Local Democracy and the Politics of Recognition: Implications for land Management in Inharrime, Mozambique

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Abstract

The institutionalisation and recognition of community leaders in Mozambique as part of the decentralization program has been locally perceived as the latest on a series of externally driven government interventions. This paper explores the effects of the introduction and formal recognition of elected community leaders on land management. In the light of the on going democratic decentralization reform the paper analyses ethnographic based cases of land disputes in Inharrime district. Especial attention is given to the implications of governments' formal recognition of locally elected community leaders for land management.

I argue that the introduction of community leaders has further complicated complex local public domain formed as a result of the marriage and interdependence between local forms of land management and those inherited from colonial and socialist periods. The result is a proliferation of different and, sometimes, competing land management forums in the public domain. In this context, people resort to different locally accountable forums according with the nature of specific cases ensuing processual and fluid democratic practices.

Introduction

As one of the core components of the ongoing political decentralization process, the Mozambican government has institutionalized the post of community leaders in rural Mozambique. Community leaders were locally elected and later recognized by members of government. Nonetheless the whole process resembles colonial style indirect rule system of native administration as community leaders are expected to act as government representatives at the local level and, at the same time, stand for their "communities" and play the role of development brokers and promoters of local democracy.

This project looks at the effects of the institutionalization of community leaders on local land management and its implications for local democracy. Drawing on case studies from the Inharrime district in the southern province of Inhambane the project investigates to what extent recent decentralisation policies, in particular the institutionalization and formal recognition of elected community leaders have contributed to enhance local democracy and accountability. Further, it draws on the administrative reforms that followed after independence and during the socialist period to explore the local response to the introduction of community leaders as new figures of authority in land management. As previous reforms had deployed various government intermediaries at the local level, the recent introduction of community leaders was largely perceived as the latest of government's interventions with implications for claims and settling of land disputes cases.

Data collected in Inharrime through various ethnographic visits since 2002 suggest that the introduction of community leaders further complicates land managements forums in the public domain. Prior to the colonial period Inharrime was characterized by dispersed settlements where semi-autonomous settlement heads acted as the main figures of authority. Although colonial authorities institutionalized chiefs and sub-chiefs responsible for land allocation with far more powers than traditional heads of settlement, towards the end of the colonial period the power and influence of chiefs had clearly decreased.

Research results from the Administrative Post of Mocumbi in Inharrime show that the introduction of community leaders was locally received with scepticism as it was not clear for the population if the introduction of community leaders meant the come back of colonial chiefs or if it was a new form of legitimization of socialist inherited local party/state structures. Furthermore the process was permeated with party politics as local government officials sought to influence the election of community leaders in order to maintain and expand the ruling party control in the area.

In spite of the long history of government interventions since colonial period and a devastating civil war that ended in 1992, people in Inharrime continue to appeal to pre-colonial figures of authority predominant in the various dispersed settlements. Simultaneously, people resort to existing land management forums inherited from previous government reforms. In the absence of a formal accountability system, people have opted for different locally accountable forums according with the nature of specific cases ensuing processual and fluid democratic practices.

This project can be best placed where the politics of choice and the politics of recognition intersect. It also shares the premise that through institutional choices governments and international organizations are transforming the local institutional landscape. The case of Inharrime may provide new insights to the understanding of the implications of institutional choice and politics of recognition as, in Mozambique, both institutional choice and recognition are mainly promoted by the government. The introduction and recognition of community leaders also shows that while local government representatives may not be always locally accountable, people ensure that land disputes are settled in a democratic fashion by resorting to a variety of land management forums existing since pre-colonial period. The case of Inharrime may provide lessons to advance democracy in Mozambique.

Since 2002 I have been making short ethnographic trips to Inharrime which take in average three weeks. Recent visits have been in April 2006. Data was gathered through semi-structured interviews with both formal and informal figures of authority in the land management forums in the public domain.

Political arenas in Inharrime: notes from Mocumbi

In the past threes decades, southern Mozambique has seen significant social transformation. Par of it was due to geographic causes as the droughts of the 1980s and the floods in 2000. But the most important social transformation has resulted from colonial and post-colonial government social engineering programs and a long civil war for about half of the years the country has been independent. This section is concerned with human intervention that had a significant impact in the life of the inhabitants of Mocumbi, in particular the ways different programs of social transformation contributed for the formation of local political arenas.

