

CHAPTER TWO

“Shoot at that Muslim”: David and Goliath at Mwembechai

We ordained for the Children of Israel that if anyone slew a person-- unless it be for murder or for spreading mischief in the land-- it would be as if he slew the whole people: And if anyone saved a life, it would be as if he saved the life of the whole people.

Qur'an, 5:32

Let me begin this chapter with an old story which is available in several versions. According to one version, an old grandmother upon hearing that her grand-daughter was bitten by a deadly snake and had died, she screamed and wailed loudly, “Oh, I have killed my grand-daughter, Oh, my God! I am responsible for her death.” When people insisted that she was not to blame because the girl had died of snake poison, she said, “I am responsible for her death because I am the one who gave birth to her mother. Had I not given birth to her mother, her mother would not have given birth to her. And had she not given birth to her she would not have been bitten by the deadly snake and she would not have died”!

The killings which took place at Mwembechai were a culmination of a long history, and our grandmother is certainly responsible. However, our present interest in this chapter is to look at the immediate circumstances surrounding the death of the young girl and to find out who let loose the deadly snake and who allowed it to strike.

Count down to the killings

It was in the afternoon of 13 February, 1998 that policemen armed with live ammunition were ordered to open fire at the people who were outside the Mwembechai mosque. From the video tape of the shooting at least four people were killed and many others maimed. It is also quite clear from the tape that the aim was to kill the Muslims. In the tape the police commanders are seen and heard ordering their armed policemen to take careful aim of their targets. In two cases the first bullets wounded without killing the intended victims, and the police commander in both cases ordered his men to shoot again. And they did, with unmistakable zest and ruthlessness. The tape also shows the police dragging the bodies of the dead and throwing them into the lorries. There is one brief scene in this tape which has always moved me to tears. The commander orders a young policeman to shoot. He shoots in the air. The commander orders him to aim his gun at the crowd. The young policeman is clearly torn between obeying his commander and obeying his conscience. The commander repeats the order. The policeman makes a brave attempt to obey his commander. He raises his gun, he looks at the crowd, but his hands become weaker and weaker, and the gun slowly falls to the ground. Was he a Muslim? Or a Christian whose conscience revolted against the idea of killing innocent human beings? I guess his name was not in the list of those policemen who were later to be praised and promoted for their fine job at Mwembechai. But why was the commander so

particular that his policemen should shoot to kill? Why was he so sure of his footing? I do not know, and we may not know the truth without an independent public inquiry. What is known is the chronology of events before and after the killings.

The proximate beginning of the Mwembechai tragedy is traceable to President Mkapa's speech of 4 January, 1998. On that day the President, who was a guest of honour at the celebrations of the Western Diocese of the Moravian Church in Tabora, declared war on "people who go about distributing cassettes, booklets and convening meetings where they insulted and ridiculed other religions" (*Daily News*, 5 January, 1998). In his declaration of war President Mkapa did not mention any religious group by name, but its wording in the Tanzanian context left no doubt as to the targeted group. Later that year when Muslim women organised a huge march in Tabora to express their outrage at the Mwembechai killings, they temporarily stopped outside the Moravian Church and asserted that the plan to persecute Muslims was hatched there.

Mkapa's pre-indicative speech was made in the first week of the Muslim holy month of *Ramadhan*. In the last week of that month, the government issued a juristic ruling about Muslim Eid prayers and threatened to take strong measures against any Muslim who would not abide by its ruling. According to the ruling, which was this time announced by the Vice President, Dr. Omar Juma the government would allow no Muslim to pray except on the day which would be announced by the leader of the Supreme Muslim Council, Mufti Hemed. Muslims were enraged by the ruling, not because it was enforceable, but because it demonstrated the government's open interference in Muslim affairs. Muslims pointed out that the government had never issued a ruling to direct Christians when or how to pray even when there were violent clashes like those between mainstream Roman Catholics and the followers of Father Nkwera, popularly known as *Wanamaombi*. After the Mwembechai killings the government withdrew its ruling.

