

## **Commercial Investments Impacts on Customary Land Rights and Community Livelihoods: Reflection of D-by-D Reforms in Kisarawe District**

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### **Abstract**

This paper presents the results of the study with the broad objective of analyzing the impacts of commercial investments on rural land access and acquisition process with reference to decentralization by devolution. The effects of commercial investments on customary rights to village lands, people's perception on foreign investments in their lands and impacts of transferring the village land to investors are explored. One village from each of the six wards with relatively higher land-related investment was purposely selected for the study. A total sample of 162 respondents from randomly selected households was enrolled in the study. Data were collected using a semi structured questionnaire and analyzed in Statistical Package for Social Sciences version 21. Results show that the ownership of investments in the district is 60.5% by non-village investors, 5.6% by village council on behalf of the community in the village communal land, 26.6% by individual villagers and 7.3% owned under joint venture. About 82.3% of households in Kisarawe district support their livelihoods through agriculture, 63.9% owning less than 5 acres (2ha) of land. Only in 12% of all households where women have control over land rights. Investors obtain land rights in two ways, compensation of villagers (36.5%) and through purchasing from individual household (63.5%). About 62.9% of investors own land permanently while 37.1% got temporary ownership. The effects of commercial investments on customary rights to village lands in Kisarawe district are not appealing. About 65.2% of respondents have revealed that their lives and household income have not changed, and some showed that their means of livelihood have declined as they have lost both land and income. About two-thirds (59.9%) of

community members stated that their expectations towards commercial investment projects had not been fulfilled. Thus, large scale commercial investments in village lands is the opportunity for economic growth in Tanzania only if there is a balanced interest of the nation, investors and smallholder farmers. Tanzania should see to it that the economic status of her rural communities is improving by restructuring land tenure system towards safeguarding the customary land rights.

**Key words:** D-by-D, customary land rights, commercial investments, livelihoods

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## 1. Introduction

Failure or reluctance to make legal and policy reforms related to land tenure in most African countries after colonial era has left behind many loopholes for land grabbing during this era of foreign investment. Biofuel, food production farms and wild life hunting blocks are the three major landed investments which have raised major concerns (Ngoitiko *et al.*, 2010; Sulle and Nelson, 2009). External interest in biofuel production in African countries is driven largely by the low cost of land and labor in rural Africa (Cotula *et al.*, 2008). Investors are targeting many areas of land which are perceived as being 'unused' or 'marginal' in terms of their productivity and agricultural potential. With interest in allocating such areas for biofuel increasing, the security of land tenure and access or use rights on the part of local resident communities across rural African landscapes is potentially at risk. Land tenure in rural Africa is often characterized by a high level of insecurity, as a result of the colonial legacy of centralized ownership of land by the state, coupled with weak mechanisms for accountability and

enforcement of land rights (Wily, 2003).

Land tenure framework in rural Tanzania has a long history of being under the control of the central government. However, there have been political and economic transformations designed to improve rural communities land tenure security (Sulle and Nelson, 2009). These transformations have been thumbed down by some writers (Cooksey and Kelsall, 2011; Kelsall, 2002) as lacking clear ultimate reforms vision, and driven by private interests of national political elites. Under the socialist and modernization policies adopted by Tanzania after independence, private rights to land were in some cases nationalized, while customary land institutions and practices were greatly weakened by the villagization campaigns of the mid-1970s. During this period, millions of rural Tanzanians were relocated without formally reconciling their forced movements with existing patterns of land rights and tenure (Shivji, 1998). As a result, considerable confusion was sown as people's locations and territories were reconfigured, without

accompanying reallocation of rights over lands (Nelson *et al.*, 2012).

