

# Empowering indigenous communities in the pursuit of land justice during the land acquisition process in Tanzania

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## Abstract

This article examines the legal and policy framework governing land acquisition in Tanzania, with a focus on empowering indigenous communities to pursue land justice. While Tanzania's land laws, notably the Land Act, Cap 113 and the Village Land Act, Cap. 114, provide a sophisticated structure for land administration, the practical implementation of these laws often leaves indigenous groups such as pastoralists, hunters and gatherers vulnerable to displacement and marginalisation. In an analysis of the recent legal reforms, including the revised national land policy and legal jurisprudence, this article highlights the systemic challenges in the land acquisition process. Achieving land justice for indigenous communities during land acquisition in Tanzania necessitates more than the formal legal recognition of customary tenure. Although Tanzania's land framework acknowledges customary rights and village participation, its design and implementation often perpetuate systemic inequalities affecting pastoralists, hunter-gatherers, women, and other rural populations. Land acquisition in Tanzania is commonly associated with land loss, livelihood disruption, food insecurity, conflict, environmental degradation, and resettlement into inadequately serviced areas. Empirical evidence shows that large-scale land acquisitions reduce local landholdings, intensify farmland inequality, and do not consistently result in compensatory improvements in income or well-being. The disparity between legal provisions and actual decision-making practices exacerbates this issue. Even when legal procedures are followed, communities frequently lose their land due to power imbalances, lack of transparency, complex administrative processes, and weak local institutions. While formalising land rights and implementing village land-use planning can help protect them, these processes have also facilitated investor access to land and, in some cases, resulted in displacement. Achieving land justice in Tanzania requires empowering communities with genuine authority over land-related decisions. This article employed a doctrinal method and an empirical research design to gather relevant information on empowering indigenous communities to pursue land justice during the land acquisition process in Tanzania.

**Keywords:** *Land acquisition, land justice, indigenous community and conflict*

## 1.0 Introduction

Land justice in the context of land acquisition in Tanzania is the mechanism that ensures fair and equitable treatment and compensation for landowners whose land is taken by the government for other purposes. This approach intends to balance national economic development with the rights of indigenous people to own land.<sup>1</sup> It is argued that Land is the cornerstone of human existence and supports all aspects of life, from agriculture and human mobility to society and culture. In this context, the indigenous society in Tanzania has depended on the land passed to them from their ancestors for their survival and existence.<sup>2</sup> The current legal framework recognises indigenous land rights of groups in society, such as pastoralists and farmers, and vests rights to compensation

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<sup>1</sup> Nkunya, R.S. "Examination of the Legal Framework for Safeguarding Customary Land Rights in Tanzania, a dissertation submitted in partial fulfilment of the requirements for the degree of master of Laws in Land Administration and Management (LL. M LAM), Department of Private Law of the Open University, 2023

<sup>2</sup> Barume, A.K. "Land Rights of Indigenous Peoples In Africa, With Special Focus on Central, Eastern and Southern Africa." Centraltrykkeriet Skive A/S Skive, Denmark. (2010). Page 172-174

and other remedies during land acquisition when land is transferred for investment purposes to potential investors, a process that, *inter alia*, requires village approval.<sup>3</sup> This is done to protect the customs and culture of the society and to ensure that the land acquisition system does not deprive indigenous peoples of the right to own land. Notwithstanding this legal recognition, there have been conflicts and chaos that have resulted in the deprivation of indigenous groups of their land rights during land acquisition and have henceforth caused injustices to the indigenous people. The recent evidence shows that, across indigenous land found in agriculture, mining, tourism and conservation, the indigenous community has paid the price by losing their land during land acquisition with minimal compensation. One of the key questions left unanswered is whether indigenous communities like the Masai and Hadzabe have an influence on the outcome during land acquisition, where the empirical evidence shows there is deprivation of land justice to the indigenous community caused by an uncertain legal framework, the political situation of the country and poor compensation, and hence creating the metaphor of land injustice to the indigenous communities in Tanzania.<sup>4</sup>