After Eid prayers on 29 January 1998 Muslims at the Mwembechai mosque held an Eid Baraza. The Baraza discussed the recent government ruling on Eid prayers. Later, Muslims went on with the usual Eid festivities of visiting friends and enjoying sumptuous meals. On that day there was inter-religious dialogue neither at Mwembechai nor Mtambani. However, a week later, on 8 February, 1998 Padre Camillus Lwambano of the Mburahati parish in Dar es Salaam said that on Eid day he passed by Mtambani mosque in Kinondoni and Mwembechai mosque in Magomeni and heard how "The Lord Jesus Christ was being ridiculed by Muslim preachers in their public lectures." His emotionally-charged claims were broadcast over Radio Tumaini, which is owned and run by the Roman Catholic Church. Padre Lwambano denounced the government for giving empty promises on the issue of Muslim preachers. He gave the government two alternatives: to ban blasphemous public talks and take severe measures against Muslim preachers; or to make a public admission of its failure to put an end to blasphemy in the country. That was Sunday, 8 February, 1998.

On the following day the government issued a two-pronged statement. In the first part, all Christians in the country were asked to accept the government's sincere apology for the deep religious anguish they went through on Eid day. In the second part the government promised to take stern measures against all Muslim preachers who organised the blasphemous talks on that day. The statement was issued by the Dar es Salaam Regional Commissioner, Lt. Yusuf Makamba. That was Monday, 9 February, 1998. On the following day the Dar es Salaam Regional Police Commander, Mr. Alfred Gewe issued another statement which was actually a footnote to the government statement of the previous day. Mr. Gewe emphasised that the government measures would be very harsh and far-reaching. That was Tuesday, 10 February, 1998. After nightfall on the same day the arrest of Muslim leaders began. The Imams of Mtambani, Kibo and Mwenge mosques were taken out of their houses and arrested in the small hours of the morning. On 11 February, 1998 a large contingent of armed policemen surrounded Ubungo Islamic High school at

midnight, and unnecessarily harassed the students and teachers. They said they were looking for Sheikh Shaaban Magezi, a Muslim preacher of comparative religion. They were told that Sheikh Magezi was neither an employee of the school nor a student. And of course they did not find Magezi in the school premises. To keep themselves busy, they decided to storm into the neighbouring house of an old man, Sheikh Abdulrahman Kileo. They harassed him and his wife, Mama Zainabu. They searched his house for about two hours, they found nothing of interest and left.

Around 3.00 p.m. in the afternoon of Thursday 12 February, 1998 a group of about twelve uniformed and armed policemen raided Mwembechai mosque and abducted Sheikh Shaaban Magezi who was chatting with friends outside the mosque. There was no public lecture on that day, and except for the people who were offering prayers inside the mosque, there was no public gathering at the area. Within an hour after Sheikh Magezi's abduction, a large band of policemen, including the para-military police force surrounded the mosque. As the whole mosque was cordoned off by heavily armed policemen, Muslims who were praying inside the mosque, fearing that they might be attacked, decided to remain in the mosque. As one of them said later, "We could not risk coming out of the mosque, because the police could maim us and then claim we had attacked or provoked them. We believed by staying inside the mosque no one could accuse us of having provoked or attacked them." Their guess was wrong. Around 8.00 p.m. more armed policemen were brought to the area. The situation became tense and many passers-by were arrested.

Around 1.00 a.m. the government ordered the Tanzania Electrical Supply Company (TANESCO) to cut power supply in the mosque. When the whole area was plunged into pitch darkness the policemen threw irritant and tear gas bombs into the mosque. People who were in the mosque were confused. At that point the policemen broke into the mosque and beat up the Muslims and dragged them into the police vans. In that operation many Muslims, especially old men and women sustained heavy injuries. By daybreak the government had discovered that the majority of those arrested and injured were very old Muslim women. Why did the government order its police force to storm into the mosque and beat up innocent worshippers? What was their crime? An explanation had to be found. In the morning the Minister for Home Affairs, Mr. Ali Ameir as well as the Dar es Salaam Regional Police Commander, Mr. Alfred Gewe issued a statement that the government ordered a power black out and a police raid into the Mwembechai mosque because it was suspected that some "ruffians and criminals" had taken refuge inside it.

On Friday, 13 February, 1998 the entire Mwembechai area was infested with plain clothes policemen. The large presence of policemen intensified the fear of Mwembechai residents and especially of Muslims who were going for Friday prayers at Mwembechai mosque with the previous night's crackdown still very fresh in their minds. Nevertheless, Muslims turned out in great numbers. They cleaned the mosque which was besplattered with blood puddles and other stains. The Friday prayers were conducted without incident. After the prayers the Imam informed the Muslims of what had happened the previous night. Among other things he told them that many old Muslim men and women were arrested and were still being held by the police. They deliberated on the matter and decided that their immediate attention should be on bailing out those who were taken into police custody. It was decided that all those who had their Identity Cards with them should together go to the police station to apply on bail the release of their fellow Muslims who were apprehended the day before. This discussion was public and the police were fully aware of what was decided. When Muslims came out of the mosque and started going to the police station as agreed upon, they were without any warning attacked by the police and many more were arrested, thrown into police vans and driven away. Confusion ensued. A large contingent of policemen from the Field Force Unit was brought in. They immediately and indiscriminately started beating up people around the Mwembechai area and throwing teargas bombs in the streets. And as this was going on more and more people were being arrested. The brutality of the police provoked the anger of the people, including non-Muslims. They started

