

Nyerere: a Pan-Africanist

By **JUDGE MARK D. BOMANI**

FIRST INDIGENOUS ATTORNEY GENERAL OF TANZANIA



MARK D. BOMANI qualified in England as a barrister and was Attorney General of Tanzania from 1965 to 1976. He was senior legal adviser in the United Nations between 1976 and 1990, working on a special assignment towards Namibian independence. During 1993 to 1996 he worked on a World Bank funded project which resulted in a comprehensive report on the legal sector in Tanzania. He was the chief aide to both Mwalimu Nyerere and former South African President Nelson Mandela on the Burundi peace negotiations. Mr. Bomani is currently in private legal practice and on the board of a number of Tanzanian companies.

Julius Kambarage Nyerere, son of a chief of one of the smallest tribes of Tanzania, the Zanaki, of Mara Region, started his career as a teacher – literally – at what was known as Pugu Secondary School, a Catholic institution in the suburbs of Dar es Salaam, after graduating from Edinburgh University in 1953.

Those he taught at Pugu, who include former President Benjamin Mkapa, are quick to point out that Nyerere had exceptional talents that were not being fully exploited.

As widely expected, Mwalimu, the teacher, did not last long at Pugu, as the officials there realized that his future was not in the teaching profession but elsewhere. Mwalimu was already at loggerheads with the colonial Government in what was then Tanganyika. The missionaries did not want any trouble with Britain, so they advised him to quit his job, which he did, and he became a full-time politician as President of the newly formed Tanganyika African National Union (TANU).

His leadership of TANU was vibrant. He confronted the colonialists head on. He was prosecuted and convicted of sedition for agitating for the independence of Tanganyika. His peaceful but powerful methods were such that within a period of about five years of active politics he managed to secure the independence of Tanganyika in December 1961, without shedding blood. Nyerere, being a Pan-Africanist, was not content with the independence of Tanganyika. He believed in wider unity.

He was even ready to delay the independence of Tanganyika if the result would be to expedite the independence of neighbouring Kenya and Uganda, so as to form a Federation of East Africa together. However, noting some hesitation on the part of certain political circles in Kenya and Uganda he gave up the idea of delaying the independence of Tanganyika.

Mwalimu probably spent as much time agitating for the independence of other African colonies as for Tanzania. The Pan-African Freedom Movement for East Central and Southern Africa (PAFMECSA) was launched in 1958 at a meeting in Mwanza, a town in northern Tanzania. Mwalimu never turned his back on the question of independence for other African countries. Soon after the independence of Tanganyika he offered the country as a base for all movements fighting for the independence of their countries in Africa. Political movements and parties were offered facilities in Tanganyika. These

included the Afro Shirazi Party of Zanzibar (ASP), the Front for the Liberation of Mozambique (FRELIMO) of Mozambique, the Kenya African National Union (KANU) of Kenya, the Uganda Peoples Congress (UPC), of Uganda, the Peoples Movement for the Liberation of Angola (MPLA) of Angola, the African National Congress (ANC) of South Africa, the South Western African Peoples' Organisation (SWAPO) of Namibia, the United National Independence Party (UNIP) of Zambia, the Zimbabwe African National Union (ZANU), the Zimbabwe African Peoples Union (ZAPU), both of Zimbabwe, to name but a few. All these political movements established bases in Tanganyika. So when most of the countries of these political movements achieved independence within a few years of Tanganyika's independence, Mwalimu was extremely gratified.

Believing in African unity, Mwalimu had worked hard for the Union of Tanganyika and its offshore neighbour of Zanzibar and unity was achieved in 1964, with the formation of the United Republic of Tanganyika and Zanzibar in 1964, whose name was later changed to the United Republic of Tanzania, a union which has survived to date. That was Mwalimu the Pan-Africanist.