Tanzania's economic collapse in the late 1970s and early 1980s led to the eventual abandonment of socialist economic policies which was followed by a period of liberalized and capitalist-oriented economic policies in Tanzania (1985-1995). The liberalized and capitalist-oriented economic policies removed constraints, both legal and normative, on public officials' engagement in private business that intensifying loop holes for village land grabbing in Tanzania (Chachage and Mbunda, 2009; Kelsall, 2002). This period had great implications on land tenure and ownership in land grabbing (Sulle and Nelson, 2009). This grabbing resulted in great outcry in Tanzania in 1990s to the extent of necessitating land reforms in 1990s where two acts Land Act (1999) and Village Land Act (1999) were enacted. These Acts elevated the oversight role of the Village Assembly in land management decisions made by the Village Council, the Act gave Village Councils clear management rights over a new tenure category of

'Village Lands', and made customary rights legally equivalent to granted rights to land. All in all, the Village Land Act served to slow the earlier pace of land-grabbing, by making it more difficult for elites to summarily acquire lands and more difficult for corrupt local leaders to allocate them (Wily, 2003).

National economic reforms in Tanzania as from 2005 encouraged privatization of properties. Land grabbing was intensified in this period up to date, although not intense as in other African countries (Deininger, 2011; Deininger and Byerlee, 2011; Schoneveld *et al.*, 2011). In addition to incentives from national political and economic interests, land grabbing after 2005 contributed to rising energy prices in 2005-2008 and that triggered the influx of many European companies to Africa to invest in biofuel. However, experience in Tanzania showed that these projects failed (Carrington, 2011). The failure was due to economic crisis from 2008, and also poor research on performance of biofuel crops (*Jatropha*) in tropical environment (Nelson *et al.*, 2012).

Tanzania land ownership/tenure statistics of 2007/2008 shows that large percent (69.3%) is owned under Customary Law (NBS, 2013). Land tenure insecurity in rural parts of Tanzania remains a widespread social problem and source of political tension. For example, Tanzanian pastoralists occupying semi-arid areas are often subject to efforts to alienate their customary pastures and land holdings, for purposes of commercial investments or establishment of wildlife conservation areas (Mattee and Shem, 2006).

During the last three decades, Tanzania has increasingly seen conflicts over land grabbing by foreign and local investors, land evictions of peasant communities, conflicts over mining rights between small scale and large scale miners, conflicts between rural communities and government over land reserves or conflicts over land between agricultural and pastoralist communities (Gardner, 2012; Lane, 1994; Nelson *et al.*, 2012; Ngoitiko *et al.*, 2010). Land grabbing under commercial investment has left painful experience among Kisarawe

villagers. For instance, by 2009, already Sun Biofuel had acquired 8,211 ha in Kisarawe District, in a case that directly or indirectly affected over 10,000 villagers resident in 12 villages that allocated land to the company (Sulle and Nelson, 2009). The investment failed in 2011 before compensation was made and already Customary Village rights were extinguished and transferred to Public lands (Nelson *et al.*, 2012).

Despite D-by-D policy in Tanzania under the Local Government Authorities since 1972, in recent years there have been rural poor outcry over land grabbing by private investors, and the problem is steadily growing. Village land falling into the land of investors has been found in Kisarawe, Kilwa, Arusha, Mpanda among others (Massay and Kassile, 2014).

Under D-by-D implementation process, all decisions made at village level should involve villagers and the strategic plans of the village prepared using O and OD should reflect the people's needs (Massoi and Norman, 2009). Some provisions in the Land Act No.4 and 5 of 1999, Tanzania

Investment Centre (TIC) guideline contradicts with D-by-D policy and hence becomes a loop hole for implementing some decisions which do not involve villagers or do not address villagers' needs. This challenge lies in the ability of local government authorities, local government and local community to effectively participate during the whole process of investing in village lands. This is critical given the fact that rural communities constitute large population in Tanzania constituting about 70.4% of the country complemented by only 29.6%, which is the urban population. Of all Tanzanians, 62.1% depend on farming as their major economic activity and other means of livelihoods (URT, 2014). Therefore, securing rights to land is a central issue in socio-economic development in the rural settings.