An initiative to empower the indigenous community in pursuit of land justice in Tanzania goes beyond the legal regime for recognising their customary land tenure rights; rather, there should be a complex system that safeguards land justice during land acquisition by allowing the indigenous community to participate in land decision-making.<sup>5</sup> The absence of these approaches has resulted in the loss of land, community conflicts, environmental damage, and poor resettlement for the indigenous community whose land has been acquired by the government, and this land injustice persists for a long period of time and results in tension between the government and the indigenous community. A stronger land justice agenda in Tanzania rests on substantive empowerment. The evidence points to legal awareness, inclusive participation, free, prior and informed consent, stronger communal registration, fair and prompt compensation, accessible dispute resolution, stronger local administration, and community-driven governance solutions as the most consistent reform directions. Empowerment is strongest where communities gain access not only to formal rights, but also to knowledge, customary authority, social organisation, and political processes that allow them to influence land decisions before dispossession occurs.<sup>6</sup>

## 2. Background to the Problem

Land use and ownership are governed by a system shaped by both granted and customary land tenure, backed by a legal framework and policies that regulate land use and management. However, the pluralism of this framework has not controlled land conflicts and injustices that indigenous communities encounter. It is from this context that land regimes and policies are part of the mischief in managing land use and failing to ensure land justice for the indigenous community living in rural areas.<sup>7</sup> The problem is that large areas of land in rural areas are unplanned, and institutional bureaucracy complicates the process of securing land justice for the indigenous communities during compulsory land acquisition. Various studies show that land management and planning are inadequate, thereby creating obstacles for customary landowners, who are mostly indigenous, in rural areas.<sup>8</sup>

In that context, the institutional flaws have propagated tense and serious conflicts during land acquisition, especially against indigenous communities who feel betrayed and unfairly treated when they end up losing the land that they have occupied for a long period of time. For instance, implementation of the National Land Policy in Kigoma was affected by institutional malfunction, citing a shortage of resources and staff to spearhead the process. Similar challenges are cited in Ngorongoro, Arusha Region, where land

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<sup>3</sup> Mramba SJ, Land Rights and the Law in Tanzania: Institutional Issues and Challenges (Economic Development & Institutions, Tanzania Institutional Diagnostic Working Paper WP18/TID06, 2018).

<sup>4</sup> Varma, R. "Land Acquisition Laws and Displacement of Indigenous Communities. *Indian Journal of Law*. 1. (2023)26-34.

<sup>5</sup> International Peace Information Service (IPIS), 'Empowering Communities in Tanzania: Workshop on Land Rights and Access to Justice in Natural Resource Extraction' (25 June 2026) <https://ipisresearch.be/empowering-communities-in-tanzania-workshop-on-land-rights-and-access-to-justice-in-natural-resource-extraction/> accessed 16 July 2026.

<sup>6</sup> Komba, S. , Simon, D. , Mwageni, T. and Mgale, Y.J. "Local Voices, Lasting Solutions: The Role of Community Participation in Land Conflict Resolution in Rapidly Urbanizing Cities in Tanzania." *Open Journal of Social Sciences*, 14, (2026) Page 180-197.

<sup>7</sup> Mtenga, V.D. "Customary Tenure, Legal Pluralism, and the Politics of Land Rights in Tanzania: Historical and Contemporary Dynamics of Farmer-Pastoralist Conflicts in Morogoro Region, 1890s 2015." *The Sub-Saharan Journal of Social Sciences and Humanities*, Vol. 1 No. 2, 2025

<sup>8</sup> Kusiluka, M. M et al. "The negative impact of land acquisition on indigenous communities' livelihood and environment in Tanzania." In *Habitat International* (Vol. 35, Number 1, pp. 6

conflicts between the indigenous Maasai and the government have opened Pandora's box about whether Tanzania respects land rights and have revealed that the community was relocated elsewhere without compensation.<sup>9</sup>