Late in 1995 Mwalimu was asked by the Organisation of African Unity (OAU) and the United Nations if he would help mediate in the ethnic conflict of Burundi – a conflict that had lasted almost four decades and that had claimed the lives of more than two hundred thousand Burundi. Mwalimu's reaction was cautious. He had met many Burundi leaders who had made him wonder whether they were really ready for reconciliation. Sceptical though he was, he decided to accept the challenge but conditionally.

He had two conditions: firstly, were the Burundi really ready for reconciliation? And secondly, did the Burundi accept him as their peace negotiator or facilitator? Mwalimu decided to go to Burundi to ascertain these factors.

To assist him in this very tricky mission Mwalimu appointed me as his principal assistant (Facilitator's Representative). Together we assembled a team of advisers and assistants, including the incumbent President of Mozambique, Armando Guebuza, Father Mateo of St. Egidio in Rome, General Andrew Masondo (late) of the South African Defence Force, Dr. Philips, Ambassador of Austria (representing the European Union), Professor

Haysom, legal adviser to President Nelson Mandela of South Africa, Mr. Joseph Warioba – former Prime Minister of Tanzania, Minister Francisco Madeira of Mozambique, peace negotiator for the Comoros, Brigadier-General Hashim Mbita, former Secretary General of the OAU Liberation Committee, among others. Mwalimu made two exploratory visits to Burundi at the end of which he was satisfied that the Burundi appeared to be ready for peace for their country, and secondly, that they appeared to accept him as peace facilitator.

Mwalimu faced the problem of the deep bitterness and suspicion between the two main ethnic groups – the Hutus, who made up 85 per cent of the population, and the Tutsis, who made up 15 per cent of the population – as well as the ongoing struggle for power between them. This had not been made easy by the tragic events of the genocide in Rwanda in 1994, in which about 800,000 people of the Tutsi ethnicity as well as moderate Hutus had been massacred.

In Burundi Mwalimu met all segments of the Burundi leadership, who included religious leaders, political leaders, former presidents, military leaders, etc. The last was a particularly sensitive group to talk to. Mwalimu wanted to extract from the military a promise that they would stay out of politics and that they would accept any of the political leaders elected by the people. Having satisfied himself that these essential elements of the peace negotiations seemed to exist, Mwalimu then embarked on the peace talks in earnest.

At first the talks involved only the Government and the two main political parties: FRODEBU and UPRONA. The talks started at Mwanza, a town in northern Tanzania. Mwalimu soon abandoned the restricted participation approach as he came to the conclusion that

all political parties in Burundi needed to be involved – altogether more than 12 groups, to ensure long-lasting peace. The venue for the talks which had originally started at Mwanza was shifted to Arusha in order to accommodate the large number of delegates involved. Mwalimu's technique was to give all the participants as much opportunity as possible to air their grievances and fears. Several rounds of talks were allowed for this, as a matter of fact from July 1996 to July 1998.

The second stage was structured talks according to thematic committees. The pace of the talks was extremely slow. However, by the time Mwalimu died in October 1999, the stage had been reached for detailed and focused negotiations.

When former President Nelson Mandela took over the talks in December 1999, it was clear that a solution was on the horizon. President Mandela took a non-nonsense approach. He himself had been a victim of discrimination in apartheid South Africa, in spite of which he had pursued the South African negotiations without bitterness and with a spirit of give and take. He therefore held the moral high ground. He guided the talks with a firm hand and the approach worked. A peace agreement was finally signed at Arusha in August 2000.

This does not in anyway suggest that Mwalimu's diplomatic approach would not have succeeded. It only means that with Mwalimu's solid foundation it was easier for Mandela to clinch a deal much faster.

Two things had given Mandela the clout in this endeavour. First, he was a retired president with no political ambitions. Secondly, he had succeeded in uniting a range of hostile forces of South Africa. So he had the authority and the experience of bringing adversaries together. E

Nyerere, being a Pan-Africanist, was not content with the independence of Tanganyika. He believed in wider unity



Mark Bomani with Nelson Mandela and Bill Clinton at the Burundi Peace Negotiations in Arusha, 2000