primacy of human relationship. However, as Green indicates, whereas Tanzania under Ujamaa aspired to promote human-centered development, there was an

⁵⁰⁷ See Denis GOULET, "The Search for Authentic Development," in BAUM and ELLSBERG, eds., *The Logic of Solidarity*, pp. 127-142; MOSHA, "The Prophetic Role of the Church in Tanzania Today," pp. 13-32; "Lettre sur le néolibéralisme en Amérique latine: Les Provinciaux latino-américains de la Compagnie de Jésus," *Promotio Justitiae* 67 (1997), pp. 43-47; Marshal CONLEY, Daniel LIVERMORE, "Human Rights, Development and Democracy. The Linkage Between Theory and Practice," *Canadian Journal of Development Studies*, Special Issue (1996), pp. 19-35.

unresolved problem on production and distribution mechanisms. Emphasis on the sharing (distribution) aspect was not proportionate with production enhancement. The emphasis was put more on participation and access to services without equally establishing a link between development and the right and duty to work.⁵⁰⁸ It is exactly on this point that the TEC's paradigm of coordinating personal, social, and instrumental efforts in promoting human-centered development can render service in resolving the inefficient side of the Ujamaa system. As Chris Peter indicates, it was timely that in the 1980s the obligations of the individual were inserted in the Bill of Rights. Among others, looting of public property without any accountability was getting wild. The situation was getting out of control in the nation.⁵⁰⁹ Hence, learning from past experiences, it is valuable that attempts to address human-centered development be linked up with emphasis on the right and duty to work.

While it is true that development is first and foremost a change of the quality of life and not merely an economic growth and must be geared toward the welfare of the people in society, by the same token there can be no development without the subjects of rights making efforts to do their part in the process. Human-centered development has to retain its relational aspects on personal, social, as well as institutional levels. Besides the roles that are being played by external donors, and concerns for standard setting by international organizations, there is need for focusing on domestic relationship structures of personal, social and instrumental rights levels that can facilitate sustainable, long-term development

⁵⁰⁸ GREEN, "Vision of Human-Centered Development: A Study In Moral Economy," p. 82.

⁵⁰⁹ PETER, *Human Rights in Africa*, pp. 42-43.

targets.⁵¹⁰ It is mainly on the home front that the TEC's social teaching on integral development has been focalized.

The carrying out of joint ventures by the TEC and the TCC in promoting development in the sectors of health and education has meaning primarily in its prophetic symbolism. Promoting integral development in the evangelizing mission of the church, as Peter Henriot points out, implies acting as optimistic agents of social transformation, co-creators with God in bringing about a new creation of justice, mercy, harmony and love. Our understanding of human nature and society affects our vision of the right to development. Integral development must take into account the whole human person in the context of the whole social setting of human community and creation.⁵¹¹ Thus, joint ventures by Christian churches in education and health care in Tanzania are likely to stimulate integral development in the sense of showing solidarity with the poor and the marginalized. Beyond charity, there is need for addressing the root causes of underdevelopment and structures that perpetuate injustice. Moreover, as Christian churches in Tanzania emerge from the background of competitions for having their own development institutions, there is urgency of learning from past experiences. To use Bishop Blomjous's expression, there should be avoidance of too much preoccupation with creating ecclesial institutions and using church development institutions as means for sustaining the nostalgia of building a Christendom (a sort of a Christian empire). The specific role of the church in human and earthly development is not direct development activity as such, which

⁵¹⁰ PETER, *Human Rights in Africa*, pp. 62-63, 98-99; CONLEY & LIVERMOORE, "Human Rights, Development and Democracy: The Linkage Between Theory and Practice," pp. 24-25.

⁵¹¹ See HENRIOT, "Integral Development Guidelines for Africa From the Church's Social Teaching," pp. 6-8.

is a specific function of the human society. The specific role of the church is to sustain *a vision of the religious and Christian inspiration* and animation of human secular development. It is an attempt to give a religious and Christian meaning to human efforts of making this world a better one. It is creating awareness that human efforts are in reality a collaboration with God in the work of continuing creation and a collaboration with Christ in his work of redemption. It is a task of humanizing the world and making it a better place to live in.⁵¹² In carrying out joint ventures in promoting integral development, Christian churches must avoid falling into the trap of doing things for people without consulting them on their needs, priorities, and what they themselves can contribute in actualizing certain programs in the process. The bottom line is that human rights and human-centered development cannot be dissociated from the input of human actors. The other side of rights is the corresponding obligation of governments, international organizations as well as individuals to respect and fulfill their obligations. Governments, peoples, both as individuals and as a collectivity, have to manifest their commitment in concrete terms.⁵¹³

Having made observations on where human-centered development could be orientated in Tanzania, let us now make a general conclusion on the TEC's approach to human rights and duties within the three historical periods.