### 3. Legal and Human Rights Framework and practices in Tanzania

The legal framework governing land in mainland Tanzania formally recognises customary tenure under the Land Act and Village Land Act of 1999. It also provides village-level roles in land administration and, in principle, requires village approval before village land is transferred to investors. On paper, these are meaningful safeguards. However, recent legal analysis shows that the framework often produces indirect discrimination. Formally neutral rules generate disproportionate harms for indigenous minority communities, especially pastoralists and hunter-gatherers, because the legal structure fails to accommodate their collective and territorially expansive land systems. The evidence indicates that these discriminatory effects are not objectively justified under constitutional and international human rights standards.<sup>10</sup>

In addressing land justice for the indigenous community in Tanzania, the problem stems from the state of politics and the centralised power vested in the central government.<sup>11</sup> The current land regime protects customary land rights for the indigenous community; however, it is complicated because it vests significant power in the executive, who may terminate the indigenous community's customary rights for the sake of public interests. That makes legal recognition conditional rather than absolute, leaving local communities vulnerable when political and commercial interests align against them. Studies on actual land acquisition processes show a sharp gap between law and practice. In some places in Tanzania, such as Arusha and Morogoro, the investor appeared to follow the legal procedure correctly. Yet, interviews revealed flaws at village and district levels that caused affected villagers to lose land rights against their will. The same case also showed that households from a neighbouring village lost claims rooted in pre-villagisation customary occupation, illustrating how historical and overlapping land claims can be erased during formal acquisition. In Tanzania, land acquisition programmes cause loss of land and livelihood, economic disruption, relocation to underdeveloped areas, delayed compensation, conflict, and environmental degradation. Disagreement over how land acquisition law should be implemented was itself a major cause of disputes, and low legal knowledge among affected communities worsened the problem.

### 4. Indigenous Vulnerability in Land Acquisition in Tanzania

Land acquisition in Tanzania, particularly as it affects indigenous populations such as the Maasai pastoralists and the Hadzabe hunter-gatherers, constitutes a complex intersection of constitutional law, administrative authority, and human rights.<sup>12</sup> The prevailing legal framework, while ostensibly designed to secure tenure, frequently facilitates the marginalisation of individuals whose livelihoods depend on communal and customary land use. The development of Tanzanian land law demonstrates a transition from the colonial era's concept of radical title, through a post-independence socialist-statist model, to the current neo-liberal framework established by the 1999 land laws.<sup>13</sup> Despite these reforms, indigenous groups remain legally vulnerable, primarily due to the state's continued ultimate control over land and the broad, often unchecked, powers of compulsory acquisition.<sup>14</sup>

The foundational tension in Tanzanian land law resides in the classification of land under the Land Act of 1999 and the Village Land Act of 1999. Under these statutes, all land in Tanzania is public land vested in the President as a trustee for the citizens.<sup>15</sup>

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<sup>9</sup> Cultural Survival and American Indian Law Clinic, University of Colorado Law School, Observations on the State of Indigenous Human Rights in Tanzania: Prepared for the United Nations Human Rights Council Universal Periodic Review (March 2021).

<sup>10</sup> Palmer R, The Tanzanian Land Acts, 1999: An Analysis of the Analyses (Oxfam GB, March 1999).

<sup>11</sup> Makoye, K. 'Indigenous Groups in Tanzania Become Victims of Land Grabbing' (Anadolu Agency, 13 July 2022) <https://www.aa.com.tr/en/africa/indigenous-groups-in-tanzania-become-victims-of-land-grabbing/2635793> accessed 16 July 2026.

<sup>12</sup> Jama K and Mesfin S, The Effects of Land Acquisition on the Maasai Tribe in Tanzania: A Qualitative Study Based on Maasai Experiences (Bachelor Thesis, Jönköping University, 2024).

<sup>13</sup> Owens, K.E.; Askew, K.M.; Nagaraj, S.; Maganga, F.; Stein, H.; Odgaard, R. Titling as Land Reform in Tanzania: Contours, Conflicts and Convergence. Land 2025, 14, 2247. <https://doi.org/10.3390/land14112247>

<sup>14</sup> Gilbert, J. "Land Grabbing, Investments & Indigenous Peoples' Rights to Land and Natural Resources: Case Studies and Legal Analysis (International Work Group for Indigenous Affairs 2017) 25.