throwing stones to the police. The police responded by opening fire on the people. And as we have already pointed out above, the commanders specifically ordered the policemen to shoot and kill.

What happened after the killings

The killings were video taped by several private television stations. At that time the government had not yet set up its own television station. The killings were shown but only once and very briefly. All stations were reportedly ordered not to show the scene of the police shooting. Immediately after the Mwembechai killings the Central Committee, and the National Executive Committee of ruling political party (CCM), at their respective meetings commended the government on its handling of the Mwembechai issue. NEC and CC are the highest organs of CCM and are both chaired by the national party chairman, in this case Mr. Benjamin Mkapa, who is also the President. Although in this political comedy the government was being congratulated by the party which is a different body, the dramatis personae in both organs were nearly the same. Nearly all cabinet ministers are also either members of NEC or CC or both. All policemen who distinguished themselves during the Mwembechai saga were decorated and promoted by the government. Another significant institution which praised government action at Mwembechai was the Catholic church. His Eminence Polycarp Cardinal Pengo expressed his support in a DTV “Hamza Kasongo Hour” programme on 12 April, 1998. When he was asked whether by opening fire to unarmed civilians, the police did not use unnecessarily excessive force, the Cardinal said that the use of live bullets was perfectly justified because Muslims were also armed with stones. And stones could kill. He invoked the biblical story of David and Goliath to demonstrate the lethal power of pebbles. The Cardinal’s highly publicised interview provoked Muslims to ask: Who was David and who was Goliath at the Mwembechai crisis?

After the Mwembechai killings the intimidation of Muslims was intensified. The security of Muslims depended on the whims and caprices of policemen. So long as you were a Muslim, a policeman could accuse you of throwing stones during the Mwembechai shooting and you would be remanded and denied bail. In many mosques, almost after every congregational prayer, the Imam would announce “*fulani ameunganishwa*” that is “so and so has been arrested and included in the Mwembechai case”. Things came to such a pass that corrupt policemen would approach Muslims and demand money on the real threat of including them in the Mwembechai case. That was especially between February and April, 1998.

On 13 February the police arrested about 300 people at Mwembechai. When they took down their statements they discovered that about one third of them were Christians. Although their charges were the same, the Christians and Muslims were sent to different courts. All Christians were sent to the Kivukoni court where they were immediately granted bail. Muslims were sent to the Kisutu court where they were all denied bail, even in cases where the suspects needed special medication. On 18 May 1998 one Muslim remand prisoner, Mohamed Omari (50) died and was hurriedly buried without any inquest being done (*Nipashe* 20 May, 1998). In the meantime on 30 March, 1998 the government closed down the Mwembechai mosque and sealed off the surrounding area, with the police helicopter occasionally helping in the surveillance. This move was taken following the riots which took place at Mwembechai on 29 March, 1998. The riots were sparked off by the government decision to prevent Muslim women from revealing the religious and sexual humiliations they suffered while in remand prison.

It is also important to note that at that critical period our country witnessed an ominous political sin of omission. No NGO, no human rights group, no gender sensitisation group, no political party, no law

society stood up to publicly condemn the killings or the sexual harassment of Muslim women. The earliest public condemnation of the killings came from the University of Dar es Salaam, during a panel discussion organised jointly by The Dar es Salaam University Political Science Association (DUPSA) and The University of Dar es Salaam Academic Assembly (UDASA) on 17 April, 1998, two months after the event.

Give a dog a bad name and kill it: The case of “Immigration”

“Give a dog a bad name and kill it” is a well-known English saying. It underlines man’s tendency to assuage his guilt by resorting to projection as a comforting psychological defence mechanism. According to Abdel Wahhab (1993:12) the Germans found it very difficult to massacre the Jews; and so they pretended that the people they were killing were not Jews but *Muselmans*, the German word for Muslims!:

Believe it or not, when the Germans decided to exterminate the Jew, they labelled him a Muslim. Now I photocopied this from the *Encyclopedia Judaica* because when I saw it I could not believe it myself, for two reasons: The extreme racism. I mean even as he was burning a Jew, he could not come around and call him a Jew but a Muslim. The second reason is that these facts disappear completely from the literature on the holocaust. It simply disappears but for this entry on the matter from the *Encyclopedia Judaica*.