⁵¹² BLOMJOUS, "The Church In A Developing World," pp. 292-293; JOHN PAUL II, *Ecclesia in Africa*, pp. 28-30.

⁵¹³ PETER, *Human Rights in Africa*, pp. 42-43.

4.3 A Concluding Praxis Postscript

4.3.1 Forming Communities of Concerned Response

Entering the twenty first century, the role of human rights in Africa becomes much more pertinent and relevant than before. The research aimed at bringing together for the first time the TEC's key documents addressing human rights issues before entering into the third millennium of Christianity. Studying the contents of the TEC's social teaching on human rights and duties throws light on the situations of a modern state that has been striving to face the challenges of being independent within a pluralistic society milieu, searching for a personal identity in the name of Ujamaa socialism, and maturity under multiparty democracy. The TEC's social teaching on human rights issues confirms that rights evolve in particular circumstances, and that their content and intensity (including defense and advocacy) are related to prevailing political practice.⁵¹⁴

Our historical expository part of the thesis testifies to the fact that the TEC has been actively involved in addressing civil, political, as well as economic, social, and cultural rights within the Tanzanian context in the past five decades. The TEC has contributed efforts to generating and sustaining a public discourse on human rights and duties in Tanzania with a double advantage of speaking for the people and having a history of a deep involvement in the sectors of education and health care. There has been a positive evolution from the first period orientation of giving instructions to the Catholic faithful about their basic civic rights, to the second and third periods levels of encouraging the laity to get actively involved and even take initiatives in promoting human rights both within the

⁵¹⁴ See HYDEN, "The Challenge of Domesticating Rights in Africa," p. 266.

nation and the church.⁵¹⁵ However, a key significance of any human rights discourse is its potential to contribute to enjoyment of, or respect for, human rights. To use Goran Hyden's expression, it is a challenge of contributing to the "domestication" of human rights in African politics and sustaining them in socioeconomic circumstances.⁵¹⁶ It is here that is situated the relevance of a concluding praxis postscript analysis on how the TEC's social teaching can be complemented by forming communities of concerned response. As Stephen Bevans confirms, the praxis model strives to bring theology to the level of reflective action, i.e., discerning the meaning and contributing to the course of social change. Theology is done not simply by providing relevant expressions of Christian faith, but also by commitment to Christian action. It is the product of the continual dialogue between reflected-upon action and acted-upon reflection.⁵¹⁷

Peter Henriot recently captured the gist of the necessity for forming communities of concerned response. He suggests: "At this moment of tremendous transition in our social context, we need Christians with a keen social ethical sense, a public conscience, a political commitment to justice. Church schools and parishes, small Christian communities and lay organizations should all be training lay leaders with the perspective of the Church's social teaching."⁵¹⁸ Alongside institutional modifications, human rights cannot be dissociated

⁵¹⁵ TEC, *MKM*, p. 27; *Idem*, *PMU*, pp. 14-15; *Idem*, *DSDT*, pp. 24-25.

⁵¹⁶ Domestication of human rights is important because human rights are not conferred by constitutions, conventions, or governments. These instruments do not give rise to human rights but simply recognize them and provide the machinery for their protection and enforcement. See HYDEN, "The Challenge of Domesticating Rights in Africa," pp. 256-7; GUBBAY, "The Protection and Enforcement of Fundamental Human Rights: The Zimbabwean Experience," pp. 227-228.

⁵¹⁷ See BEVANS, *Models of Contextual Theology*, pp. 63&65.

⁵¹⁸ HENRIOT, "The Social Context of the AMECEA Countries on the Eve of the African Synod," p. 361.

from the human actors. Hence, this section focuses on the importance of forming communities of concerned response both as a prerequisite and a strategy for protecting and promoting human rights within the context of the Catholic church in Tanzania. Such communities exist on four levels: Christian communities level, the leadership level, the ecumenical level, and the task force level.