<sup>15</sup> Josefsson, E. and Åberg, P. "An Evaluation of the Land Laws in Tanzania," (Master's thesis, Luleå University of Technology 2005)

While the Village Land Act provides for the management of land by Village Councils and recognises customary rights of occupancy as being equal in legal status to granted rights, this protection is often illusory. The President retains the power to transfer Village Land into General Land for public interest, a category that includes investment and conservation, thereby stripping the land of its protective village-level governance and making it susceptible to state-led acquisition.<sup>16</sup> This reclassification mechanism serves as a primary legal conduit for indigenous vulnerability, as it allows the state to bypass the procedural safeguards of the Village Land Act in favour of the more coercive provisions of the Land Act and the Land Acquisition Act of 1967. The public-interest justification is rarely subjected to rigorous judicial scrutiny, allowing the executive branch to reallocate lands traditionally held by pastoralists or hunter-gatherers to commercial entities or state agencies under the guise of national development or environmental protection.<sup>17</sup>

The Land Acquisition Act of 1967 represents a primary legal mechanism facilitating indigenous dispossession. This legislation grants the President authority to acquire any land for public purposes, a term defined so broadly that it encompasses activities ranging from government infrastructure projects to initiatives involving private investors under the guise of "national interest. The Act presents two principal legal vulnerabilities.<sup>18</sup> First, the absence of a precise and restrictive definition of public purpose enables administrative overreach. Second, the process of compulsory acquisition frequently disregards the distinctive characteristics of indigenous land tenure.<sup>19</sup> For communities such as the Hadzabe, land constitutes not only a material asset but also a foundation of cultural identity and spiritual significance. The Act's reliance on monetary compensation based on market value inadequately addresses the irreversible loss of ancestral territories, as the market value assigned to undeveloped wilderness is often minimal compared to its existential importance to the community. Additionally, the Act does not require a land-for-land compensation model, which is critical for groups whose livelihoods depend on specific ecosystems. As a result, displaced indigenous populations are frequently relocated to resettlement areas that are ecologically incompatible with their traditional practices, perpetuating cycles of poverty and cultural erosion.<sup>20</sup> The judiciary has, at times, served as a crucial check on state power, most notably in the landmark case of *Attorney General v. Lohay Akonaay and Another*.<sup>21</sup> In this case, the Court of Appeal of Tanzania affirmed that customary land rights constitute "property" within the meaning of Article 24 of the Constitution. The Court struck down sections of the Regulation of Land Tenure (Established Villages) Act of 1992 that attempted to extinguish customary rights without compensation. This ruling established a vital legal precedent: that the state cannot simply legislate away indigenous land rights without due process and fair compensation.

Tanzania's legal position on the concept of indigenes significantly contributes to the vulnerability of certain groups.<sup>22</sup> The government has consistently asserted that all Tanzanians are indigenous, a stance that circumvents the specific protections required by international law for indigenous peoples. By declining to recognise the Maasai or Hadzabe as indigenous according to the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP), the state withholds their right to free, prior, and informed consent (FPIC). This legal strategy enables land acquisition for large-scale investments and conservation by categorising indigenous communities as village residents rather than as peoples with internationally recognised claims to ancestral territories.<sup>23</sup> In the absence

<sup>16</sup> Mramba, Sist J., and Samuel Mwita Wangwe. "Through the Maze of Land Right Laws." Chapter. In *State and Business in Tanzania's Development: The Institutional Diagnostic Project*, edited by François Bourguignon, 216–56. Cambridge: Cambridge University Press, 2023.

