

Towards the understanding of citizenship problems shaking contemporary Tanzania and strategies to evade similar dilemmas in the future

Switbert R. Kamazima¹

¹ Behavioral Sciences Department, School of Public Health and Social Sciences, Muhimbili University of Health and Allied Sciences, P. O. Box 65015, Dar-es-Salaam, Tanzania

Abstract

There are several circumstances in which nations, states or governments use boundaries, borders and citizenship as political weapons. For example, separating the 'we' from the 'they' leads to establishing citizenship identities. Safeguarding security and nation peace or nation resources restricts non-citizen like the refugees and immigrants from enjoying citizenship rights. In many cases, such attempts have resulted into citizenship problems within and among nation-states. Using the Tanzania-Uganda-Rwanda-Burundi region as an example, this paper presents circumstances under which Tanzanian government declared citizens aliens in 2001 and the analysis of six key events that contributed to the composition of the residents in the current (administrative) Kagera region. It is concluded that the understanding of historical, political, social, and economic events in this area and other border regions could facilitate explaining citizenship problems shaking Tanzania today. Such circumstances are likely to increase given the intensification of the multiparty system, contention over resources, consolidating regional integration and increasing globalization. It is recommended that history should inform the interpretation of the citizenship laws in the country to control country's political elite and citizens from using borders and citizenship as weapons for political and personal ends.

Keywords: *boundaries, borders, borderlands, citizenship, disfranchisement, Tanzania*

1. Introduction

The Chama Cha Mapinduzi (CCM)-led Tanzanian government unwillingly reintroduced a multiparty

system in 1992. Following petitions of the 1990 general elections results, multiparty by-elections took place in Kwahani (Zanzibar) in 1993 and in Ileje (Mbeya), Kigoma Urban (Kigoma), Igunga (Tabora) and Tabora Kaskazini (Tabora) constituencies in 1994. Ascertaining some candidates' and voters' citizenship was the major problem experienced in the course of administering the by-elections [1]. This dilemma attracted attention from the government, political leaders of all parties and *wananchi*, the citizens. It also triggered varied political interpretations. This experience has remained a reference in subsequent general and by-elections in the country.

Tanzania held the first general election in 1995 under the multiparty system after its independence in 1961. The Tanzania Electoral Commission (TEC) and the internal and external observers declared the election 'democratic, free and fare'. However, there was a series of petitions against elected Members of Parliament (MPs) from different parties in different constituencies in the country. Majority of the petitions hinged on the citizenship status of the elected MPs and the voters. In October 2000, Tanzania held the second general election. Again, the TEC and the internal and external observers declared the election 'democratic, free and fare'. Some political parties, including the ruling party, CCM, found results from some constituencies hard to accept, leading to the need for "doing something."

The opposition parties accused CCM for stealing the votes, disfranchisement and threatening the opposition leaders and non-CCM members as a strategy to weaken the opposition. The borderlanders and other Kagera residents interviewed in 2002 recalled CCM leaders making threatening statements

during the election campaigns that “Tanzania will be another [genocide] Rwanda if you allow the opposition to win the election and lead the country” [2]. Such statements built fear, instability and insecurity among citizens; some decided not to vote; those who did, voted in favor of CCM that won the presidential election in both Tanzania mainland and Zanzibar.

Nonetheless, CCM faced strong opposition in the 2000 election, in some constituencies of the Tanzania mainland and particularly in the Tanzania Isles (Zanzibar). For instance, the Civic United Front (CUF) won the majority of the seats in Pemba, Zanzibar. In Kagera region, the CUF candidate, Wilfred M. Lwakatare won an important seat of Bukoba Urban constituency, which had been strongly pro-Tanganyika African National Union (TANU)/CCM since independence. As a result, the 2000-2005 Tanzania Parliament had 20 MPs out of 232 elected MPs, from the opposition. The CCM Central Committee (CC) evaluated this poor performance as an indicator of weak party leadership at regional and district levels, particularly in Zanzibar and Bukoba Urban, where CUF won the election by a landslide. The government transferred or dismissed party and government leaders in districts and regions where CCM lost the election.

In February 2001, the CCM-led Tanzania government declared four prominent persons aliens, claiming there was enough evidence proving they were non-citizens. By the letter of January 30th, 2001, signed by the then Principal Secretary of the Ministry of Home Affairs, the government instructed the ‘aliens’ to formally apply, through the Immigration Department, for citizenship if they wished or else they should leave the country [3,4]. In addition, the government required the ‘aliens’ who wished to remain in the country to apply for resident permits before applying for naturalization. A week after this announcement, the CCM Central Committee (CC) met in Dodoma under the Party Chairman, President Benjamin Mkapa and concluded expelling the two executives who, ‘by constitution’ lacked leadership qualifications in this country as stipulated in *The Citizenship Cap 51(11) of 1961 Section 1(11)* and *The Citizenship Act of 1995 Section 6* [3]. The question becomes, who were these people?

The executives decelerated ‘aliens’ included the then Tanzania’s High Commissioner to Nigeria, Timothy Bandora and the then Chairperson of the National Sports Council and the Director of Habari Cooperation, Mr. Jenerali Ulimwengu. According to the Immigration Departments’ investigation, they

were Rwanda nationals. Further, the enquiry showed that the then former outspoken CCM Publicity Secretary in Zanzibar, Ms. Mouldine Castico, was a Zambian. Finally, the then CCM Chairman, Kagera Region, Mr. Anathory Amani was declared a Ugandan.

According to *The East African* (February 25, 2002: 1&2) and from interviews conducted in Kagera region in 2002, Mr. Jenerali Twaha Khalfan Ulimwengu was born in the present Ngara district, Kagera region on April 4, 1948. He went to school in the present Muleba district at Kamachumu and Katoke (now in Muleba district) and Nyakoto Secondary School (in present Bukoba Urban district). Mr. Ulimwengu was a Youth Leader during President J. K. Nyerere’s regime, served for 10 years as Secretary-general of the Pan-African Movement in Algiers, Algeria. He was appointed a district Commissioner for Hai, Arusha Region and Ilala district in Dar-es-Salaam Region. He was also a Chairperson of the National Sports Council and an elected MP by a CCM Youth ticket.