4.3.1.1 At the Christian Community Level

The TEC's social teaching reveals a shift from a lay apostolate that focused on *receiving instructions* for action taking to supporting lay *participation on various levels* in promoting and protecting their own rights. There is evidence for a growing new spirit of collaboration and sharing responsibilities in the social field with the laity. Throughout the three historical periods, the TEC's social teaching addresses the ordinary Catholic faithful on grassroots levels. It is this factor that accounts for the simple nature of the TEC's documents.⁵¹⁹ However, it is unfortunate that despite making it a priority to build small Christian communities in Tanzania right from the 1970's, little has been systematically done to equip these communities with tools of analysis on social issues and enable them to handle effectively human rights issues. Elochukwu Uzukwu, indicates that the small Christian communities in Africa, have in the main neglected justice issues. For Uzukwu: "If the small Christian communities of Africa can move into the justice realm and develop their capacity for social analysis that is crucial to understanding the historical predicament so

⁵¹⁹ This shift becomes more evident in three key pastoral letters: *Peace and Mutual Understanding (PMU)* of 1972, *True Human Development (MKM)* of 1992, and *Good Conscience-Vision of Our Nation (DSDT)* 1993; See also SCHUCK, *That They Be One*, p. 139.

that people can act effectively then they, too, can become part of this bridge-building process.” According to Uzukwu, there is need for returning to the original SECAM ideals of 1969, and confirming that it is within the Christian community where man is being recreated in God’s image, that should be the center of concrete action for justice. It is at this level of concrete action where reflection on the experienced dehumanizing condition leaves no Christian indifferent that the courage of the church in Africa is tested.⁵²⁰

Within the Tanzanian context, it is appropriate that the TEC maintains its prophetic mission in denouncing violations of rights and calling for institutional modifications in view of protecting and promoting human rights. But, even more urgent, there is need for orientating basic Christian communities toward reflection and social analysis that leads to right decisions in the light of the gospel. As Pope John Paul II suggests to the African Bishops in *Ecclesia in Africa*, in order to actualize the proclamation of justice and peace as an integral part of the task of evangelization, promotion of the pastoral program in each Christian community cannot be underestimated. Each person according to his or her state of life should be trained to know his or her rights in view of offering service for the common good and act more credibly in face of social injustices.⁵²¹ There is an urgent need for transforming Christian communities from being communities of consolation in facing

⁵²⁰ UZUKWU, *Human Rights in Africa. Contextual Theological Reflection*, pp. 121, 129-130; See also Joseph KELLY, “The Evolution of Small Christian Communities,” *AFER* 23 (1991), pp. 108-120; James Holmes SIEDLE, “A Look at 17 Years of Small Christian Communities (SCCs) in Eastern Africa,” *AFER* 32 (1990), pp. 359-362; John GUINEY, “Comparing Basic Christian Communities (BCCs) in South America and Africa,” *AFER* 30 (1988), pp. 167-180; Joseph HEALEY, “Basic Christian Communities in Africa and in Latin America,” *AFER* 26 (1989), pp. 222-232.

⁵²¹ JOHN PAUL II, *Ecclesia in Africa*, pp. 44-45.

challenges of a harsh world to equipping them to respond effectively in changing and ameliorating oppressive structures that endanger their rights.⁵²²

4.3.1.2 At the Leadership Level

Within the three historical periods, the TEC plays roles that could be classified as covering the areas of prophecy, exposure and denunciation of violations of human rights, creating human rights awareness among the faithful, and “potentialities” with respect to women’s rights. One of the key aspects that features forcefully in the pastoral letters *Peace and Mutual Understanding (PMU)* of 1972, and *True Human Development (MKM)* of 1992 is specification about the role of the church’s leadership in forming consciences of the faithful in their responding to human rights issues. Here there is a move to define the specific contribution of religious sensibility to the human rights debate as consisting of waging a major educational effort which is value oriented, i.e., the human person as the subject of rights both as *imago Dei* and as involved in relationship webs.⁵²³ Within the prevailing situations of weak civil society and eroded common good values among African states, the church has the responsibility of moving in the human rights arena to underpin, to nurture, to reinforce the grounding of human rights, i.e., contribute to the efforts of giving reasons for being moral. Beyond the church’s maintaining a critical political reservation on raising the prophetic voice to defend the voiceless, there is need for nurturing the environment for the recreation of the universe. Within the background of African theology

⁵²² See BYARUHANGA-AKIHIKI et al., *Cast Away Fear*, pp. 18-19; WALSH, “Evaluating Democratic Processes in Africa,” pp. 19-20; HENRIOT, “The Social Context of the AMECEA Countries On the Eve of the African Synod,” p. 361.