<sup>17</sup> Sunna, A. "Examination of the Laws and Practices on Village Land Use Planning in Tanzania." *East African Journal of Law and Ethics*, 9(1), (2026) 146-158. <https://doi.org/10.37284/eajle.9.1.4488>

<sup>18</sup> Kombe, W. J. "Land acquisition for public use, emerging conflicts and their socio-political implications. *International Journal of Urban Sustainable Development*," 2(1–2), (2010) 45–63

<sup>19</sup> Bonaya A.G, *Compulsory Acquisition and the Right to Property: The Gaps in the Legal Framework, Practices and Possible Solutions* (LLB dissertation, Strathmore University, 2018).

<sup>20</sup> Madsen, A. "The Hadzabe of Tanzania: Land and Human Rights for a Hunter-Gatherer Community (International Work Group for Indigenous Affairs (IWGIA), 2000).

<sup>21</sup> *Attorney General v. Lohay Akonaay and Another* (Civil Appeal No. 31 of 1994)

<sup>22</sup> International Fund for Agricultural Development (IFAD), Tanzania: Country Technical Note on Indigenous Peoples Issues (IFAD, 2022) <https://www.ifad.org/en/w/publications/tanzania-country-technical-note-on-indigenous-peoples-issues>. accessed 16 July 2026

<sup>23</sup> Loure E, *Indigenous Peoples in Tanzania: Dependency on Land Resources and Reverberation of Climate Change* (n.p., n.d.), 2008

of FPIC requirements, the state can engage with selected community leaders or Village Councils who may be vulnerable to bribery or coercion, thereby circumventing the collective interests of those most affected by land acquisition.<sup>24</sup>

The Tanzania Investment Centre (TIC) and the system further intensify the vulnerability of indigenous groups. The TIC designates idle land, which is frequently used by indigenous communities for seasonal grazing or foraging, and places it in a Land Bank for allocation to foreign investors. Legally, this process involves transferring land from Village Land to General Land, often without meaningful participation or informed consent from the local population. The legal construct of idle land disregards the intricate ecological and social systems underpinning indigenous land use, categorising any land lacking permanent structures or industrial agriculture as empty. This erasure of indigenous presence serves as a central legal and ideological mechanism for dispossession in Tanzania, closely resembling colonial doctrines of *terra nullius*.<sup>25</sup>

The international and regional legal landscape has become an increasingly important arena for challenging land acquisition practices in Tanzania.<sup>26</sup> The African Commission on Human and Peoples' Rights has notably established comprehensive standards for indigenous land rights that are theoretically applicable to Tanzania under the African Charter.<sup>27</sup> The African Court on Human and Peoples' Rights, based in Arusha, has also begun adjudicating cases concerning indigenous rights. Despite these developments, the Tanzanian government has been slow to incorporate these standards into domestic law and has actively resisted their implementation.<sup>28</sup> In 2019, Tanzania withdrew its declaration under Article 34(6) of the Protocol to the African Charter on Human and Peoples' Rights, thereby permitting individuals and NGOs to bring cases directly to the Court.<sup>29</sup> This withdrawal significantly undermined the legal protection of indigenous groups by eliminating a crucial avenue for redress when domestic courts fail to provide adequate remedies. It prioritises state sovereignty and public-interest development over the fragmented, communal nature of customary tenure. The tension between the protective 1999 land laws and the coercive 1967 Acquisition Act, combined with the state's refusal to recognise indigenous identity and the broad interpretation of public purpose, creates a structural environment where dispossession is not only possible but legally facilitated.<sup>30</sup> The modernisation of land tenure through titling and CCROs, while ostensibly protective, often serves to incorporate indigenous lands into the global market, making them more vulnerable to alienation. While the judiciary has provided occasional relief, the lack of robust, institutionalised protections for collective land rights and the systematic circumvention of international human rights standards ensure that indigenous communities remain at the mercy of a state-led development agenda that views their traditional lands as a frontier for exploitation rather than a sanctuary for cultural survival.<sup>31</sup> The path forward requires a fundamental reform of the Land Acquisition Act to include narrow definitions of public purpose, mandatory land-for-land compensation, and the full legal recognition of indigenous peoples' rights to their ancestral domains in line with international human rights obligations.<sup>32</sup>

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<sup>24</sup> Daytec-Yañgot CL, 'FPIC: A Shield or Threat to Indigenous Peoples' Rights?' in *Indigenous Peoples' Experiences on Free, Prior and Informed Consent: A Collection of Case Studies* (Philippines) (2010).

