

Tobacco Tenants - Justice and Peace

by Fr. James Greene W.F.

In Nkhotakota Parish, we have been involved in various aspects of Justice and Peace for over the past five years. We have not done this in a systematic way, but have tried to reflect and respond to the injustices that we see around us, wondering how we can integrate this concern for justice with the pastoral life of the Parish. What we have done has been very much on a local level, starting within our Parish and working with our local Christian Communities. One of the areas that we have concentrated on has been the plight of tobacco tenants and workers, living on small to medium scale farms in the district.

This work started in 1992, after the Bishops of Malawi published their pastoral letter on social justice. Despite the attempts of the then Government to intimidate and silence the Church, this letter provided a challenge to all of us in Malawi, "What is the Good News that we are preaching and whom are we preaching it to?"

According to recent surveys, tobacco tenants and farm workers along with their dependents, number over 1.2 million people in Malawi, that is about 12% of the population. The only public recognition that they receive is when they are asked to work harder and be more honest. Even though tobacco is the largest export industry in the country, accounting for over 75% of exports, the contribution of tenants and workers is never recognised. There was, and still is, no legislation to protect these people nor was there any attempt by the Government to see how these people were really living. In Parishes and communities, the voice of tenants and workers is also absent since they are, by and large, migrant labour, live in remote places, are illiterate and often are denied time off from their farms to attend church or community activities.

Under the direction of Fr. Clyde Marklew, the first step we took in Nkhotakota was to hold meetings with the tenants, asking them to list their grievances. This was the first time that anyone asked them about their own problems and ways that they saw of overcoming them. Despite the real fear they had or reprisals from landlords and the local [then ruling Malawi Congress] Party, they organised a petition themselves which was signed by over 10,000 people in the district and was handed in to the Government.

The Diocese of Lilongwe endorsed these grievances by publishing a booklet outlining the many pitfalls to the tenancy system in Malawi. This is a system whereby tenants are taken hundreds of miles from their home villages, are given a small plot of land to grow tobacco, must buy all inputs from the landlord, at prices and terms of credit determined by him, and at the end of the season must sell their tobacco only to him, at a price set by the landlord. The possibilities for cheating and exploitation are many. On investigation we found that the average tenant in Nkhotakota was lucky to get \$45.00 at the end of a year's work. Many are told at the end of the season that their tobacco was no good and that the landlord is unable to give them money for that year's work. They had nowhere to go with their complaints since they lacked written evidence or independent witnesses.

The Government has promised legislation in the area, which would incorporate some aspects favourable to tenants. However the draft bill as published is more favourable to landlords, and makes no mention of the tenants' freedom to associate, freedom of movement or freedom of speech. One obstacle to the

enacting of any legislation is that many Members of Parliament, along with higher ranking civil servants and members of the church, are also owners of farms and benefit from the current unregulated system of farm management.

Speaking recently on the condition of tobacco tenants in Malawi, Mr. Ken Williams Muhango, President of the Malawi Congress of Trade Unions, had the following to say:

"There are some serious obstacles to the organising of tenants and also certain people are resolutely opposed to the prospect of tenants and farm workers having any independent

voice in their own affairs. Some landlords think that they are absolute rulers, even dictators on their own farms. Nobody, but nobody, can tell them what they can or cannot do to tenants. This may seem harsh language, even exaggerated, but unfortunately it is true."

"They have the power to give or withhold food to whatever tenants they want, whenever they want. They have the power to dismiss a tenant at a moment's notice and to decide by themselves whether or not they compensate the evicted tenant. They have the power to buy tobacco from the tenants on their own terms, grading it as only they see fit. They can charge as little or as much as they like for the inputs they give to tenants, without ever revealing to them the prices that they will have to pay at the end of the year. Then they have the power to pay as quickly or as slowly as they like. They are free to do what they like on their land and

are unanswerable to no one. This is something bordering on absolute power, and is the reason why so many tenants are very timid about opposing or disputing openly with their landlords."

Over the years, the spring-board for meeting the tobacco tenants and farm workers has been the local Christian Communities. In the areas where tobacco tenants are not yet organised, local Church leaders along with catechists and priests have organised meetings with them, and helped raise awareness of their human rights, until such time as the tenants elect their own leaders. A central tenet of all this has been the assisting of tenants and others to become more aware of their rights and to help them act on their own behalf, regardless of the faith of any individual.

Since the beginning of last year, under the direction of Lilongwe Diocese, the Parish has set up an office for tenants and employed a full



Trade Unions', (MCTU), and in this regard have changed their name to 'The Tobacco Tenants and Allied Workers Union'. During their recent A.G.M. they have submitted their proposals on draft legislation being considered by the Government in this area. It is hoped that the Government will include the tobacco tenants themselves in their consultations before enacting any 'tobacco tenant social protection Act.'

The office has also been directly involved in the arbitration of numerous disputes between tenants and their landlords. Even though there is no accessible legal framework for the resolution of these disputes, many tenants and land-

time Justice and Peace worker. In the last fifteen months, about twenty new branches of the tenants organisation have been opened, bringing the total to fifty. While this may seem a large number, the organisation is still in its infancy stages and many more branches are needed before all tobacco farms in the district are adequately covered.

After the electing of new leaders by the tenants themselves, a series of leadership training courses have been held at branch, area and district levels. A major component of this training has been the informing of tenants of their legal and human rights. Other meetings have been held with some village headmen, chiefs and landlords, raising their awareness of the tenant issue. Within the Parish, consciousness of each Christian's social responsibility is increasing, thanks in part to the Diocesan Justice and Peace training programme, and also past efforts in the Parish itself.