According to *The East African* (February, 12-18, 2001:1&2), *Nipashe* (Februari 05, 2001:1, 4) *Februari 07*, 2001:1, 4; *Februari 10*, 2001:1, 4) Mr. Amani was born in Nyakatuntu village (Karagwe district) Kagera Region on December 9, 1957. He went to school at Nyakatuntu Primary School and Rubale Middle School beginning in 1968. Mr. Amani joined Katoke Seminary and later Katoke Medical Assistant Training Center (both in present Biharamulo district). He was employed by the then Ministry of Health after medial training. Other posts he held include the Secretary to Party (CCM) Chairperson, Tanzania Mainland, the Chairperson of the CCM Youth League for 10 years between 1983 and 1993, Member of the Regional Political Committee, Kagera Region between 1997 and 2001 and the Chairperson, CCM Youth League Kagera Region, between 1995 and 1998.

According to *Nipashe*, *Februari 10*, 2001; 1, 4), Ms. Castico was born in the Southern Highlands of Tanzania (Mbeya region). She was a Secondary School Teacher who taught at several schools in the Mainland before moving to Zanzibar to join her husband who worked there. After the 1995 General Elections, Ms. Castico was appointed a CCM Publicity Secretary in Zanzibar, a post she lost in December 2001 [9]. She was transferred to the then Ministry of Women and Children (Zanzibar) working as a Private Secretary to the Minister, a post she held only for three months. In addition, she was the Chairperson of the Association for Domestic and Hotel Workers (CHODAWU).

However, the four 'aliens' were not the first ones to have their citizenship questioned. Since the early 1990s, there had been a long list of prominent figures that faced this problem. Some were forced to justify their citizenship in the court of law. For example, Hon. Idi Simba, the former Minister of Industries and Trade and MP (Ilala Constituent, Dar-es-Salaam) was alleged a Burundi citizen. The Hon. Arcadio Dennis Ntagazwa, the former Minister for Lands and Minister in the Prime Minister's Office (in 2000) and MP (Kibondo Constituent) was also alleged a Burundi citizen. In 1995, Hon. Joseph Mungai was the Minister for Education and MP (Mufindi Constituent) was alleged a Kenyan.

Others include Hon. Hashim A.Z. Saggaf a former MP for Dodoma Urban who was alleged a Yemen citizen in 1996. Hon. Dr. A. W. Aman Kabourou, the then Leader of the Opposition Wing in the parliament and MP (Kigoma Urban) was alleged a Burundi citizen. Hon. Abdulrahim Kinana, the then Speaker of the East African Legislative Assembly (in 2000) was alleged a Somali. In 1993, the late Rev. Christopher Mtikila claimed the first Tanzania President and the Father of the Nation, Mwalimu Julius K. Nyerere, was an alien [10]. In 1999, the regional and district government and CCM leaders in Kagera region alleged two Members the Council were aliens of Rwanda origin. In 2001, one of them was a Member of Council and Mayor for Bukoba Township and the other was a Member and Chairman of the Bukoba District Council (Interview, Bukoba, May, 2001). On July 27, 2002, Rev. Mtikila claimed before his audience at Jangwani grounds that the then President, Benjamin W. Mkapa originated from one of the countries sharing borders with Tanzania in the south [11]. He further accused Mkapa for arbitrarily selling off national property at a throw away price. Following these accounts, Rev. Mtikila faced charges of sedition under the National Security Act [12].

In March 2002, the government 'officially' (re)granted Mr. Bandora, Mr. Amani and Ms. Castico citizenship but not Mr. Ulimwengu. The then Minister for Home Affairs informed the public through the press in Dar-es-Salaam that Mr. Ulimwengu had filed an incomplete application and thus did not "fulfill the laid down Tanzania sovereign laws and regulations" [13]. However, the government 'offered' Mr. Ulimwengu a residence permit, claiming it would allow him to "stay in the country and continue with his activities as other immigrants [with similar documents]."

Indeed, the government's decision cemented some observers' suspicion that political and personal

interests and motivations inspired the citizenship drama against the 'aliens.' Internal and external individuals and groups challenged the government to reverse its decision and grant citizenship to Mr. Ulimwengu. For instance, the then popular politician in the country and Leader and Chairperson of the Tanzania Labor Party (TLP) and the former Deputy Prime Minister and the Minister for Home Affairs and MP (Rombo Constituent, Kilimanjaro and Temeke Constituent, Dar-es-Salaam), Hon. Augustine Lyatonga Mrema, volunteered granting his citizenship to Mr. Ulimwengu if the government insisted he was an alien. The former Prime Minister and Attorney General, Hon. J. S. Warioba cautioned the Tanzanians to "stop misusing citizenship law for political ends" [14].

The East African (February 25 – March 3, 2002:1) reported that local and foreign non-governmental organizations (NGOs) and pressure groups "initiated a campaign arguing the government to reverse its decision". About "a hundred and forty University of Dar-es-Salaam lecturers signed a petition to the government [and] appealed for support of other pressure groups worldwide to urge the government to grant citizenship to Mr. Ulimwengu". The petitioners observed in their statement that "Mr. Ulimwengu was being victimized because of his independent stand and fearless criticisms of the government [which] could be a president for the government to start intimidating academicians and journalists who criticize it."

The same media, *The East African*, reported that leaders of the Trade Union for Government Workers argued that it was difficult to understand "how a man born in Tanzania and educated by the government that proceeded to give him a number of sensitive posts could be now declared a noncitizen". The Chairperson of the opposition party, Civic United Front (CUF), Prof. Ibrahim Lipumba, commented that the decision had tarnished President Mkapa's and his government's reputations. The Habari Cooperation made a statement that "the declaration that Mr. Ulimwengu was a noncitizen and the subsequent refusal to grant him the same when he applied was an affront to press freedom."

Speaking at an interview with *The East African* and the British Broadcasting Cooperation (BBC), the Minister for Home Affairs stated that Mr. Ulimwengu was not denied citizenship based on his activities or anything personal. He was among other 50 applicants whom the government denied citizenship between 1998 and February 2002 wondering "why the media and pressure groups treated Mr. Ulimwengu's case as unique" [15].