This paper is a result of the research carried out in Kisarawe district with the broad objective of analyzing the impacts of commercial investments on rural land access and acquisition process with reference to decentralization by devolution. The research was triggered

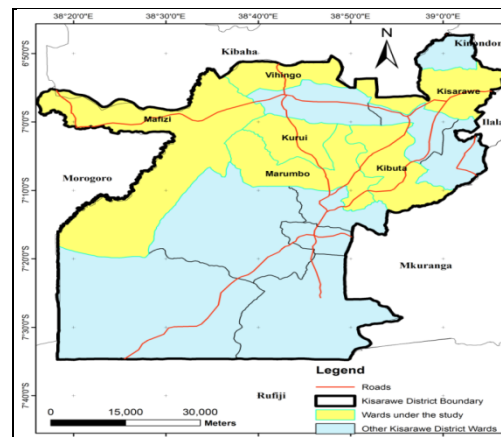
by the facts found in literature about the emerging problems of land conflict between commercial investors and local communities in several parts of Tanzania, Kisarawe district villages being one of the spotted areas. The research project aimed at exploring the extent in which D-by-D policy has been implemented at village and ward levels (grassroots level) with a special attention on community involvement in decision making regarding the transfer of village land to foreign biofuel investors in Kisarawe. The effects of commercial investments on customary rights to village lands, people's perception on foreign investments in their lands and impacts of transferring the village land to investors were explored by this the research.

## **2. Study Area and Methodology**

The study was conducted in six wards of Kisarawe district in Coast region, Tanzania. The wards are Kibuta, Kuruhi, Mafizi, Kisarawe, Marumbo and Vihingo as shown in Figure 1. Kisarawe is one of six districts in Coast region that is situated at latitude 6° 54'00" South and longitude

39°04'00" East. Kisarawe district borders Mkuranga district in the East and Morogoro district in the West and Ilala municipality of Dar es Salaam city to the Northeast, Kibaha district to the North and Rufiji district to the South. The district covers an area of 3,535 sq.kms. Kisarawe district is 25 km on the outskirts of Dar es Salaam city towards the northeast. The population size of the district according to the National census 2012 is 101,598 out of which 50,631 are male and 50,967 are female (KDC, 2015). The district is endowed with abundant and unique natural resources to include reasonably fertile soil (heavy red loams on the rising ground of the foreland ridge and black soil in many valleys) together with miombo type and savannah natural vegetation in some parts especially in Chole and Mzenga divisions. The natural forest reserves of Kazimzumbwi, Pugu and part of Selous Game Reserve in Vikumburu ward are of special importance. Agriculture, dairy farming, food processing, wild life management, handcraft making, hotel and tourism development are the district's major potential areas of investment (KDC,

2015).



**Figure 1: Map of Kisarawe district showing the study area (wards and villages)**

The sampling frame was the number of wards and villages with distinctive investments on land. Sampling units were ward, village and household in the study area. One village per ward with land-oriented-investments was purposively selected based on the degree or scale of the investments. Households were randomly selected to compose a total sample of 162 to represent the target study area which was close to the estimated sample by the formula given by Yamane (1967) with slight modification as:  $n = N/(1+Ne^2) + r$ , where  $n$  = estimated sample size,  $N$  = study population (sampling frame) and  $e$  = permissible error margin = 0.1 and  $r$  = an attrition rate = 25% of the value

$N/(1+Ne^2)$  (Yamane, 1967).

Both primary and secondary data were collected from the field and documentary sources. First, literature was reviewed to establish issues related to the land rights, land access/acquisition and actors in the study area. This was followed by reconnaissance made in the study area for actual/physical familiarization, seeking legal permits for the research work and background information about investment status in Kisarawe districts. Key informants were identified during the reconnaissance parallel with pre-testing the formulated questionnaire. Field work plan was thereafter made to aid actual research execution to get relevant information needed. Wards and villages were selected based on the prominence in land-oriented investments, where a village for each of the six selected wards was included. A semi-structured questionnaire was used to collect information from households while a checklist was used to gather further information from key informants. Consultative meeting was also held twice at the district office, and

technical information related to investment in the village was obtained from the Investment Desk in the district. In total 162 respondents were interviewed as shown in Table 1.