How does one kill his dog which has been a faithful guard of his house and a life-long companion without experiencing a sense of guilt? The easiest way out is to say it is an incurable rabid dog that endangers human life. Muslims in Tanzania often quote this saying when they hear the flimsy charges used to justify their persecution. They believe it is simply a case of giving a dog a bad name.

In the same month of February 1998 when the killings of Muslims took place in Dar es Salaam, and the Muslims were saying it was a case of giving a dog a bad name, a magistrate from Kasanga Primary Court in Sumbawanga, Mr. Onesmo Zunda gave a death sentence to a dog because it had a bad name, “Immigration”. That historic ruling generated a lot of interest and debate in the country and abroad. The debate centred on the legality and justice of the ruling. The facts of the case (which are here summarised by someone who has no legal training) were as follows: Mr. Anatory Kachele Chizu was apparently very much frustrated by the incompetence and general poor performance of the Immigration officials of the Sumbawanga office. He gave his dog the name “Immigration”. He took his dog with him whenever he went to the Immigration Department, and made a point of calling his dog in the presence of Immigration officials. One of the Immigration Department officials, Mr. Stanley Anyitike took Mr. Chizu to court. In his submission Mr. Anyitike argued that it was an insult and against Section 89(1) of the Penal Code for Mr. Chizu to give his dog the government department’s name. In his ruling magistrate Onesmo Zunda found Mr. Chizu guilty of the charges against him and sentenced him to a six-month jail term. He also ordered the dog to be killed. That particular court judgement was implemented without allowing the accused to appeal. The dog was immediately clubbed to death with a huge cudgel from the Immigration Department. Because that case had attracted a lot of public interest, on 28 April, 1998 Tanzania’s Chief Justice Francis Nyalali told a press conference that the order to execute the dog was ludicrous, illegal and unjust.

There are some disconcerting parallels between the two events which have not escaped the notice of Muslims in the country. The act of killing was involved in both cases, at least four people in Dar es Salaam and one dog in Sumbawanga. The dog was called “Immigration” by the owner and clubbed to death by government officials, Muslims were labelled “fundamentalists” by the Christian clergy and gunned down by policemen. In fact Cardinal Pengo’s favourite label is *wendawazimu* which means “mad men” (*Kiongozi* April 11-17, 1998). The government’s contradictory statements after the Mwembechai killings lend support to the Muslims’ claim. On 30 March, 1998 the Minister for Home Affairs Mr. Ali Ameir said the government had to take tough measures because it had evidence that the Mwembechai crisis was being fomented by Muslim foreign countries which he did not name (*Daily News* 31 March, 1998). A week later, the Vice President, Mr. Omar Ali Juma said the government had discovered that local Muslim businessmen engineered and financed the Mwembechai crisis (*Uhuru* 9 April, 1998). The following week the same Vice President gave another explanation. He said the government had sufficient evidence of the involvement of opposition political parties in the Mwembechai riots (*Majira* 17 April, 1998). It was later hinted that the crisis was actually instigated by some disgruntled leaders within CCM itself! Public reaction to the two cases was also quite different. There was a public outcry over the killing of that dog, and conspicuous silence over the killings of those Muslims. Tanzania’s Chief Justice Francis Nyalali was so concerned about the unjustified killing of “Immigration” that he took a personal initiative to investigate the matter and eventually denounced the ruling in public. Muslims had officially requested the government to form a probe team to investigate the killings. The official government response given by the Minister for Home Affairs, Mr. Ali Ameir on 4 March, 1998 was that in discharging its duties the government was always being guided by the principles of the rule of law. The government would not therefore be pressurised by any individual or group into forming a probe team. On 15 May, 1998 an individual Muslim, the now famous Abu Aziz wrote a long official submission to the Attorney General of Tanzania on the Mwembechai killings and requested him to act. He did not act nor acknowledge receipt of the complaint. That submission was also forwarded to the Chief Justice of Tanzania. Unlike in the killing of “Immigration” Chief Justice did not see the need of commenting on the killings of innocent Tanzanians who happened to be Muslims. Of course the learned lawyers have their saying: *de minimis non curat lex*, the court and the law do not bother with trifles.