⁵²³ TEC, *PMU*, pp. 8-9; *Idem. MKM*, pp. 6-7.

that is incarnational and earthly, effectivity of the TEC's social teaching on human rights will be highly determined by the skills of striking a balance between transcendental and horizontal relationship webs. Though the TEC's social teaching reveals efforts toward the grounding of human rights in the dignity of the human person as *imago Dei*, the matrix of relationships in which the subject of rights is involved has not been well developed. The TEC's social teaching needs to be more tuned to the relational reasons for respecting and promoting human rights. As Illesanmi points out, "In locating the human rights issue at the center of the quest for an understanding of what it means to be human, religion brings to the human rights debate a dynamic and a sense of urgency which make human rights an issue that, correctly understood, no person can afford to ignore without denying his or her full potential."⁵²⁴ Following Uzukwu's observation, the human person is a composite of relationships. He or she lives in the universe in dynamic life-enhancing relationships. Human rights are about humanization and humanization is about integrating the universe into a dynamic whole.⁵²⁵ This relational matrix is the moral prism through which Africans experience and express the meaning of life. To be religiously sensible is to be responsive to the full context of one's existence, to its limitations and its possibilities and to the burden of responsibility one bears for its enrichment or degradation.⁵²⁶ As Nienanya Onwu and Simeon Illesanmi point out, it is in modern times that human rights have ceased to be a religious theme. It has now become the language of political criticism. However, as human

⁵²⁴ ILESANMI. "Human Rights Discourse in Modern Africa: A Comparative Religious Ethical Perspective." p. 314.

⁵²⁵ UZUKWU. "Human Rights in Africa. A Contextual Theological Reflection." pp. 112-114. 117. 123.

⁵²⁶ ILESANMI. "Human Rights Discourse in Modern Africa: A Comparative Religious Ethical Perspective." pp. 313-314.

rights are formulated in the context of people's experiences, and within the African context religiosity is part of this experience, the religious factor when well articulated can effectively contribute to efforts for protecting and promoting human rights.⁵²⁷

However, taking seriously Hollenbach's advice, that the usefulness of the Catholic human rights tradition in a pluralist society is partially dependent on the degree to which its conclusions are persuasive to those who do not share the Christian faith,⁵²⁸ within pluralistic nature of Tanzanian societies, there is a need for complementing the transcendental grounding for human rights (*imago Dei*) with the communitarian relationship web aspect. Only then, can religiously initiated discourses on human rights effectively appeal to non-Christian citizens as motives for respecting, protecting, and promoting personal, social, and institutional rights.

Even more forcefully, bringing in religious sensibility, guided by the principle of relationality or connectedness lends a persuasive force in support of the vision of what Alan Gewirth describes as mutuality and reciprocity within the community of rights.⁵²⁹ For Gewirth, the community of rights is a just society in which right-holders are related in certain crucially important ways both to one another and, correlatively to their duty-bearers.⁵³⁰ As egalitarian universality per se is not a guarantee for equal distribution of human rights, it is the Principle of Generic Consistency (PGC) that dialectically and

⁵²⁷ See ONWU, "Theological Perspectives on Human Rights in the Context of the African Situation," pp. 78-81; ILESANMI, "Human Rights Discourse in Modern Africa: A Comparative Religious Ethical Perspective," p. 313.

⁵²⁸ HOLLENBACH, *Claims in Conflict*, p. 107.

⁵²⁹ ALAN GEWIRTH, *The Community of Rights* (Chicago: University of Chicago Press, 1996), pp. 71-105.

⁵³⁰ GEWIRTH, *The Community of Rights*, pp. 71-72.

logically commits the purposive agent to affirm that every prospective purposive agent has equal rights to freedom and well-being. Hence, "The mutuality of the principle of human rights involves that everyone always has, as a matter of principle, the right to be treated in the appropriate way when one has the need, and the duty to act in accord with the right when circumstances arise that require such action and when one has the ability to do so, this ability including consideration of cost to one-self. Thus mutuality does not prohibit some persons' taking helpful initiative toward others."⁵³¹ The mutuality of human rights has an essential role in the conciliation of rights and community and in the community of rights reflected therein. The very fact that humans have positive duties to one another by virtue of having human rights entails the kind of required mutuality of consideration that figures directly in social solidarity and thus in the community of rights. The moral requirement that governments enforce rights and thereby enable all humans to have the necessary goods of action is a direct consequence of the mutuality of human rights.