**Table 1: Distribution of respondents by villages in the study area**

Ward	Villages	No of household respondents
Kibuta	Kibuta	22
Kuruhi	Zegero	22
Mafizi	Mafizi	37
Kisarawe	Visegese	31
Marumbo	Marumbo	21
Vihingo	Vihingo	29
Total		162

Coded data in Statistical Product for Social Solution (SPSS) were analyzed into descriptive statistics and qualitative information collected from key informants was analyzed manually by content analysis procedure.

### 3. Results and Discussion

#### 3.1 Types Commercial Investments in Kisarawe District

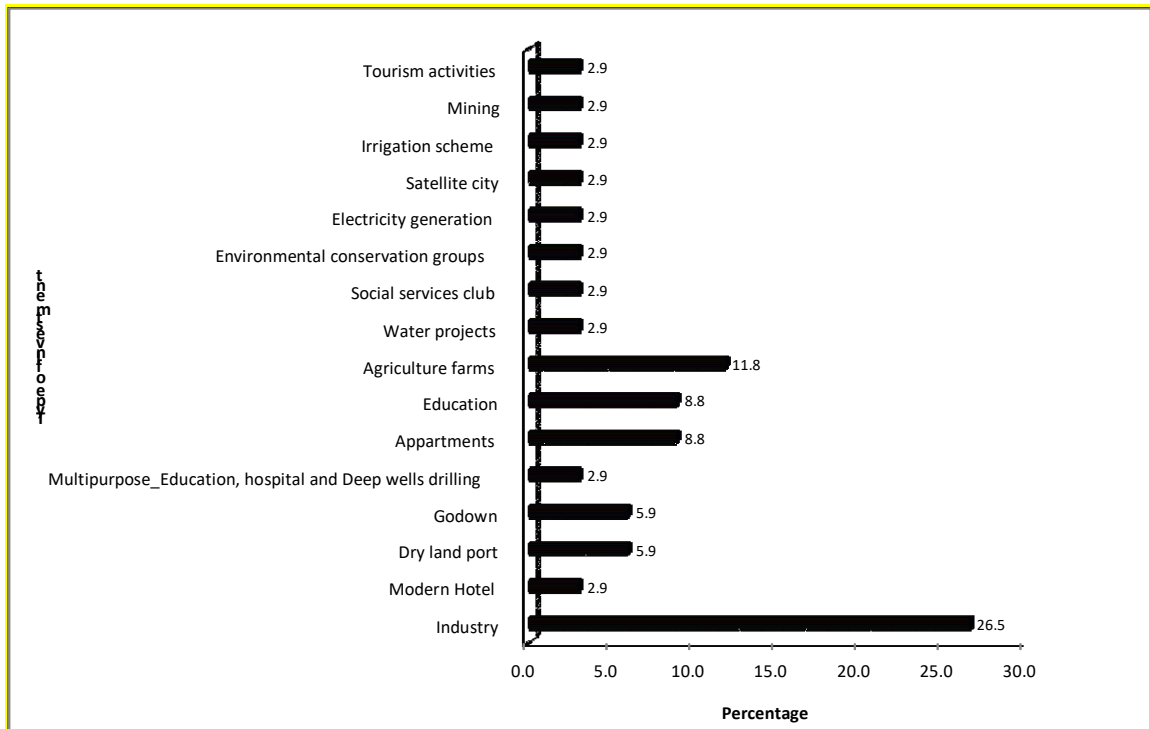
Types of investments found in the study in villages in Kisarawe district are very diverse. The ownership of such investments is different. The types of



companies in terms of activities and their percentages are shown in Figure 2.

It is also of interest that about 26.6% of investment activities are owned by individual villagers while 7.3% are owned jointly by villagers and non-villager investors. Those investments that are purely owned by non-villagers are 60.5% while 5.6% are owned by village governments on behalf of the community in the village communal land.

The findings from DC's office show that there is a good number of pending requests for land acquisition for investment in the district. Table 2 indicates that by January 2015 there were 33 requests, but at different stages of implementation.