Using the case of the Tanzania-Uganda-Rwanda-Burundi borderlands, I provide evidence in this paper that the understanding of citizenship problems shaking contemporary Tanzania requires a deep review of the history of border administrative regions and re-examining the pre-colonial, colonial, independence and post independence events that precipitated citizenship dilemmas popping up in contemporary Tanzania. I demonstrate that the present nation state borders that were, and still are, meant to define citizenship in Africa, ignored the strong historical, geographical, social and economic relationships that existed before the coming of the colonialists, at attaining political independence and after. I further demonstrate that history should guide our understanding of and attaching meanings and functions to nation-state borders rather than political, personal interests and motivations that are likely to quaver our nations at any time and context.

2. Events that precipitated the ever emerging citizenship problems in Tanzania – Kagera Region

Certainly, historical, political, social, economic relationships and connections that occurred in the present Tanzania-Uganda-Rwanda-Burundi region need a review here. Six key events that are important for this paper are: a) Bantu migration and the formation of Kingdoms in the interlacustrine region; b) the set up of Bukoba Province that included Bukoba, Karagwe and Ruanda-Urundi from 1910 to 1923; c) the growth of commercial activities in *Buhaya*/Bukoba Province; d) the introduction of coffee production on commercial basis in *Buhaya*/Bukoba province, e) the spread of western culture, religion and formal education, in *Buhaya*/Bukoba Province, and f) the definition of who is a Tanganyikan in 1961 and a Tanzanian 1995.

Bantu migration and the formation of Kingdoms in the interlacustrine region

Archaeological discoveries suggest that early people, the Bantu hunters, occupied the Kagera River Valley during the early times and depended on it for their livelihoods: settlement, water, food, wildlife, and avenues of interaction [16,17]. Following changes in technology, population growth and the emergence of agriculture, the Bantu migrated to areas suitable for cultivation in the Karagwe and Bukoba highlands. With time, they eventually organized themselves in small clan settlements. Increased agricultural production, further technological advancement and labor specialization in isolated locations, precipitated social group organizations on clan basis that later developed into *Buhaya* societies.

Beginning in the 15th century, a series of nomadic *Hamitic* groups migrated southwards from Bunyoro-Kitara Kingdoms in present northeastern Uganda in search of new pasture into the Great Lakes Region. By the 16th and early 17th centuries, *Hamitic* nomads reached and conquered loosely organized *Buhaya* clans forming Kingdoms [17,18,19,20]. According to Kilaini (1990), these migrants are referred to in *Buhaya* oral traditions and literature as the *Bahima* or *Bahinda* conquerors after their leader, Ruhinda.

Kilaini (1990) establishes that Ruhinda and his followers migrated to the South conquering Karagwe in 1580. He then captured Kihanja and Kyamutwara Kingdoms and then moved to Busubi. At the time of his death in 1600, he had built a big empire that encompassed much of the present Kagera, Mwanza and Kigoma regions, Rwanda and Burundi. After his death, his sons divided the Kingdom among themselves forming Ankole in present Uganda, Karagwe, Kyamutwara-Ihangiro and Kiziba Kingdoms [16,19]. Ruhinda II, the Ihangiro sub-King seceded forming Ihangiro Kingdom and other sons and their descendants became independent Kings.

Due to power struggles within and between Kingdoms and conquests, *Buhaya* chiefdoms at any point ranged between four and eight [16] with constantly changing boundaries and frontiers. By 1890, when the Europeans came into *Buhaya*, Ruhinda's descendants had formed independent ruling clan, *Abahinda* ruling Kiziba, Bugabo, Maruku, Ihangiro, Kihanja, Kyamutwara, Karagwe (the largest and most powerful under King Rumanyika 1855-1878), Bugufi and several Kingdoms in *Buha*, *Ufipa*, *Usukuma*, *Ukerewe*, and the present Rwanda and Burundi.

From Bukoba Province (1910) to Kagera Region (1979)

The Germans took over Tanganyika in 1891. However, African initiatives and resistances against colonial occupation kept the German administration ineffective in the territory until around 1910 [21,22]. The German East Africa included Tanganyika and much of the present Rwanda and Burundi. For easy administration of the colony, the Germans divided the Germany East Africa into Provinces. The northwestern part of the territory was named Bukoba Province that included the pre-colonial *Buhaya* Kingdoms and most of present Rwanda and Burundi. The Bukoba Province was under a German Administrator stationed at Bukoba town. The 'identity', Bukoba Province survived until the British changed it to Lake Province in 1931.

The First World War (WWI) broke in 1914 because of differences among the colonial powers. Following defeat in WWI, Germany had to renounce its rights on colonies as per Article 119 of the Peace Treaty of Versailles, in favor of the Principal Allied and Associate Powers [23]. According to the internationally agreed upon principles, the former Germany colonies “were to be administered by certain members of the League of Nations, under the supervision of the League” [24]. In 1923, the Leagues of Nations formed the Mandate for East Africa, which divided German East Africa into Tanganyika and Rwanda-Urundi under the British and the Belgians respectively. By 1929, Bukoba Province had shrunk with only 13 counties or *gombolola*: Bugabo, Kyamutwara, Kanyangereko, Kiziba, Missenyi, Karagwe, Kihanja, Ihangiro, Kimwani, Rusubi, Busubi, Bugufi and Busambiro within much of the present Kagera Region [25].

On July 14, 1931, the Acting Chief Secretary (CS) notified the Provincial Commissioners (PC) for Bukoba and Mwanza Provinces that His Excellency, the Governor, “has under the consideration, as a measure of retrenchment during financial stringency, the union of the Bukoba and Mwanza Provinces for administrative purposes, under a single Provincial Commissioner” [26](TNA, File No. 19925, p.1). In subsequent years, the Lake Province included Bukoba, Mwanza, North Mara and South Mara Provinces (now Mara Region). The name Lake Province remained until 1959 [26].

In 1959, the transitional government in Tanganyika established provinces as part of preparations towards independence on December 9, 1961. On July 1, 1959, the government divided the Lake Province to establish two provinces: the West Lake Province, on the West of Lake Victoria/Nyanza comprising of Bukoba, Ngara, Karagwe, and Biharamulo districts and the East Lake Province (on the East of Lake Victoria/Nyanza), including North Mara, Ukerewe, Musoma, Geita, Maswa and Mwanza districts [20, 27].

