

Tanzania: A Country Analysis

Economic and political changes that have taken place in Tanzania over the last fifteen years have all aimed at transforming governance in the country. Governance in its broadest sense covers not only political institutions and processes of the state, but also economic, administrative and social institutions and processes. More specifically, governance refers to formal and informal arrangements in which rules on the exercise of power and conflict resolution are set and expected to be adhered to. The rules set translate into constitutions, laws, customs, administrative regulations and international agreements, all of which in one way or the other shape attitudes and behavior of various actors, and provide the framework for the formulation and implementation of policy decisions. In this respect, though the focus is usually on the state and its institutions, civil society organizations and the private sector are an integral part of the governance system.

Acute economic crisis that affected Tanzania in the early 1980s open doors for governance reform in Tanzania. Tanzania that resisted the IMF conditionalities for six years succumbed to it in 1986. Tanzania started adopting Economic recovery programs in 1995 that aimed at eliminating state monopoly in the economy.

In 1992 Tanzania adopted multiparty politics that aimed at removing monopoly in Political sphere. Thirteen political parties were registered and participated in the 1995 and 2000 general elections. Two other political parties have been registered this year making a total of 15 political parties with legal recognition in Tanzania. The performance of opposition parties as well as the ruling party in Tanzania leaves a lot to be desired. Opposition parties have been experiencing internal conflicts emerging out of lack of internal party democracy, the use of government subsidies for private rather than party ends by the selfish leaders, lack of clear focus and members mobilization strategy. For the ruling party corruption was rampant in the intra party nomination process for the 2000 general elections. With the exception of Civic United Front in Zanzibar and the United Democratic Party in Shinyanga region, other opposition parties are urban based and they lack serious appeal to the grassroots. Whereas in 1995 opposition parties together got about 20% of seats in the parliament in the 2000 general election they received about 10% only.

A number of governance reforms have taken place in Tanzania since the signing of the agreement with the IMF. The Parastatal and Public Sector reform which was launched in 1993 included five major reform components – Organization and efficiency reform, personnel control and management reform, capacity building, local government and regional administration reform, and rationalization of government employment reform. Whereas the local government reform is now at advanced implementation stage the other components are at their final implementation stage.

Concerning constitutional changes to fit governance reforms that have taken place over the years. The Nyalali commission which was appointed by the President in the early 1990s to seek peoples opinion on whether the country should go multiparty or not came up with several recommendations besides the adoption of multiparty politics. It recommended the repeal of forty laws that the commission sought where anti-democratic and anti-human rights. Those laws have not been repealed. It also recommended the writing of the new Constitution. The ruling party on its part has continued to maintain that the current Constitution is both legal, legitimate and fits the current socio-economic environment and so there is no need of writing a new Constitution. Opposition parties on the other hand, have called for the establishment of new constitution that removes all repressive elements associated with the single party regime. The call for the adoption of the new constitution comes from the way the ruling party and its government have been handling changes in the Constitution of the country. Since its adoption in 1977, there have been over thirteen amendments touching on various issues which some people call these amendments patches (*viraka*). Most people see these patches as failing to bring about any significant changes as they are adopted to suit the ruling party imperatives.

After opposition parties and other pro-democracy forces formed a group to collect public opinion on constitution reform the government, instead, came up with the floating a White Paper.¹ This White Paper raised some issues and gave government views on the same. The public was expected to add if they have “any other view.” This was technically pre-empting debate on these issues. The President appointed a Committee of 16 members headed by a respectable member of the legal fraternity Hon. Mr. Justice Robert Kisanga of the Court of Appeal of Tanzania. The Committee visited all districts of the

¹ The White Paper was Government Notice No. 1 of 1998.

country to collect people's opinion on the issues raised. The report was presented in 1999 to the President of the United Republic of Tanzania. The report has now been made public and has raised quite a controversy. The government selected from the report issues that interested it and neglected all other recommendations that aimed at widening the contours of democracy in the country.