**Figure 2: Types of investment projects in Kisarawe district as per 2015**

The findings from DC’s office show that there is a good number of pending requests for land acquisition for investment in the district. Table 2 indicates that by January 2015 there were 33 requests, but at different stages of implementation.

**Table 2: Status of land acquisition requests by investors in Kisarawe as per January 2015**

Land rights Transfer Implementation status	Count	Percent	Land Size Requested (Ha)
Request approved- Surveved plots available, awaiting for investor to pay first	11	33.3	485
Investor requested to follow land request procedures, no feedback yet	1	3.0	1,500
Request approved by DC, now at Ministry of Land for approval	3	9.1	7,500
Investment business plan requested by DC, No feedback yet	1	3.0	2,000
Land purchased from individuals, investment not yet started, waiting for legal rights	1	3.0	4
Discussed at DC office, waiting for further actions	3	9.1	70
Discussed at DC's office, investor requested to clarify land size required but no feedback yet	1	3.0	-
Land valuation done and Compensations paid o local people	1	3.0	400
Request approved and sensitization to citizen done	1	3.0	28,000
Request not yet discussed	10	30.3	5,210
<b>Total</b>	<b>33</b>	<b>100.0</b>	<b>45,169</b>

### 3.2 Land Tenure and Process of Customary Land Rights Transfer to Investors

The study results show that majority (63.9%) of households in Kisarawe district villages posses land size ranging from 0-5 acres. Table 3 shows details of land size ownership in the

study area.

**Table 3: Household land size**

Household land size (acres)	Frequency	Percent
< 5	104	63.9
5.0-10	25	15.4
10.1-15	20	12.1
15.1-20	6	3.6
20.1-25	2	1.4
25.1-30	2	1.4
30.1-35	1	0.9
> 35	2	1.4
<b>Total</b>	<b>162</b>	<b>100.0</b>

Information in Table 3 implies that majority of households posses very small land size. For investments, requiring more than 15 acres may necessitate the acquisition of land from a number of households. Although the land sizes presented in Table 3 are shown as household land, gender based ownership analysis shows that men (59.7%) have more control over land ownership than female (12.6%). Only in 27.7% of households the land is owned by both father and mother. This is common to many African communities where patrilineal system predominates (Kathewera-Banda *et al.*, 2011).

The ownership means power of decision on what to do with the land including selling. This implies that in the advent of investment on land, family land right transfer to investors may be unfavorable to women and children.

The investors in Kisarawe acquire land in two major ways, through donation by villagers which involves compensations (36.5%) and purchasing (63.5%). The tenure model of the land ownership is either permanent (62.9%) or temporary (37.1%). Majority of the respondents (82.2%) declared that no cases of land that has been taken by force to incoming investors, the rest declared the opposite. This means that in reality the land ownership rights have been transferred in smooth processes. The community members in Kisarawe villages who forego their lands for investment do receive compensation. Compensation rates for the land right transferred was found to range from TZS 200,000/= to 1,000,000/= (USD<sup>1</sup> 57.6-115.2) per acre, whereby over

81% commented that the amounts do no commensurate with the real value of the land.

### 3.2.1 The Role of Village and District Authorities in Land Right Transfer to Investors

During interviews, many respondents showed that both village and district authorities had played good in managed land issues of land right transfer and land-related investments. Smaller proportions showed the levels of responsibility were moderate to poor, with village authority being found to be a bit more responsible than at the district level (Table 4). Major indicator of good responsibility of the authorities was their cooperation with community while poor responsibility was observed in communication inefficiency.

**Table 4: Ranking of how authorities played their role in land rights transfer**

Level	Ranking Scores (%)			
	Good	Moderate	Poor	Total
Village authority	51	27.2	21.8	100
District authority	46.2	29.7	24.1	100

<sup>1</sup>Based on exchange rate of one USD = TZS 1736.36 at the time of this study

### 3.2.2 Shortcomings and Grievances in the Land Rights Transfer Process

Despite the fact that the two ways of land rights acquisition by investors involves compensation and purchasing from individuals, grievances among the villagers still exist. The villagers showed shortcomings of the land-related investments and their rated weights as displayed in Table 5.