Under the supervision of this office, the tenants have started the process [of] affiliating themselves with the 'Malawi Congress of

lords have accepted the impartial help of the Catholic Church and its Justice and Peace office in Nkhotakota.

Other groups of people have also come to this office, seeking help. These include road workers who have not been paid, widows looking for advice on inheritance rights and company workers who have been sacked. The help given to such people has been mainly the giving of advice, helping them to articulate their own complaints to the relevant authorities or Government bodies, and where possible, physically accompanying them and lending support when they lodge their complaints. The number of these types of complaints has been small, but we have received them because they have nowhere to go, and are of the opinion that there is a great need for an advice or legal rights bureau in the district.

The experience of the office to date has been one of growing awareness of the number and extent of the injustices suffered by tenants, farm workers and others in the district, the fear that prevents these people from speaking out,

and the courage of the few who are prepared to speak out and ask that their rights be respected. Unfortunately these people may have justice on their side, but they do not have much protection under the law or even easy access to it. The office has not been able to follow all the cases presented to it, nor has it been able to guarantee the righting of those injustices which it has tried to highlight. In many instances, it is powerless against the lack of any effective

legislation in the area of tenant protection, the unwillingness of landlords and employers to agree to any form of outside arbitration, and the indifference of bureaucracy. This sense of impotence and powerlessness is, regrettably, the daily experience of the vast majority of downtrodden in our country. Just as the poor need faith to sustain any hope in their lives, so do we all need faith to sustain our work in this area.

| Balance of Payments | 1985 | 1986 | 1987 | 1988 | 1993 | 1994 | Trading Partners |
|--------------------------|-------|-------|-------|--------|------|------|--|
| Goods & Services balance | -92.9 | -56.7 | -37.9 | -148.6 | -253 | -488 | South Africa, the United Kingdom, Germany, Japan, Netherlands and the United States. |
| Private transfers | 11.1 | 10.0 | 14.7 | 15.1 | -5 | -85 | |
| Current Account | -57.3 | -17.8 | +6.8 | -53.1 | -102 | -274 | |
| Capital (net) | -6.4 | +45.2 | 66.9 | 131.4 | 189 | 122 | |
| Overall balance | -28.1 | -4.1 | +41.7 | +105.0 | -24 | -35 | |

Source: IMF in millions of US\$, 'New African YearBook 1997/98' page 276.

| Gross Domestic Product | 1985 | 1986 | 1987 | 1988 | 1989 | 1990 | 1991 | 1992 | 1994 |
|----------------------------------|------|------|------|------|------|------|-------|------|------|
| Agriculture, forestry, fishing | 308 | 310 | 320 | 319 | 327 | 327 | 373 | 273 | 298 |
| Manufacturing | 101 | 101 | 101 | 111 | 120 | 134 | 138 | 140 | 131 |
| Construction | 37 | 50 | 33 | 39 | 42 | 44 | 44 | 45 | 41 |
| Electricity and water | 17 | 17 | 19 | 19 | 21 | 23 | 25 | 25 | 30 |
| Distribution | 105 | na | na | 106 | 110 | 121 | na | 118 | 113 |
| Transport and Communications | 50 | 52 | 49 | 52 | 54 | 58 | 60 | 61 | 53 |
| Financial, professional services | 53 | 56 | 53 | 56 | 60 | 67 | 72 | 71 | 62 |
| Total (incl. others) | 841 | 865 | 866 | 898 | 935 | 979 | 1,056 | 972 | 952 |

Sources: 'New African YearBook' 1991/92, page 199; 1993/94, page 216; 1997/98, page 276.

(National Statistical Office - at 1978 factor cost, in millions of Malawi kwacha)

| Key Indicators | 1988 | 1989 | 1990 | 1991 | 1992 | 1993 | 1994 |
|---------------------------------|--------|--------|--------|--------|--------|--------|--------|
| Population (millions) | 7.8 | 8.02 | 8.29 | 8.56 | 8.82 | 9.13 | 9.46 |
| Gross Domestic Product (US\$m) | 1,314 | 1,567 | 1,952 | 2,191 | 1,811 | - | - |
| Gross National Product (US\$bn) | - | - | 1.76 | 1.85 | 1.76 | 2.00 | 1.70 |
| GNP per capita (US\$) | 170 | 185 | 212 | 216 | 200 | 190 | 180 |
| GNP real growth (%) | - | - | 4.8 | 7.8 | -7.7 | 9.4 | -7.9 |
| Inflation (%) | 33.9 | 12.5 | 11.6 | 8.3 | 36.1 | 19.7 | 66.0 |
| Agricultural production * | 113 | 111.49 | 109.81 | 120.40 | 96.40 | 126.07 | 107.31 |
| Exports (US\$m) | 289.11 | 269.32 | 411.70 | 475.5 | 399.9 | 317.5 | 362.6 |
| Imports (US\$m) | 415.42 | 503.78 | 576.24 | 415.8 | 415.0 | 340.2 | 639.0 |
| Current account (US\$m) | -53.1 | -116 | -47 | -209.1 | -267.8 | -102.0 | -274.1 |
| Total External Debt (US\$m) | 1,190 | 1,394 | 1,544 | 1,860 | 1,886 | 1,820 | 2,015 |
| Debt Service Ratio (%) | 45.3 | 29.2 | 27.3 | 27.0 | - | - | - |
| Exchange rate (Kwacha per US\$) | 2.60 | 2.76 | 2.73 | 2.80 | 3.60 | 4.40 | 8.74 |

* 1979-81 = 100. Sources: 'The Africa Review' 1995, page 109; 1996, page 116; 1997, page 122.