<sup>25</sup> Landesa: Land-based investment in Tanzania: how simplified legal guides are empowering communities, 2022. Retrieved from <https://www.landesa.org/land-based-investment-in-tanzania-how-simplified-legal-guides-are-empowering-communities/>

<sup>26</sup> Ringo J. Roles of village land councils in mitigating land conflicts in Ngorongoro district, Tanzania. *Heliyon*. Vol. 1, Series 9, 2023.

<sup>27</sup> Mdeme, D. "Understanding Local Communities' Land Rights in the Context of Large-Scale Land Acquisition, Insights from Kilombero District, Tanzania." *African Journal on Land Policy and Geospatial Sciences*, 9(6), (2026). Page 1150-1167

<sup>28</sup> Bloech, J. "Halting Unjust Displacement: The Prospects of a Case for the Maasai in the African Court on Human and Peoples' Rights." *Vermont Law Review*, 2024

<sup>29</sup> Mtavangu, V. & Mbilinyi, A. "Tanzania's Withdrawal from the African Court and its Effects in Safeguarding of Human and Peoples' Rights. *Journal of Contemporary African Legal Studies*. Vol. 1 (2023)

<sup>30</sup> Protas, P. "Touching where it hurts? revisiting the African Court judgments in relation to Tanzania's restriction of direct access for individuals and NGOs" (2025) 9 *African Human Rights Yearbook* 211-228

<sup>31</sup> Laltaika, E. Protection of Pastoralists' Collective Land Rights in Tanzania: A Review of Institutional Hurdles. *Nomadic Peoples*. 30. (2026). 129-151. 10.3828/whpnp.63904085203745.

<sup>32</sup> Alden Wily L, *Customary Land Tenure in the Modern World: Rights to Resources in Crisis – Reviewing the Fate of Customary Tenure in Africa*, Brief No 1 of 5 (Rights and Resources Initiative 2011).

## 6.0 Community Participation and Procedural Justice

In Tanzania, community participation is essential for achieving procedural justice within land, environmental, and governance frameworks. While legal structures mandate engagement, practical implementation often faces challenges concerning representation, local trust, and discrepancies between formal procedures and community-based norms. In Tanzania, community participation and procedural justice are closely linked because meaningful citizen involvement helps improve transparency, fairness, and legitimacy in administrative and legal systems regarding land justice for the indigenous community.<sup>33</sup> Procedural justice, which refers to fair decision-making processes, is now recognised as an important part of good governance in Tanzania, especially when the state addresses economic, social, and cultural rights.<sup>34</sup> This link is also evident in areas such as water management, where community involvement is considered vital to achieving fair and reliable results.<sup>35</sup>

In the land sector, the Tanzanian legal framework mandates community participation as a formal requirement, especially in the transfer of village land to investors. Statutory provisions stipulate that such transfers must receive explicit approval from villagers, aiming to safeguard customary land rights.<sup>36</sup> However, research demonstrates that formal compliance with these procedures does not necessarily ensure substantive procedural justice. Therefore, there is a recognised need for more inclusive representation and improved decision-making processes to prevent the marginalisation of rural populations during land acquisitions.<sup>37</sup>

Local institutional frameworks, particularly Village Land Councils (VLCs) and ward tribunals, function as primary venues where community participation intersects with dispute resolution. Although these bodies are intended to provide accessible justice, their ability to ensure procedural justice is often undermined by bias, inadequate training, and institutional shortcomings. In practice, ward tribunals prioritise general procedural fairness over specific customary norms, reflecting standardised requirements and the historical evolution of the Tanzanian legal system. This situation underscores a persistent tension within the legal regime, as state-centric legal pluralism can marginalise the community's lived experiences and cultural values.<sup>38</sup>