In 1960, the West Lake Province marked its first year of independent operations with the PC operating from Bukoba, the capital town [28]. West Lake remained the official name of the province until in 1963 when the government of independent Tanganyika resolved to introduce Kiswahili as a national language. In the course of implementing this policy, some provincial names took the Kiswahili translation. The West Lake Province became *Jimbo la Ziwa Magharibi* and later, *Mkoa wa Ziwa Magharibi* in 1965. The name *Mkoa wa Ziwa Magharibi* survived until 1979, when the CCM

Central Committee christened the area Kagera Region following victory over Amin’s Uganda in 1979 or the Tanzania-Uganda war of 1978 to 1979.

Development of economic activities in Buhaya/Bukoba Province

In 1894, the Asians, (Arabs and Indians) businesspersons from Uganda and the East-coast reached and set up business in *Buhaya/Bukoba* Province [16]. Given Bukoba town’s location in relation to Kampala and Dar-es-Salaam, the capital of Tanganyika, the Asian businessmen preferred to trade with Uganda. The Africans worked as employees to Asian businessmen but later set up their own businesses. By 1946, there was a shop in every *gombolola* or county owned and managed by Asians and a few Africans [29]. In the late 1940s and early 1950s, both Africans and Asians owned big shops, in Bukoba town including auction shops that bought and sold second hand goods at cheap prices [30]. In 1954, daily bus services became available between Bukoba and Kampala. The introduction of MV Victoria boat in 1960 increased the importation of goods from Uganda and Kenya into Bukoba [31]. In addition, improved road and water transportation and relative traveling freedom in East Africa increased cross-border movements and cooperation.

Coffee production on a commercial scale

It is reported that *Bahaya* grew and consumed Robusta coffee and bananas before contacts with the outside world. However, the Germans introduced Arabica coffee that the German settlers and *Bahaya* grew on a commercial scale [16,32]. Bukoba exported coffee for the first time in 1898 [20]. With funding from the colonial government for coffee production, the harvest increased from 234 tons in 1905 to 493 tons in 1910 and about 10,861 tons in 1939 [16]. Mutahaba (1969) reported that by the 1940s, both Africans and Asians were competing in buying coffee and selling it in Uganda where prices were twice higher compared to that offered in Tanganyika. Certainly, differences in coffee market prices in Tanganyika and Uganda encouraged both formal and informal border crossing and cooperation. Given perceive opportunities, Ugandan, *Bahaya* and other traders established permanent settlements in Tanganyika and Uganda [2].

Coffee and banana production is labor intensive throughout the year. Hence, *Buhaya* needed additional labor to work and maintain coffee and banana farms or *ebibanja* [34]. By 1946, organized, by the colonial government, and unorganized recruitment systems in labor reserve regions of

Rwanda-Urundi and Kigoma, brought individual migrants or families into *Buhaya/Bukoba* Province. The colonial governments required all labor migrants to pass at the Kyaka checking point, Kagera ferry, where they were forced to undergo medical examination and immunization. Those found 'infected', could not enter Tanganyika although by reaching Kyaka ferry, they were already in Tanganyika! Labor migrants who passed the 'tests' were registered and allowed to proceed into *Buhaya/Bukoba* Province. They had to pay five cents of a British Shilling ferry fee to cross the Kagera River.

Certainly, many of the migrants avoided the Kyaka point and entered *Buhaya/Bukoba* Province via paths they knew. As a result, the number of migrant laborers in the Province is not available. However, the number and composition of migrant laborers increased at the peak of labor demand for coffee and banana growing and cattle keeping in the 1950s. At this time, owning cattle and goats had become important among pastoralist *Bahaya* serving as "living banks" and source of milk, meat and manure [34,35]. *Baha*, *Banyarwanda* and *Barundi* labor migrants, therefore, reached almost every part of *Buhaya/Bukoba* Province [36]. This fact explains, in part, the presence of Tanzanians in Kagera Region of *Buha*, *Rwanda* and *Burundi* origins.

Early evangelization

Available literature Sundkler (1963, 1980), Kibira (1963), Hellberg, (1965); Hydén, (1968) and Kilaini, (1990) show that Christianity (beginning with the Catholics, then the Protestants and later the Anglicans) and Islam entered *Buhaya* from Uganda during the German rule. Kabaka Mutesa of Buganda had allowed Christian Missionaries to operate in his Kingdom. However, his successor, Kabaka Mwanga had a negative attitude towards the foreigners and their activities in Buganda. To him, the (white) Missionaries were enemies, which sparked his attacks against Christians in Buganda. According to Pakenham (1991), on May 25, 1886, for example, he ordered seizure of all Christian followers at his court/square. "Some were castrated; others hacked to death, their bodies left to the vultures [A week later, June 3, 1886], one large group of eleven Protestants and thirteen Catholics was taken and burnt on a funeral pyre at Namugongo (p. 314).

Hydén (1968) writes that "The result of this was almost a civil war, in which perspectives of all the three monotheistic religions, Catholics, Protestants and Muslim, joined and deposed Mwanga in 1889" (p. 92). According to Kilaini (1990), the civil wars

that occurred in Buganda between the 1880s and the 1890s, forced many *Baganda* to seek refuge in *Buhaya/Bukoba* Province. A son of one of the first *Baganda* refugees in Kamachumu, Haji Suleiman Hamidu, reported that many *Baganda* settled in Buyekera, in the present Bukoba Township. With invitation from King Kahigi of Kihanja, some *Baganda* settled in Kamachumu (in present Muleba district). The *Baganda*, together with the Asians and Africans transformed Kamachumu into a main trading center in Kihanja.