**Table 5: Shortcomings of land-related investments**

Shortcoming	Percent
Conflicts on ownership transfer processes	29.0
Field crop damage by livestock	0.7
Insufficient payment/compensation relative to the land value	19.6
Unclear contracts	2.9
None	47.8

The misunderstandings and conflicts in land rights transfer process and unclear contracts between the investors and the communities in the villages has been documented much in Marumbo village where the UK based company (Sun-biofuel) leased about 9,000 acres of land for 99 years. The investor promised the community

support social service development, namely: construction of public buildings such as village office, dispensary, schools classrooms, supplying water through well drilling and dam construction, energy supply through solar installations. Of these, only village office construction has been supported. Village office-building construction has been done through 47m/= remitted through Kisarawe district council as part of total fund of 500m/= remitted for 11 villages of Marumbo ward surrounding the investment land intended for bio-fuel production. This payment was received after hard complaints which went up to the higher governmental levels.

The Sun-biofuel employed villagers but fired them all after three years, claiming bankruptcy in 2011. Sun-biofuel company sold the land legal rights to another company called 30-Degree Company without involving the villagers. The new company changed the land use from *Jatropha* (a bio-fuel/oil producing plant) growing to beef production. During the FGD in

Marumbo village, one elder said:

*“This case was tabled at DC’s office by villagers but the community members have a feeling that the district authority has not handled the case with enough seriousness since it has taken too long to get resolution.”*

There is no way the villagers can regain their customary rights after the Sun-biofuel has sold its land to 30-Degree Company. This is because the village land rights were already extinguished, and the owner can sell the asset without villagers involvement (Nelson *et al.*, 2012). Under such the situation the villagers are the losers and what is worse, the village council’s powers over the village lands decisions as devolved under D-by-D policy becomes toothless or rather diluted.

The grievances like field crop damage by livestock kept by investors are by-products of investment results. The case seems to be too late, and the village members have apparently regretted to have entered into an unbalanced contracts with the investors, where their precious land right has gone and the way this may

negatively affect the community’s livelihoods. Tanzania already has tensions between private investors, local people, and governmental actors over rights to use and allocate land. There are specific concerns around whether the land laws can provide adequate protection against land alienation for biofuel production, and whether compensation payments provided for in the Village Land Act (1999) are sufficient to promote alternative livelihood opportunities (Sulle and Nelson, 2009). Some Tanzanian organisations, media, and government agencies are raising concerns about adherence to legal procedures and the processes used for local consultations and compensation (Kamanga, 2008).

### **3.3 Impacts of Customary Land Rights Extinguishing on Household Livelihoods and Income**

This study found out that 82.3% of all interviewed households support their livelihoods through agricultural activities. Other activities include business (6.3%), formal public employment (3.8%), formal employment in private sector (1.3%)

and other activities accounting for 6.3%. Some authors (Johansen 2011; Kathewera-Banda *et al.*, 2011) argue that land is recognized as a primary source of wealth, social status and power in both matrilineal and patrilineal societies, it also has a great cultural and social significance. It is not only a fundamental livelihood resource but also constitutes a secure place to live and a base for social and cultural identity and belonging.

There are weaknesses in customary land rights transfer process in Kisarawe district. For example lack of enough capacity to negotiate on the appropriate compensations and associated curses after the rights transfer process, there are benefits of investments to the community. Some community members have been able to transform their life positively, while some who are majority argue that they do not see any improvement in their life. The developmental changes at household level due to introduction of new investments in the area are shown in Table 6.

**Table 6: Household developmental changes as the investment impact**

Developmental changes by household	Frequency	Percent
Starting small business	6	3.4
Building a house	18	11.2
Improve agricultural activities	29	18
Buy domestic/house utensils	4	2.2
No change	106	65.2
Total	162	100

The results in Table 6 can be interpreted from two points of view. First, those who said that there is no developmental change might have been the ones who received compensation but did not use money appropriately. Second, the compensation level for the land taken was relatively too little to do something of good progress to commensurate with their expectations. Those registering positive changes may be the ones used the land compensations wisely and feasibly, also including those absorbed in the projects through employment.