Mocumbi is an Administrative Post (district subdivision) located in the southern part of the Inhambane province. Most of its inhabitants speak Cicopi and identify themselves as Chopi. The pattern of scattered settlements dominant in the pre-colonial period is one of the social organization elements that significantly shape local political arenas. In these scattered settlements a key figure was the *nhadibandze*. From its Cicopi etymology *nhadibandze* means "the man of the meeting" derived from the original word *banza* (meeting). In those meetings *nhadibandzes* settled disputes based on persuasion and authority with the help of a group of elders (*madota*) that gathered upon his call. In fact, the title of *nhadibandze* was attributed to the *mu hombe* who achieved popularity and support beyond his traditional area of influence, usually a contiguous dozen of neighbouring homesteads

In the local hierarchy *wa hombe* were at the immediately inferior status. *Wa hombe* have multiple meanings and each should be considered in the context in which the notion is used. However, the term is always associated with respected, powerful or figures of authority. *Wa hombe* were influential figures in a contiguous dozen of neighbouring homesteads similar to Melanesian "big men" described by Sahlins (1963). Usually, with the growth of his popularity and support beyond his traditional area of influence, a *mu hombe* (singular) could achieve the status of *nhadibandze*

Centralized forms of government as the *regulado* introduced by the Portuguese were only seen at the time of the *Nguni* raids to which the locals fiercely resisted. The

nhadibandzes, wa hombe and respective groups of elders (madota) dominated most of political life in these scattered settlements. The Portuguese created institution of the *regulado*, sought to co-opt these influential figures into their centralized system of administration.

Colonial created *régulos* (chiefs) were subordinated to colonial administrators and worked as tax collectors. With the help of *cabos* (sub-chiefs)*, régulos* were supposed to provide labour to be either exported to the gold mines in South Africa or for *chibalo* (forced labour) to build roads and railways locally. The whole institution of the *regulado* was part of the Portuguese native policy that came to be known as the *indigenato* directed to the extraction of labour and as Newitt noted "bind an influential part of the African population to co-operate with the regime through the process of assimilation" (Newitt 1981: 105).

The first targets of the Portuguese *assimilation* project were siblings of local figures of authority co-opted into Portuguese colonial administration. Others came as a result of the whole civilizing mission undertaken by the mission churches. Although the status of *assimilado* was given to those who should have renounced their "native cultures" these emerging elites did not suffer of any psychological perturbation for having abandoned their "cultures". In practice many did not intend to "abandon their cultures." It is a mistake to read proto-nationalist trajectories as a result of deep personal contradiction. However it is important to acknowledge that both colonial institutionalization of *regulado* and formalization of *indigenato* contributed for social transformation.

Soon after independence, in 1978[1] FRELIMO, banned chieftainship as it sought to radically reform colonial government. Local elites associated with the colonial administration were stigmatized and "traditional practices" strongly discouraged. Similar to the Tanzania experience documented by Abrahams (1985) and Feierman (1990) young educated revolutionary cadres were put in the local administration. Similar to the rural Tanzania experience, Mozambicans did not stop respecting local figures of authority or, as had been proposed during the colonial period, people did not "abandon their cultures." In fact, many of these revolutionary cadres soon realized that no successful government activity could occur without the help of local figures of authority.

The civil war began in late 1970s reached its peak in Mocumbi during the early 1980s. One of the major consequences of the war was the massive population movements and isolation of particular areas. As the war unfolded and depending on the periods and time people stayed in RENAMO conquered areas or FRELIMO protected regions. Adding to human lives people lost their most valuable property from houses to animals and trees. One of the characteristics of the post-war period is people's resettlement and reconstruction of their lives with the participation of local and international NGOs. At the same time, democratic government's decentralization program has replicated colonial style finding of locally legitimated chiefs in order to work as government representatives at the local level. The process not only was permeated with contradictions coming from government directives but also fuelled local disputes for the recently introduced post of community leaders.

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[1] *Decreto n° 6/78 de 22 de Abril de 1978, Boletim da República, I Série, no 48*

In short, two major moments of social transformation can be identified in the recent history of Mocumbi. On the one hand, colonial interaction between pre-colonial segmentary forms of political organization based on highly respected *wa hombe* and *nhadibandzes* and the colonial created intuition of *regulado* and the formalization of the assimilation project. On the other hand, post-independence policies that banned the *regulado* and later introduced community leaders in the contexts o decentralization with a long period of civil war in between the implementation of the two programs. The result are eclectic and fluid local political arenas in which government appointed figures jockey for power with local figures of authority and resourceful NGOs.

Administrative reform and the institutionalization of traditional leaders

From the early years after independence government's approach to traditional authority was strongly influenced by Marxist ideology whose modernist agenda largely neglected culture and tradition. In its attempt to reform colonial rule and all forms of capitalist exploitation, traditional authority represented in the figure of the *régulo* was abolished.[2] *Régulos* were pre-colonial chiefs or heads of settlement institutionalised to serve as intermediaries of the colonial administration.[3] Under Marxist ideological blindness FRELIMO disregarded the fact that many *régulos* resisted colonialism and actively supported FRELIMO during the liberation struggle. Drawing on the experience of the liberated zones the new nation was though as a break with the colonial regime towards a popular revolution.