In addition to unrecorded *Baganda* refugees who entered *Buhaya* at this time, the German administration resettled about 2,000 *Baganda* refugees in *Buhaya/Bukoba* Province in 1892 [16]. Since then, a chain of Missionaries and their converts hunted for settlement in Bukoba Province. For example, according to Kilaini (1990), on December 23, 1892 the Catholic Missionaries with *Baganda* Catholic refugees acquired the permanent mission at Kashozi in Bugabo Kingdom (now in Bukoba Rural district). The Missionaries christened the area, *Marienberg* (which translates *Kashozi ka Maria* in *Kihaya*, the *Bahaya*'s first language) a first Catholic Mission in Kagera Region. This incident opened more opportunities for *Baganda* refugees to settle in Bukoba Province in the present Kagera Region.

The spread of (western) formal education

The Missionaries' primary objective was to evangelize the Africans. However, their activities served as vehicles to implement what Lord Salisbury's envisioned 'white man's burden' or the 3Cs, commerce, Christianity and colonization, within the 'Dark Continent' [40,41]. To meet this goal, the Missionaries set up schools where they taught their converts catechism, and later reading (the Bible). According to Kilaini (1990), the *Baganda* Catholic refugees were the first teachers and caretakers in the early stages. With time, they opened schools with formal curriculum in villages where children learned the 3Rs, reading, writing and arithmetic. At the end of the German rule, there were about 55 catholic schools with 1,400 pupils and one government school located in Bukoba town with 250 students [16]. These schools attracted students from both British Uganda and German Tanganyika (that included Rwanda-Urundi) territories.

Defining a Tanganyikan citizen in 1961

On October 17, 1961, the Tanganyikan TANU-led government introduced to the House of Representatives the Tanganyikan Citizenship Bill, the Government Paper No. 4 of 1961. The Minister

for Home Affairs stated that the inspiration behind this motion was “to create Tanganyika citizens for the first time” [42]. The motion was inevitable because Tanganyika was changing status from a dependent to an independent Sovereign State on December 9, 1961. Emphasizing this significance, the Minister stated, “Tanganyikan citizenship, which we shall enjoy in our own right ... will distinguish us from these other less fortunate people who are still regarded as being dependents of a colonial power.” Important perhaps, the Bill stipulated that the principle guiding possession of Tanganyikan citizenship is a complete, wholehearted and devotion to Tanganyika, and Tanganyika alone.

The White Paper proposed that Tanganyikan citizenship would be accorded to all those who lived and who had made their homes in Tanganyika. Those who were already nationals of other countries had two years to make up their minds whether to renounce their former citizenship or leave the country (p. 373). According to the Minister, a two years offer was necessary for two practical reasons. First, time would be needed to set up machinery to deal with the applications, explaining, “[I]f time is made too short it would not be possible to deal with them [applications] in time” (p. 373). Second, people would be expected to start “making up their minds” once the “Constitution has been approved” and the Citizenship Act has been approved by the House. The two years offer was adopted from Nigeria and Sierra Leone, the African independent countries at that time. The government, therefore, expected support from the House by going with the experience.

It is clear from the 1961 citizenship debate that all Members of the House wanted Tanganyikans to acquire full citizenship on December 9, 1961. However, they were divided on the principles and procedures of granting citizenship to non-Africans in Tanganyika at independence and after. Impliedly, Africans who had lived and made their homes in Tanganyika, had demonstrated a complete wholehearted and devotion to Tanganyika, and Tanganyika alone and were not already nationals of other countries would be accorded citizenship at the date of independence.

Two concerns that divided the House during the debate on Tanganyikan Citizenship Bill are worth presenting here. First, they asked “to whom does this country [Tanganyika] belong? Ignorant of history, Page 5 (1) of the Paper stated that “Tanganyika belongs to all British protected persons and citizens of the United Kingdom and colonies born in Tanganyika one of whose parents was also born in

Tanganyika.” In this view, Tanganyika was equated to British Tanganyika leaving out some residents of the former Germany Tanganyika, which included Rwanda and Urundi.

Second, they wanted to know “who would be welcome as fellow Tanganyikan citizen.” In other words, the Paper did not give the real devices to be used to assess the applicants’ loyalty to Tanganyika. The quick answer from the government was that the Minister entrusted by the House and the government will be responsible for all citizenship matters including approving or disapproving registration or naturalization. Despite the opposition, the House passed the Bill of 1961, which remained in force for 34 years when the Tanzania Parliament amended it in 1995.

The redefinition of a Tanzanian citizen and citizenship rights in 1995

The Republic of Tanganyika (1961) joined with the Republic of the Peoples’ of Zanzibar (1964) forming the United Republic of Tanzania on April 26, 1964. At that time, Tanganyika had two citizenship laws, *The Citizenship Ordinance, 1961* and *The Citizenship Act, 1961, Cap. 512*; which established the Tanganyikan citizenship in 1961. The British-established *The Nationality Decree 1952, Cap. No. 39* operated in Zanzibar [43]. At the time of the union, the Tanzania government introduced *The Extension and Amendment of Laws No. 5 Decree of 1964* intending to put Tanzanian citizenship under the control of the union government and specifying procedures to obtain citizenship by naturalization. Unfortunately, the union government did not put a common citizenship law in place, thus previous citizenship laws (in Tanganyika and Zanzibar) operated in the United Republic of Tanzania. However, by 1995, a combination of experience and events that had taken place within the Republic and beyond created conditions that led the government to introduce a common citizenship law.

The common citizenship law was intended to ascertain the citizenship status of the immigrants who came to Tanganyika and Zanzibar before and after independence, the refugees and other immigrants. The common law, therefore, had seven specific objectives to: 1) set a foundation of Tanzania citizenship to be the day of the Union, April 26, 1964; 2) identify and recommend citizenship for those who were citizens of Tanganyika and Zanzibar on and after the union day; 3) set additional requirements for naturalization and the acquisition of Permanent Resident Status; 4) set conditions for naturalization application, that is,

staying in the country for ten consecutive years together with other qualifications like good and socially acceptable behavior, respect and loyalty to the nation and the extent the applicant has been contributing or expects to contribute to the nation's social, economic and science and technological development. Other objectives were to: 5) specify the rights and obligations of different categories of citizens by birth and by naturalization; 6) empower the Minister of Internal Affairs to establish procedures for implementing the citizenship law, including reviewing applications and renouncement of Tanzanian citizenship, and 7) consolidate the previous citizenship laws that operated in the United Republic.