In terms of changes in household income, 27.8% of respondents reported improvement while 47.9% claimed that household income has not changed. Interestingly, 24.3% argued that their income had declined. The decline in income has been brought in as a result of several facts. One is the loss of land that sustained household annual income for many years. The villagers who gave their land to investors were paid only once and for all, and once the money was spent, there was no other means for households to sustain their life smoothly as they used to be when they possessed their land. In Marumbo village for example, the compensation of about TZS 200,000/= per acre did not suffice the value of land which had some permanent crops such as fruit and other valuable trees. The money has been spent and the land, the livelihood base, has gone. The second reason for income dwindling is that those who sold their land to investors expected employment in the projects such as bio-fuel project under Sun-biofuel company. This was a risky decision especially as the

company changed production focus to beef production, a kind of activity which is inappropriate for local people (Zaramo, the major ethnic group in Kisarawe district) including some other security interests of the company.

### **3.4 Community Perception on Commercial Investments**

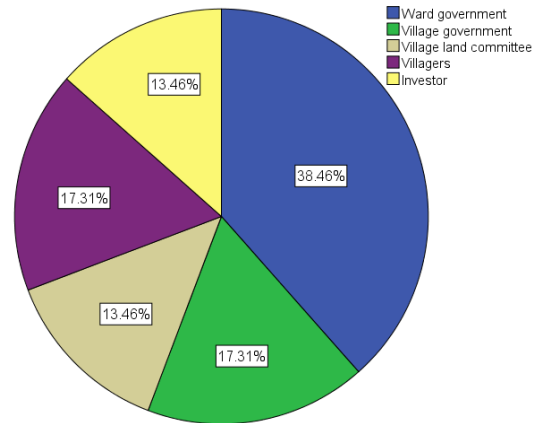
The land-related commercial investments to the community, 57.4 % perceive them to blessing for the reason that the investments are related to: general social development (23.5%), infrastructure improvement (3.7%), promotion of education and health services (3.7%), employment (10.5%), staff house construction and renovation (8.6%), construction of village offices (3.7%) improvement of agro-activities (2.5%) and create awareness/knowledge and skills on investment issues (0.6%).

The other side (42.6%), regards the land-related investments as curse. They gave the reasons that the investments are related to: development blockage (15.4%), violation of village rules and bad



contracts (1.8%), investments like livestock keeping destroy properties such as crops (3.1%), investors do not work the land they acquire to generate the intended benefits (4.9%), food production has declined due to diminishing farming land (3.1%) employed member of community in the projects are insufficiently paid (9.3%) and they are related to indigenous people displacement (4.3%).

These claimed that the blame for this negative impact should go to the ward authority (38.5%), village government (17.3%), village land committee (13.5%) community members (17.3%) and investors (13.46%) with respective weight of blame as displayed in Figure 3.



**Figure 3: Shared blame by the parties involved land right transfer to land-related investments**

The research also found out that majority of the respondents (72.3%) confessed that their ultimate decision was what made the presence of the investors and then land grabbing. The rest are claiming that village, district and central governmental authorities that has open door for the investors and land grabbing. The reasons given by these observers regarding the blame to each party are as shown in Table 7.

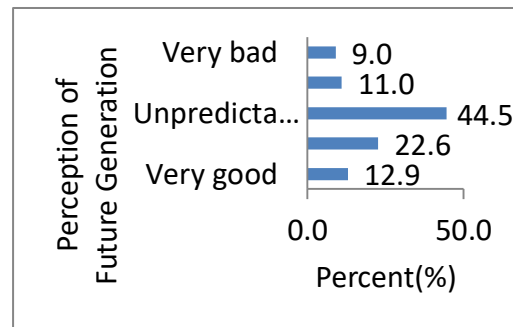
**Table 7: Reasons for blame to the parties involved in land-related investments**

Reason	Opinion weight (%)
Allowing investors in	20.6
Not following rules	14.7
Not involving well the villagers/community	8.8
Accepting to let land by selling/donating	8.8
Lack of efficiency in communicating	2.9
Total	100

Probably the level of education and awareness of community members played a role towards the negative impact. The household respondent characteristics data show that majority (83.8%) of the local community members found to end at primary school education. Just few reached secondary and tertiary levels of education. This is an indication low capacity in visualizing about the future, decision making and negotiation power when trading on the land right transfer (selling).