During the colonial period *régulos*, invented or not, were part of the colonial administration system. In practice *régulo's* allegiance to colonial government was much of a paradox as Gluckman noted in his study of the Zulu Kingdom in South Africa: "while [colonial] government requires the chiefs to support its measures, the people expect their chiefs to oppose them."[4] Similarly while West and Kloeck-Jenson[5] described *régulos* in Mozambique as being "betwixt and between" their population and the government, Alexander observed that the "Portuguese state and *régulos* were in strict interdependence: the *régulos* had to carry out, at least, part of the demands of the Portuguese so that they could remain in the office. This requirement had to be equilibrated with the need to legitimacy within their communities."[6] In many cases, where and when it was possible, *régulos* actively resisted colonial rule. In other instances *régulos* engaged in different forms of passive resistance. For example, in northern Mozambique, *régulos* organized sabotage in cotton plantations by boiling seeds before plantation. Other forms of resistance included collective migrations and

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[2] See M Mamdani *Citizen and Subject: Contemporary Africa and the Legacy of Late Colonialism,* Princeton: Princeton University Press, 1996 and N Bako-Arifari *Relations de Processus de Décentralisation et Pouvoirs Traditionneles: Typologie des Politiques Rencontrées,* 1998, hppt://www.fao.org/sd/frdirect/Roan0014.htlm, 15 March 2002, for a review of other African states that took a radical approach to traditional authority.

[3] Where there were no chiefs the colonial administration invented them and often non compliant chiefs were replaced with conforming ones.

[4] M Gluckman , 'The Kingdom of the Zulu of South Africa', in M Fortes and E Evans-Pritchard, *African Political Systems,* Oxford: Oxford University Press, 1940, p 48.

[5] H West and S Kloeck-Jenson 'Betwixt and Between: 'Traditional Authority' and Democratic Decentralization in Post-war Mozambique', *African Affairs*, vol. 98, 1999.

[6] J Alexander 'Terra e Autoridade Política no Pós-Guerra em Moçambique: O Caso da Povíncia de Manica', *Arquivo,* vol. 16, 1994 p 38. (My translation).

misinformation about the age of young men so that they could escape recruitment for the colonial army and forced labour.

With the rapid spread of the civil war in mid 1980's RENAMO[7] started to challenge the Marxist influenced notion of traditional authority as a 'backward' and 'feudal' institution. In fact, inspired by the experience of Zimbabwe,[8] RENAMO claimed that it was fighting a 'war of the spirits' in order to bring tradition back.[9] RENAMO also opposed FRELIMO's socialist villagisation policy that disregarded tradition and marginalized traditional pre-colonial and colonial chiefs in favour of young educated party cadres. In fact, during the civil war, RENAMO reinstalled *régulos* in the areas under its administration. *Régulos* were instrumental in providing young men to join RENAMO's army. They also collected taxes and performed rituals to 'protect' and encourage RENAMO soldiers in the battlefields.[10]

In 1992, during the peace negotiations in Rome, Italy RENAMO demanded that chiefs should be given legal recognition in the new constitution for the democratic period.[11] In fact, following the publication of Geffray's[12] book in 1990, which suggested that, marginalized sections of the peasantry such as the youth and the traditional ruling elites (chiefs) welcomed and supported RENAMO, FRELIMO started an internal debate over the recognition of traditional leaders. While a significant section of FRELIMO cadres recognized that the banishment of traditional authority had been a "mistake" a group of influential party figures such as, then Member of Parliament, Sergio Viera strongly opposed the recognition of traditional leaders on the grounds that the whole institution had been irrevocably corrupted by colonialism. Despite the lack of consensus within the ruling party former president Joaquim Chissano publicly stated in his first democratic elections campaign that traditional authority should exist.[13]

In 1994, just before the first multiparty democratic elections, the government passed a law of municipalities (law 3/94) that was intended to create the legal basis for the administrative reform at the core of the decentralisation process. Among other aspects the law made reference to autonomy with regards to budget and property, as well as fiscal, planning and organisational autonomy and the integration of traditional authorities in the local consultation and political decision making-process, particularly pertaining to questions of conflict management and land issues.[14] Weimer and Fandrych noted that "the law 3/94 was indeed the first law in post-colonial Mozambique to recognize explicitly the African cultural reality of traditional forms of

[7] Mozambican National Resistance

[8] D Lan, *Guns and Rain: Guerrillas and Spirit Mediums in Zimbabwe*, London: James Currey, 1985

[9] J Pereira, *The Politics of Survival: Peasants, Chiefs and Renamo in Maringue District, Mozambique, 1982-1992*, Unpublished MA dissertation. Witwatersrand University, 1999

[10] J Alexander, 'Terra e Autoridade Política' and J Pereira, 'The Politics of Survival'

[11] J Ribot, 'African Decentralisation: Local Actors, Powers and Accountability', Paper n° 8. Programme on Democracy, Governance and Human Rights, Geneva: UNRISD, p 21.