Important observations for this paper emerge from reading the law. First, the Act stipulates categorically that citizens by registration or naturalization could not run for Tanzanian presidency. Second, as per Part II, Section 5, subsection 2, being born in Tanzania, *per se*, does not grant one citizenship (*ius soli*); one or both of the parents has/have to be citizens of either Tanganyika or Zanzibar before the union or a citizen of Tanzania after the union. The implication is that (resident) immigrants who failed to make up their minds in two years after December 9, 1961, were declared non-citizens or stateless.

Third, the Act provides that persons who were citizens of other countries on the day of the union (April 26, 1964) had to make up their minds at the age of 18. The problem with this condition is that many citizens who 'did not make up their minds' in 1963 did not regard themselves trapped in this web. The majority of such persons was above 18 years by 1995 and did not regard themselves aliens who had to apply for naturalization. Fourth, the Act increased the period a potential applicant for citizenship by naturalization to stay in the country for ten consecutive years before filing an application; demonstrating loyalty and respect to the nation and prove merit by contributing significantly to the nation's development.

Finally, the Act eliminated the loophole that some Tanzania elites had used to argue for their citizenship status in the court of law. The argument was that Tanganyika became independent before its neighbors and other African states; hence, immigrants from these territories (individuals or their parents) had no citizenship to renounce to become Tanganyikan citizens between 1961 and 1963. They, therefore, considered themselves automatically citizens of Tanganyika and later Tanzania. The Mr. Joseph J. Mungai's case introduced earlier that was presented

to the parliament during the Citizenship debate in April, 1995 helps to demonstrate this observation.

According to the Hansard (*April 18-24, 1995*), Mr. Mungai was born in Malangali, Mufindi district in the present Iringa Region on October 23, 1943. His father, Mr. James Mungai, migrated to Tanganyika from British Kenya (now Kenya). Theoretically, by the Kenyan citizenship law he was a Kenyan by descent; hence, by the new Tanzanian Citizenship Act of 1995, Mr. Mungai and other family members had to renounce the Kenyan citizenship by December 1963. Explaining this puzzle, the Minister for Internal Affairs stated that Mr. Mungai was over 18 years in December 1961.

However, his mother was a Tanganyikan citizen by birth, which, according to the new citizenship law, qualified Mr. Mungai and his siblings were citizens of the United Republic of Tanzania. In addition, the minister stated that by 1961, there was no Kenyan citizenship; hence, his father had no citizenship to renounce. The minister's responses dismissed queries over Mr. Mungai's citizenship to the present. Similarly, in 1996, the court ruled Mr. Hashim Saggaf was a Tanzania because there was no Oman citizenship that his parents had to renounce in 1961. The problem is that this principle did not apply to the executives, who have similar conditions to Mr. Mungai and Saggaf, alleged aliens in February 2001.

Negative attitude towards dual citizenship

Perhaps one feature that has remained unchanged in the Tanganyika/Tanzanian citizenship laws is the negative attitude toward dual citizenship. The Tanganyikan citizenship established in 1961 was based on a principle that its possession "must entail a complete and wholehearted attachment to Tanganyika and Tanganyika alone" [42]. Adding, "Tanganyikan citizens shall not be allowed to enjoy any other citizenship or nationality, and any person becoming a citizen of Tanganyika who already holds another citizenship will have to renounce the latter" (p. 304).

Emphasizing this principle, the Minister for Home Affairs said, "man [or woman] can only either be or not be a citizen, and there can be no dual allegiance to any other country which may be considered as 'home' except Tanganyika" (p. 305). Although some Representatives in the House, the no-Africans in particular, argued for granting dual citizenship stating it does not necessarily result into divided loyalty, dual citizenship remained illegal in Tanganyika/Tanzania.

At the time of the debate on Tanzania Citizenship Act, 1995, a group of individuals perceived to enjoy dual or multiple citizenship in the country had expanded including not only the non-Africans (the Asians) but also the Zanzibaris, refugees granted citizenship in the 1970s and naturalized citizens who did not renounce their former citizenships as demanded by the law. Contributing to the debate, MP and Member of Zanzibar House of Representatives wondered why the government was embracing citizens with multiple citizenships stating, "Tanzanians with one or more nationalities on reserve are not loyal to the country ... they are playing games with our identity ... they could even flee the country any time they wished ... such persons should be targeted by this Tanzania Citizenship Law" [43].

Expressing why they opposed dual citizenship, three political elite interviewed in Dodoma and Dar-es-Salaam in July and August 1998, referred to a Tanzanian of Asian origin, Mr. Amil H. Jamal, whose family moved to Tanganyika (from India) in the early 1900s. Mr. Jamal proved an active member of the liberation movement political party, TANU and actively participated in the national struggles for independence between the 1950s and 1961. In 1961 he became the elected Member (Morogoro) of the first Tanganyika National Assembly and a Member of the First Cabinet as Minister for Communication, Power, and Works. He remained a member of the cabinet till his retirement in the late 1970s when he moved to and spent the rest of his life in Britain. When he died in the early 1990s, his relatives in Canada and the U. S. A. claimed Mr. Jamal was a Canadian. He was buried in Canada [44].

Another MP interviewed in Dodoma in 1998, associated dual or multiple citizenships with the flight of capital from the country that had adversely affected its economy. He blamed the Asians, the Indian-Tanzanians in particular, for siphoning money and investing in countries they called 'home', India, Britain, Canada and the U.S.A. In the MP's view, the Indian-Tanzanians were getting richer at the expense of the indigenous citizens. According to him, dual citizenship could have adverse consequences of exacerbating racial tensions in societies where the colonialism-created class-based racial hierarchies have persisted.

Majority of the Tanzania-Uganda borderlanders interviewed in 2002 did not perceive dual citizenship a major threat to peace and security in the border regions and the nation. This is because both the permanent and temporally borderlanders practice symbiotic relationships that blur their nation

citizenship identities. However, they observed that distinctions usually emerge during contentions over resources: water, land, employment, education, health resources and more important perhaps, the immigrants' participation in village government and party leadership, which could occur anywhere in the country.