The fate of future generation under current land-related commercial investment trend in Kisarawe district is perceived differently by the

Kisarawe district natives. However, results in Figure 4 show that majority of respondents perceive the fate of future generation as unpredictable.



**Figure 4: Fate of future generation as perceived by Kisarawe community members**

During FGD at Visegese village, one respondent commented (on the ongoing plans to survey land and compensate the local people ready to pave way into industrialization) that *“Though we are going to be well compensated, we do not know where to reside just after letting our land for industrial investment.”* Having seen how other villagers are increasingly becoming landless, another respondent in Zegero village said, *“With the current orchestrated investments on land, future indigenous generations will have no land.”* He further advised that may be villagers

should request for contractual farming in place of selling land to reserve enough land for future generation.

### 3.5 Factors Driving Villagers to Let Their Land Right Transfer to Investors

This study shows that community members in Kisarawe district are driven by some expectations to forego transfer their customary land rights to investors including: income, social service provisions, employment and infrastructural development (Table 8). Of these needs to have infrastructural development and employment access seem to register heavier driving forces.

**Table 8: Expectations that forced the community to accept the investors**

Expected improvements	Frequency	Weighed responses (%)
Infrastructure development	86	53.2
School and health services	9	5.4
Income	10	6.2
Agricultural activities	16	10.1
Employment	37	22.7
Staff houses	4	2.4
Total	162	100

Larger proportion (59.9%) of the villagers had their expectations not fulfilled at all, while their complementary portion (40.1%) perceives that the expectations have been fulfilled to large extent. There were three levels of satisfaction among those with perception that their expectations were fulfilled: highly fulfilled (13.9%), moderately fulfilled (37%) and low or poorly fulfilled (49.1%). Nearly half of the second group perceived that their expectations towards the new investments were poorly fulfilled. It seems that generally the local people's expectations were not fulfilled, implying that the investments have lead to negative impact to the local people's livelihoods.

### 4. Conclusions and Recommendations

Non-village investors own larger part of the commercial investments in the district, which is likely to deny the right of the local people to enjoy their land's benefits. Agricultural activities support the livelihoods of the local people in a great deal, yet households own increasingly small farm plots,

indicating future handicapped household livelihoods. The local people were not involved in decision-making process and commercial investments on land were not beneficial to majority of community members.

Land grabbing under commercial investment has left painful experience among Kisarawe villagers including irreversible customary land rights loss after falling blindly into legal contracts with inventors. Women and children are immediate victims of land grabbing consequences. Land grabbing in Tanzania has no sign of slowing down, it will continue or probably increase due to current liberalized and capitalist-oriented economic policies.

There are much dissatisfaction among villagers resulting from land grabbing by investors in Kisarawe. They range from low land compensation by inventors to controversial contracts, lack of rapid response by district council to their complaints related to land contracts, unfulfilled expectation

of jobs, poor infrastructures and low income.

Village Land Act (1999) and D-by-D policy has not been able to defend village and customary land rights. Village Land Act of 1999 is not enforceable as long as Land Act (1999) and TIC Act (2007) are operational. Although most of village decisions related to land are made during the village assembly as D-by-D requires, they all fall in the trap of losing their customary land rights. They make decisions blindly without proper negotiations and lack of the necessary knowledge and envisioning of future needs and implications.

If Tanzania is committed to improving economic status of its rural communities, land tenure system should be improved and land rights to be made secure. Tanzania government should find a right model for large commercial investment which will yield a win-win situation to both inventors and villagers without restricting land access rights to villagers or permanent transfer land

rights to investors. Such models would be contractual farming, and shareholding in the commercial investments by villagers.

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