Informal or community-based grievance redress mechanisms have emerged as critical infrastructures of trust in addressing existing gaps. In contexts such as informal settlement regularisation, these grassroots processes facilitate participation by integrating local legitimacy into formal land reform initiatives. By prioritising social ties and cultural values, these mechanisms often achieve success where formal institutions encounter challenges, rebuilding trust and promoting fairness through everyday practices of inclusion. Additionally, paralegals serve as a vital bridge within the Tanzanian legal system, assisting marginalised individuals in navigating legal complexities and ensuring that constitutional rights are not obstructed by systemic barriers such as poverty or lack of legal knowledge. Ultimately, promoting procedural justice in Tanzania requires state institutions to move beyond mere compliance with legal rules and to engage meaningfully with communities. In policing, public trust is contingent upon the implementation of fair procedures, while in environmental and land management, legal frameworks are most effective when community involvement is prioritised. For outcomes to be sustainable and inclusive, government processes must be both legally sound and responsive to citizens' actual experiences and needs.

## Conclusion

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<sup>33</sup> Manyanki, P. and Msoka, E. "Human Rights and Environmental Justice in Tanzania: Legal Responses to Mining and Land Disputes", [Online]. Available: <https://kenyasocialscienceforum.wordpress.com/wp-content/uploads/2025/03/7pdf-manyanki-msoka-human-rights-and-environmental-justice-in-tanzania.pdf>

<sup>34</sup> Makaba, I "Citizen participation and meaningful engagement as effective tools for good governance in policy-making and realisation of economic, social and cultural rights", [Online]. Available: <https://search.proquest.com/openview/9b8b75905e59636ddba6029bc7317aaa/1?pq-origsite=gscholar&cbl=2026366&diss=y>

<sup>35</sup> Duamelle, H. "Beyond access: procedural justice and the pursuit of water security through community relay frameworks", [Online]. Available: <https://idl-bnc-idrc.dspacedirect.org/bitstreams/374370ed-180f-4ce3-aeb5-34ebd0a36ec3/download>

<sup>36</sup> Locher, M. "'How come others are selling our land?' Customary land rights and the complex process of land acquisition in Tanzania," *Journal of Eastern African Studies*, vol. 10, no. 3, pp. 393–412, Nov. 2016, doi: 10.1080/17531055.2016.1250890.

<sup>37</sup> Otto, J.M. and Hoekema, A. "Fair Land Governance. How to Legalise Land Rights for Rural Development," Jan. 2012.

<sup>38</sup> J. Homera, H. Mollel, T. Luambano, and J. Pesha, "Community Perceptions of Village Land Councils in addressing land use conflicts between Farmers and Pastoralists in Tunduru District, Tanzania," *Journal of Policy and Development Studies*, 2025.

Land justice for the indigenous community in Tanzania remains a complex subject that has sparked debate over the balance between indigenous rights and investment in national development. Currently, Tanzania continues to attract investment in the agriculture and energy sectors, where indigenous communities find themselves on the edge, with decisions that apparently affect their welfare. Both law and practice have failed to address indigenous land justice and therefore necessitate a national dialogue on how land rights should be managed and implemented. Both the Land Act and the Village Land Act of 1999 have created mechanisms for decentralising powers to the respective institutions; however, their implementation remains questionable. Furthermore, empowerment initiatives should incorporate an intersectional perspective. Studies demonstrate that land acquisition disproportionately affects rural women, who face gender-based power imbalances that restrict their access to compensation and legal remedies. Securing both individual and collective land titles for women is not only a legal obligation but also a critical component of community resilience. The formalisation of these rights enables communities to challenge the "colonial logic" inherent in industrial land acquisitions, which frequently prioritise state-defined productivity over indigenous ecological and cultural relationships to land. Achieving land justice in Tanzania requires enhancing the autonomy of indigenous organisations and fostering coalitions between civil society and local authorities. It is necessary to support communities in mapping their territories, advocating for fair compensation, and ensuring accountability from responsible parties. Land justice encompasses more than the transfer of titles; it is achieved when indigenous communities possess the legal, political, and economic authority to determine the future of their ancestral territories.

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