They noted that, unfortunately, the district and regional leaders "overreact" when such contentions occur between the immigrant pastoralists (*Walalo*) and the cultivators (the citizens). In fact, such contentions triggered the government's allegations over immigrants for arms trafficking, robbery, poaching, overgrazing, smuggling, car hijacking and involvement in political activities leading to Operation *Walalo*, the expulsion of Rwandese and Ugandan *Walalo*, in the Missenyi and Mirongo-Kikagati (Karagwe district) border regions that started in September 2000. It suffices reporting here that the operation lasted for seven days resulting in the loss of human and animal lives, destruction of property, disruption of peace and security in the border regions and the deportation of many *Walalo* to Uganda.

Explaining who were expelled, the timing and manner in which expulsions took place, the UN Integrated Information Networks (IRN) in May 2002 indicated that the returnees were part of 3,027 Ugandans, mainly *Bakiga* cattle herders, expelled from Tanzania in late 2000 alleged for voting against ruling party, CCM. IRN reported that in the October 2000 general elections, CCM lost to the opposition in Karagwe district. The locals claimed the landslide winning was helped by the *Bakiga* votes; hence, their expulsion in the late 2000.

By August 2000, Tanzania hosted around 800,000 refugees of whom 300,000 (34.4%) were undeclared [45]. In June 2002, majority of the MPs demanded at the budget session that all refugees should leave the country before the next general elections year, 2005 [46]. At the same time, police in Kigoma region arrested a Burundi refugee suspected engaging in selling guns and bullets to villagers in areas surrounding the camp [47]. In July 2002, the Kagera authorities reported arresting 100 illegal immigrants alleged engaging in underground activities in the region [48].

In November 2002, tension built up along the Tanzania-Uganda border following cattle theft suspected to be conducted by illegal immigrants on both sides of the border. In January 2003, conflict developed along the Tanzania-Uganda border where the suspected to be armed Rwandese refugees were

roaming the borderline in the Missenyi [49]. Quickly, Uganda chose to use the guidelines for granting asylum to refugees and the alleged land scarcity in Kabale district to 'diplomatically' reject Rwandese refugees expelled from Tanzania in 2002 [50]. In addition, Uganda intensified screening capacity at the official border crossing points at Mutukula, Kikanga and Kikagati [51]. Despite these efforts, the Tanzania-Uganda joint security personnel arrested six Rwandan *Hutu* alleged trafficking arms into Tanzania at Kakunyu border point [52]. All incidences presented demonstrate when, why and how state governments could use boundaries, borders and citizenship as political weapons in the name of safeguarding their state sovereignty.

3. Discussion

Tanzania had run six general elections under one party system between 1965 and 1990. There are no records of petitions against elected candidates' or the voters' citizenship status during this period. The explanation could be that under the one party system, TANU/CCM strictly screened its candidates based on the then principle of being loyal and committed to Tanzania and Tanzania alone that left no chances for queries over candidates' or voters' nationality. Similarly, the party considered all eligible voters nationals; thus no non-Tanzanian citizen had a chance to vote. However, the situation changed after the 1995 general elections.

According to data collected in 1998, 2001 and 2002, the reintroduction of multiparty system in Tanzania in 1992 triggered subsequent citizenship tribulations shaking contemporary Tanzania. For instance, poor performance in the 2000 general elections forced the CCM-led government 'to do something', particularly laying off party and government officials in areas where CCM lost the election, expelling the perceived non-citizens in constituencies where the opposition won the election by landslide, and expelling four CCM Executives (on citizenship-bases) whom, in one way or another, were evaluated to have contributed to CCM's failure in the 2000 general election.

The timing and the manner in which the Tanzanian government leaders declared the four political figures and the pastoralists (*Walalo*) 'aliens' gives light on certain circumstances under which the state is likely to use borders and citizenship as political weapons. Certainly, the 'aliens' saga started and was finalized within the government circles and not based on the nation state borders that were, and still are, meant to define Tanzanian citizenship. The state declared the four executives and the pastoralists

(*Walalo*) 'aliens' three months after the October 2000 presidential and parliamentary elections. During this election, CCM faced tough opposition in Zanzibar and Pemba and in several constituencies on the Mainland. For the first time in the country's history, about 9 per cent of elected Members of the 2000-2005 Parliament were from the opposition. As the CCM's CC observed at its meeting in Dodoma in February, 2001, poor campaigning strategies, pressure from interest groups and the opposition and the incompetence of some CCM-nominated candidates to face the opposition were the key reasons for CCM's failure rather than the voters' citizenship status or the influence of the four executives declared aliens.

In view of this paper, Ms. Castico, Mr. Ulimwengu, Mr. Amani and Mr. Bandora are Africans who had lived and made their homes in Tanganyika, had demonstrated a complete wholehearted and devotion to Tanganyika/Tanzania, and Tanganyika/Tanzania alone and were not already nationals of other countries by December 1961. Hence, they were accorded Tanganyikan citizenship at the date of independence. Similarly, according to the Tanzania Citizenship Act, 1995, Mr. Ulimwengu, like the other executives Ms. Castico, Mr. Amani and Mr. Bandora, had stayed in the country for 10 consecutive years, demonstrated loyalty and respect to the nation and proven merit by contributing significantly to the nation's development to be denied naturalization when he applied. It should be noted, however, that by the time of writing this paper, petitions from the 2015 general elections were still in court of law; hence, could not be reported.

Similarly, the Tanzanian government expelled the pastoralists (*Walalo*) a few months after the October 2000 general election. The government alleged some *Walolo* participated in political activities, village and party leadership; arms trafficking, robbery, poaching, overgrazing, smuggling, car hijacking and voting against the ruling party. In the borderlanders' view, a seven-day Operation *Walalo* was politically motivated rather than their stay in the country perceived illegal by the government. Operations conducted in the country between 2001 and 2002 against 'illegal' immigrants appear to have been politically motivated under the cover of protecting nation security, peace and state sovereignty. Similarly, the government-perceived link between political instability in the Great Lakes Region with the *Hima/Hinda* clans on the continent and in the Diaspora fueled negative attitude against these resident 'immigrants'.