The community of rights means not only that the community supports the rights of its members but also that those rights support the community insofar as its support of its members' rights both enables and obligates them to support the community. Hence, society must be structured institutionally that it promotes equal rights and equal mutuality.⁵³² Gewirth's approach that attempts to conciliate human rights interests within communitarian perspectives could be helpful in strengthening the TEC's social teaching on reasons for respecting, protecting and promoting personal, social, and institutional rights in a pluralistic society milieu.

⁵³¹ GEWIRTH. *The Community of Rights*, p. 76.

⁵³² GEWIRTH. *The Community of Rights*, pp. 79-84.

Besides strengthening the moral basis for human rights, protecting and promoting human rights within the Catholic church in Tanzania demands what Bishop Telesfore Mpundu, during the African Synod interventions, describes as forming competent leaders capable of being with the people in struggling with particular political and economic problems of our day. Without forming the leadership, especially the clergy with teaching skills of social analysis in the strategies of cooperation and team work, evangelizing via human rights will always remain defective. The commitment to justice and peace as integral to evangelization requires not only word but also witness. A persistent problem is that there are many persons on levels of leadership especially among the priests and the religious who do not accept the promotion of justice and peace as essentially related to the task of evangelization. Some still consider it as a hobby or sideline activity. This malaise needs immediate and appropriate cure in view of enhancing the cause for human rights.⁵³³ As Pope John Paul II confirmed in Younde, Cameroon, integrating human rights in the evangelizing mission of the church, cannot be done on an improvisation basis. The capacity to defend fundamental human rights as part of the Church's apostolate demands training adequately all pastoral agents, i.e., forming the clergy, religious and laity and equipping them with tools of analysis. There is still a long way to go, but there are signs of hope from the direction that has been traced by the African Synod of Bishops in 1994.⁵³⁴

⁵³³ Telesfore MPUNDU. "Justice and Peace a Way of Life." *ADS* 439 (1995): HENRIOT. "The Social Context of AMECEA Countries on the Eve of the African Synod," pp. 361-162.

⁵³⁴ JOHN PAUL. *Ecclesia in Africa*. pp. 44-45.

4.3.1.3 At the Ecumenical Level

One of the remarkable elements in the TEC's social teaching has been the carrying out of joint ventures with the CCT in promoting development rights in education and health. The common basic agreement of these two Christian bodies was a realization that as members of the One Body of Christ throughout the world, Christians are bound together in faith, love and hope. That they are obliged to work together and care for each other. Due to the fact that the church of Christ is God's instrument to further his purposes in the world, especially amongst humanity, a common conviction was that national church organizations must work together for the well-being of their fellow citizens.⁵³⁵ Carrying out joint ventures between the TEC and CCT touches the kernel of where the future of Christian evangelizing via human rights is embedded. Without having a common moral compass of the gospels, we cannot meet the challenge on denominational basis. There is a need for moving in strongly ecumenical direction in order to build a broader human community capable of responding effectively to human rights issues. Endorsing ecumenical dialogue and carrying out joint ventures in the present historical situation of Christianity and the world is one of the sure and credible ways for fulfilling the church's universal mission. Living in the era of a dialogical journey and a shared communitarian ethic, there is need for seeking sincerely, perseveringly, humbly and also courageously the ways of drawing closer to each other and working for the common good.⁵³⁶

⁵³⁵ See "Elements for An Agreement Between the Churches in Tanzania and the Churches in Germany," *TEC Files*, 1992, pp. 1.

⁵³⁶ JOHN PAUL II, *Ecclesia in Africa*, pp. 34-35, 55-56.

4.3.1.4 Forming a Task Force

One of the major difficulties in disseminating the TEC's social teachings on human rights is the need for a constant body for monitoring and coordinating human rights efforts from the national to the diocesan levels. Despite the original mandate that was given to the Peace and Justice Commission (PJC) to conscientize and educate the faithful about their rights, ideals have not always squared with desired goals. Whereas it is true that several groups such as the Religious Superiors' Association of Tanzania (RSAT) have been making efforts toward creating awareness of human rights issues in their congregations, there has been a lack of coordinating efforts. It is only with the formation and operating of the CPT that hopes for attaining the grassroots levels have become possible. However, as Wolfgang Schonneck points out, most of the Justice and Peace action taking issues are organized directly by the General Secretariat of the TEC. Most of the dioceses have not yet established their Peace and Justice Commission. It is only by coordinating Peace and Justice Commissions' efforts from national to diocesan levels that there can be assurance of reconciling human rights discourses with the efficacy of human actors.⁵³⁷