[12] C Geffray, *La Cause des Armes au Mozambique: Anthropologie d'une Guerre Civile*, Paris: Karthala, 1990.

[13] H West and S Kloeck-Jenson 'Betwixt and Between'

[14] Boletim da República, Lei no 3/94 de 13 de Setembro de 1994, Boletim da República, I Série, no 37

governance through lineage and clan systems, although the constitution does not provide framework for it."[15]

In general, research conducted under the auspices of the Ministry of State Administration and some foreign NGO's such as the German Development Agency GTZ concluded that "traditional authorities often enjoy much higher degree of legitimacy (especially with the rural, older population) than the administrative and political representatives of the state and should be considered as an integral part of civil society that has a special role to play in conflict transformation and reconciliation in post-war Mozambique."[16]

Ethnographic fieldwork based research conducted in different parts of Mozambique shows that chiefs have not been always popular in their areas.[17] In fact, results for the elections of community leaders available in the Ministry of State Administration show that a significant number of former party/state secretaries have been elected for the post of community leaders, particularly in the southern region of Mozambique where invariably more former party/state secretaries than chiefs were elected.[18] Anthropologist Harry West has long suggested that "'tradition' and political 'legitimacy' are historically situated cultural constructs subjected to continuous reworking."[19] I shall return to the issue of legitimacy of chiefs in my discussion of the Mocumbi case.

After the first multiparty democratic elections in 1994 FRELIMO and RENAMO set to review the 3/94 law of municipalities. For the rural areas the law did not do more than recognising the relevance of traditional authority in conflict mediation and land disputes. Decentralisation in general had to follow a gradual process whereby the old one-party/state structures remain in place while the new decentralised democratic structures gradually take over. In spite of the ongoing debate and a complex set of old and new bills and Decrees that provide the guidelines for the decentralisation process it is important to note that "local elections can only take place in cities, towns and villages, etc, with the status of local self government and municipalities. The population of the districts does not have the possibility of participating in the political process through regular elections at the local level: it is constitutionally deprived of the right to vote at local elections."[20]

In 2000 the government passed a Decree 15/2000[21] which regulates the articulation between local state organs and community authorities. Like similar regulations in

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[15] B Weimer and S Fandrych, 'Mozambique: Administrative Reform - A Contribution to Peace and Democracy?' in P Reddy, *Local Government, Democratisation and Decentralisation – A Review of the Southern African Region,* Cape Town: Juta, 1999, p 157.

[16] Idem

[17] See for instance J Alexander 'Terra e Autoridade Política no Pós-Guerra em Moçambique' and O Roesch, 'RENAMO and the Peasantry in Southern Mozambique: A View from Gaza Province', *Journal of Canadian African Studies*, vol. 26, n° 3, 1992.

[18] Ministry of State Administration, Unpublished Report on Recognition of Community Authorities by Provinces, 2004.

[19] H West, ' 'This Neighbour is not my Uncle!': Changing Relation of Power and Authority on the Mueda Plateau', *Journal of Southern African Studies,* vol. 24, n° 1, 1998, p 143.

[20] B Weimer and S Fandrych, 'Mozambique: Administrative Reform

[21] Decreto n° 15/2000 de 25 de Agosto de 2000, Boletim da República, I Série, no 34

other African countries, Decree 15/2000 is ambiguous in numerous aspects.[22] Those ambiguities reflect, in part, government's need to incorporate in a uniform law different forms of traditional rule and social organization existing in Mozambique. It also reveals FRELIMO's attempt not to repeat the "mistakes" of the past namely, generalising for the whole country and not paying due attention to local political realities. FRELIMO seem to have learnt that history has shaped, and continues to shape Mozambican societies differently. Not all of rural Mozambique was integrated in the same fashion in the colonial exploitative system, nor did FRELIMO's socialist experiment or the civil war have the same impact throughout the country thus the search for a flexible legal framework.

Conclusion

The recognition of community leaders in Mozambique as a component of the decentralization program has been locally perceived as the latest on a series of externally driven government interventions. One of the main implication of the administrative reform for land management Is that a local public domain formed as a result of the marriage and interdependence between local forms of land management and those inherited from colonial and socialist periods has been further complicated as a result of the reform. The result is a proliferation of different and, sometimes, competing land management forums in the public domain. In this context, people resort to different locally accountable forums according with the nature of specific cases ensuing processual and fluid democratic practices.

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[22] For the case of Cameron see C Mback, 'La Chefferie Traditionnelle au Cameroun: Ambiguïtés Juridiques et Dérives Politiques', *Africa Development*, vol. XXV n° 3 and 4, 2000

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