Certainly, historical, political, social, and economic relationships and connections that occurred in the present Tanzania-Uganda-Rwanda-Burundi region presented in this paper contributed to the composition of the current Kagera region inhabitants. The Bantu migration and the formation of Kingdoms in the interlacustrine region explain in part why the Bahinda-like people are found in the four countries with very similar first languages [48]. Inter-kingdom relations, wars and conquests within and among Kingdoms contributed to population redistribution in this area. Changing Kingdoms' frontiers facilitated intermingling through marriages among clans and settlement in the region. This explains, in part, why and how some Tanzanians in Kagera region are perceived of Ugandan, Rwandan or Burundi origins.

The Germans set up Bukoba Province that included Bukoba, Karagwe and Ruanda-Urundi in the 1910 to 1923 period, which allowed voluntary or forced individuals', families' and groups' movements within the province. Some individuals and families migrated because of civil wars, famines, expressing dissatisfaction with the Kings, chiefs or colonial rulers [20]. The implication is that given the strong connections that existed among societies in this area, movements of people, goods, information, ideas and animals continued irrespective of changing borders, boundaries and names of the area in question. The movement of people increased at the peak of farm labor demand in *Buhaya*/Bukoba Province, the production area. Individuals and families, from Rwanda-Urundi moved into *Buhaya*/Bukoba Province to work for cash on banana and coffee farms. Male porters carried goods on transit from Bukoba port to the western parts of the Province [20]. The Germans and later the British introduced head tax payable in cash by males only, which encouraged labor migration in Tanganyika. Similarly, the colonialists introduced policies that defined labor reserves and production areas in East and Central Africa. *Buhaya*/Bukoba Province was a production area and Kigoma parts of Rwanda-Urundi were labor reserves.

The British handed over part of Lukira to the Belgians on December 31, 1923 [53]. Movements across the 'new' border continued between Karagwe County and Lukira District. According to the Karagwe Count Administrative Officer's letter dated December 20, 1923, there were almost over 1,000 recorded *Batusi* in his area [54]. Similarly, the Officer reported that reliable sources in Rwanda inform that the *Bahororo* pastoralists who left the Matai Ayu area for Ankole, Uganda, when the Belgians captured Rwanda and returned during the British rule were going back to Ankole. Hence, in-

and out-migration and search for labor and pasture contributed to population redistribution in Bukoba Province, the Great Lakes region and within East and Central Africa.

In addition, the growth of commercial activities in the eastern part of the Province and coffee and banana production on commercial basis required additional labor in the province. The establishment of labor reserves and production areas and the introduction of head and hut taxes encouraged migration within the province. Some of the labor migrants never returned 'home'; they intermingled and integrated into *Bahaya* societies well before Tanganyika's independence on December 9, 1961. These events too, further explain why and how, there are Tanzanians of Ugandan, Rwandan and Burundi origins in Kagera region. Following successful settlement of Missionaries and their *Baganda* converts and refugees in Bukoba Province, more *Baganda* refugees or otherwise moved into the province; explaining, in part, the existence of Tanzanians of Ugandan origin in Kagera region. In addition, the creation of the British Federations in twentieth century Africa and the creation of the Great East Africa, in particular, brought people with different skills from the British Empire into Tanganyika, especially Bukoba Province. Others came to obtain education or to become Christian or Muslim converts. Others sought paid work or were colonial employees. According to Kilaini (1990), given the opportunities that were available in Bukoba Province, some chose to settle rather than returning to their places of origin perceived to have limited prosperity.

The definition of who is a Tanganyikan in 1961 and a Tanzanian 1995 ignored the past history of the region allowing citizenship problems shaking Tanzania today to occur. The Tanzania governments declaration of four citizens 'aliens' in 2001 and queries of citizenship status of some Tanzanians; the operation illegal immigrants conducted in country between 2001 and 2002 and Rev. Mtikila's claims over the former presidents' (Nyerere and Mkapa) citizenship status have roots in conditions similar to those in Kagera region. The fact that the presidential appointee, the Minister for Home Affairs, has the final say on approving or disapproving citizenship registration or naturalization creates more questions on who is defined a Tanzania and in what context. There is need, therefore, for the review of the citizenship laws in the country to accommodate and appreciate conditions that surrounded the establishment of Tanganyika, Zanzibar and later Tanzania as defined today.

4. Conclusion and recommendations

Certainly the meanings and functions of boundaries for example, racial, economic and gender; citizenship, nation state borders and sovereignty are not given or fixed. They are continuously contested between and among actors at all levels. On the one hand, the nation political elite use boundaries, borders and citizenship for political ends. The citizens, on the other hand, use the same 'weapons' in cases of contention over existing, discovered or rumored existing resources. In other words, the meanings that actors attach to boundaries, citizenship and state sovereignty result from a continual process of contention among them. Therefore, findings from studies that examine the evolution of boundaries, nation states borders, citizenship, state sovereignty and the bases of the complaints and claims made by each actor could facilitate solving citizenship puzzles shaking contemporary Tanzania.

It is recommended that the pre-colonial, colonial, independence and after history of Tanzania's administrative border regions should, to a great extent, inform the interpretation of the Citizenship laws in the country to control political elite from using borders and citizenship as a political weapons. In the view of this paper, such circumstances are likely to rise due several factors. First, the strengthening of multiparty system in the country is fueling political competition within and among political parties. Political elites and citizens would use boundaries, borders and citizenship to meet political interests.

Second, the consolidating regional integration, like the formation of regional political and economic blocks, the East African Community (EAC) and the African Union (AU), would increase human and capital mobility that could trigger differences along racial, economic and citizenship boundaries. Third, the contention over existing or rumored existing resources and discovered ones is another obvious factor for future citizenship problems and border disputes. The on-going 'scramble for Nile perch in Lake Victoria' [55] among Tanzania, Uganda and Kenya and the Tanzania-Malawi border dispute over Lake Malawi/Nyasa are vivid examples.

Finally, the ever increasing, broadly defined process of globalization is progressively turning the world into a global village, leading to unprecedented internationalization of economic and political life that would lead to the collapse of borders that heralds fundamental changes in human society and culture [56,57,58]. Some nation states would embark on 'globalization from below' to defend state

sovereignty. This contention is likely to spur 'new' meanings and functions of boundaries, borders and citizenship that both the elite and citizens would turn to in the course of defending their perceived personal and political interests.

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