Given the magnitude and chronic nature of the problems, such as desperate poverty, marginalization, and domestic violence, there is need for gathering and exchanging information on issues affecting the region, monitoring and analyzing the issues, creating links and organizing workshops on selected topics. Without a coordinating body, there are dangers of duplicating efforts, and remaining parochial both in outlook and

⁵³⁷ See PJC. *IHA*, pp. 4-6; "Religious Superiors' Association of Tanzania (Men): Three Year Report July 1988-June 1991, *TEC Files*, 1991, p. 3; Wolfgang SCHONNECKE, "AMECEA Justice and Peace Task Force in the Making," *ADS* 482, p. 1.

proposed solutions.⁵³⁸ Signs of coordinating efforts for the common good became evident in preparing the faithful for exercising their voting rights under multipartism. Hopefully such efforts will be strengthened and lead to formation of a task force. Only at this stage can the church be confident and prepared to set up its own monitoring structures and exert pressure on governments. By using a task force there can be assurance for promoting the reality of solidarity within and outside the church. A task force equally serves the purpose of reminding the TEC of its own principles and initiatives and how to implement them.⁵³⁹

When considered as a unit, the TEC's social teaching on human rights and duties undeniably contains prophetic messages. Among the elements that feature in the TEC's approach to human rights issues is that there has been a growth of mind from giving instructions to the laity to forming partnership with them in addressing rights issues. From former fears of communism, hierarchical concerns, and safeguarding "own" institutions for promoting human rights, there has been a shift to carrying out joint ventures with the CCT in promoting integral development.

However, the TEC's social teaching leaves out much desired in terms of clarifications and specifications in addressing certain rights issues. Paucity of documentation on receptivity of the TEC's social teachings on human rights is a reminder

⁵³⁸ See SCHONNECKER, "AMECEA Justice and Peace Task Force in the Making," pp. 1-4.

⁵³⁹ See Ayward SHORTER, *The African Synod. A Personal Response to the Outline Document* (Nairobi: St. Paul Publications Africa, 1991), p. 148.

that creating human rights awareness is yet to be accomplished. Besides raising the issues of remunerating the church personnel during the Ujamaa period, the TEC, so far, has not yet fully made retrospective analyses of the functioning mechanisms of the Catholic church as an institution in Tanzania. Among others, the Catholic Church in its institutional forms has not changed much from what Bishop Blomjous pointed out in the 1970s that “The church itself as an institution gives the impression not only of not being poor but also of not being on the side of the poor.”⁵⁴⁰ According to Blomjous, the church should not be the church of the affluent satisfied with their own affluence. Arguing almost in the same line of thought, Raymond Mosha when analyzing the prophetic role of the church in Tanzania today, states: “There are certain dimensions of church life that we need to critically evaluate, so that our prophetic ministry may be more effective.” According to Mosha, to put its house in order, the Tanzanian church needs to shun some of its materialism and simplify needs and wants especially on the levels of church leaders and ministers.⁵⁴¹ There is much to be done in terms of purifications and adjustments. The ideal is to return to the dictum of the Synod of Bishops of 1971 that “While the church is bound to speak to people about justice, [the church] must first be just in their eyes”. To this John Paul II has added: “Today more than ever, the church is aware that its social message will gain credibility more immediately from the witness of actions than as a result of its internal logic and consistency.”⁵⁴²

⁵⁴⁰ BLOMJIOUS, “The Church in A Developing World,” p. 298.

⁵⁴¹ See MOSHA, “The Prophetic Role of the Church in Tanzania Today,” pp. 24-25. See also: Aylward SHORTER, *The African Synod. A Personal Response to the Outline Document*, pp. 98-99, 126-7.

⁵⁴² See HENRIOT, “Integral Development Guidelines For Africa From The Church’s Social Teaching,” p. 30.

Despite these shortcomings, the TEC's social teaching on human rights and duties is a message of hope. The Tanzanian Catholic church's efforts to address human rights issues has as one of its key references this body of literature. My expectation is that bringing together the documents of the TEC on what has been going on for almost half a century, and making of it a synthesis by using ethical-theological tools of analysis, will contribute to the advancement of the debate on the cause for human rights in Tanzania and in other African countries that have passed through similar stages to their present situations. Thus, this dissertation far from pretending to give definitive solutions on the TEC's approach to human rights and duties in the past five decades, aims at stimulating the debate on how Christian churches can effectively contribute to the cause for human rights in Tanzania on the threshold of the third millennium of Christianity.

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