The Rodney King parallel

The case of Rodney King, an African American who was brutally beaten up by four white policemen in Los Angeles on 3 March, 1991 received wide coverage in Tanzania. And when the court verdict found the four white officers not guilty of using excessive force in May 1992, many Tanzanians condemned the US for its racial discrimination against black people. The image of the US was greatly tarnished, and the Director of USIS Dar es Salaam, who was a white American at that time, found himself in a very difficult situation. In his damage control efforts he organised a public talk at the USIS auditorium which included a video show of the Los Angeles riots which flared up after the court ruling. The Director tried to impress upon his audience that the Los Angeles incident was a sad but isolated case. He was immediately silenced by Professor David Dorsey who was an African American Fulbright scholar at the University of Dar es Salaam. The audience seemed to support Dr. Dorsey who argued with finger tip evidence that the discrimination of black people was structural not incidental. My interest here is just to point out the unsettling parallels between the two cases.

Because of the publicity which the Rodney King case received in Tanzania, Muslims were to recall it after the Mwembechai killings. Quite unfortunately for our country, the two cases make the American “devils” of 1991 appear “angels” when compared to the government-backed police brutality displayed at

Mwembechai in 1998. In Los Angeles it was a passer-by who videotaped four white policemen beating up Rodney King, in Tanzania private TV stations videotaped a group of policemen shooting and killing Muslims. The beating of Rodney King received maximum media coverage in the US, the killings very briefly shown in two TV stations, and Muslims were prohibited from showing the tape in mosques. Americans expressed outrage at the police brutality, in Tanzania the police were praised and promoted for a job well done. Except in mosques, there were no expressions of public indignation. The policemen stood trial in Los Angeles, the police were given promotions in Tanzania. But perhaps a more significant similarity between the two cases is that evidence of police brutality did not alter the religious perceptual gulf in Tanzania as it did not the racial perceptions in the US (Sigelman, et al. 1997).

The rise of religious tension

The way the government handled the Mwembechai saga convinced Muslims that their government was not only biased in favour of Christians but was now acting like a military wing of the church. After the Mwembechai killings the government did not want to be reminded of Padre Lwambano's fabrications which were broadcast over the Catholic radio, nor of its solemn promise to take severe measures against Muslim preachers. It was clear to the Muslims that the government refused to appoint a probe team because it did not want to be confronted with the unpleasant truth. The government knew the truth. Muslims were innocent but had to be killed to satisfy the demands of church leaders. The praise and satisfaction expressed by the highest hierarchical Catholic leader at the killings reinforced that perception. The prevention of Muslim women to reveal what they suffered in remand prison, the granting of bail to Christian suspects and denying the same to Muslims, and as Abu Aziz (1998:35) notes in his submission to the Attorney General, 'the absence of even the minor consolation of words of sympathy from the President to the bereaved families, giving the impression of the CCM government feeling satisfied in killing innocent citizens as if they were common criminals (even criminals deserve justice)' intensified Muslim anger and resentment.

Muslims began to criticise President Mkapa's government as a government of murderers, and CCM as a political party of murderers. In addition to public utterances, a series of anonymous leaflets began to appear. The favourite theme of the leaflets was the supposed government plan to carry out a genocide of Muslims. The death of Mohamed Omari (50) in remand prison after repeatedly being denied medical treatment lent support to those stories. It was at this point that Kitwana Kondo, the Kigamboni MP intervened. In his press conference on 21 May, 1998 he strongly criticised the government for reinforcing the Muslim perception that it was anti-Muslim and wanted them to die in remand prison (*Majira* 22 May, 1998). Expressions of Muslim support for Kitwana Kondo echoed across the nation. Many Christians regarded him as a dangerous person who was fanning religious hatred in the country. By the end of the year tension was so high that the Muslims were cursing the government in public gatherings. A way had to be found of calming down the tension. President Mkapa managed to do this in his speech at the Idd-el-Fitr Baraza at the Diamond Jubilee Hall on 19 January, 1999. In two important ways his speech marked an important milestone in the political history of Tanzania. For the first time the government acknowledged the existence of long-standing Muslim grievances, and for the first time it set out a procedure of resolving them. The political tragedy of our country lies in the fact that the proposed mechanism was a non-starter and yet many Christians feared that it was too revolutionary.

What did the President propose? Why are his proposals unsatisfactory? We address those questions in the following chapter.