Following economic crisis and the adoption of structural adjustment policies in the 1980s and multiparty politics in the early 1990, Tanzania experienced unprecedented growth of civil society organizations. The number of civil organizations has increased tremendously in the 1990s as has their membership. In the 1990s alone more than 1500 civil organizations were registered. This shows that the number of Tanzanians who are involved in one form or the other of associational life is increasing year after year.

The development of civil organizations in the 1980s and 1990s was not only a response to the changes which were taking place but also an attempt by those who had the potential to independently participate in the country's development (but who had been marginalized by monolithic politics) to organize. Most of the civil organizations registered in the 1980s and 1990s were in the areas of economic and social development, human rights, environmental conservation, gender issues, and professional organizations. Party organs such as trade union and cooperatives started to demand their autonomy in the mid 1980s. Their "autonomy" from the ruling party was granted with the establishment of competitive politics.

Though civic organizations were formed since the mid 1980s they did not (with the exception of those which were organs of the party such as trade unions and cooperative unions) involve themselves in the policy process. It was not until after the introduction of competitive politics in July, 1992 that civil organizations began to participate in the policy process. It is clear that the state is not voluntarily willing to widen citizens' policy participation horizons. The de-registration of *Baraza la Wanawake Tanzania* (BAWATA) by the government for allegedly participating in party politics, attests to this(for detailed account see below). It shows that citizens have no choice except to fight for their right to participate in the policy process, short of that they will continue to be policy recipients.

A number of achievements have been scored by civil society participation in the policy process, however, a lot remains to be done. The Sexual Harassment Policy, the Land Policy and the NGO Policy are examples that show citizens are engaging in a protracted struggle for effective participation in the policy process despite state reluctance.

National NGO Policy (NNP) is another example where civil organization had a considerable impact. In the formulation of the National NGO policy the state, as usual, came up with the policy draft. NGOs produced an alternative policy proposal. This was one step beyond the struggle for the National Land Policy. This time civic organizations did not wait to debate the government policy proposal. The proposal which civic organizations came up with provided a fertile ground for bargain and compromise. This was also a challenge to the belief that the state is the only institution having the capabilities of formulating policies. It showed that citizens are also capable.

Civil society organizations were active during the past two general elections. BAWATA came up with a policy document on the 1995 elections. The document was intended to educate women voters and candidates by raising issues of concern to women. Focus was on women's rights and welfare including rights to social services and own land. It also analyzed the position of political parties on women's issues. In short, the document focused on issues pertaining to women and elections, political parties and women's issues as well as the qualities required for a candidate to sympathize with women's issue.² In June 1997, the government deregistered (BAWATA) on the pretext that it presented false particulars about the organization at the time of registration. BAWATA took the government to court. After a series of court proceedings BAWATA won its case, although the government has shown intention to appeal against the ruling. For the meantime BAWATA continues with its activities after winning court an injunction.

Individuals have also used the court system to influence public policy. Reverend Mtikila took the state to court twice in the 1990s. In the first instance he challenged the barring of individual citizens to stand as independent candidates in elections. In the second case, he maintained that the law that required political parties to ask for

² For a detailed account see Baraza la Wanawake Tanzania, *Elimu ya Uraia kwa Wanawake Wapiga Kura na Agenda ya Wanawake katika Uchaguzi Mkuu wa Mwaka 1995*, Dar-es-Salaam, BAWATA, 1995

permission from District Commissioners to hold meetings was unconstitutional. In both cases the verdict was in his favor. However, to the disappointment of many, the state changed the laws and in effect reversed these verdicts.

I) Participation in the Political Process

Participation in the political process should follow established rule of the game. The constitution is biased against multiparty politics. It favors the ruling party. Citizen participation is mainly through the media and political platforms. Politics seems to have become a monopoly of the rich. There is improvement in gender equality. Taxes are not paid voluntarily as many people seek opportunity to shun revenue officers. Voter turnout is impressively high. The level of crimes is constantly fluctuating. Though there have been efforts at affirmative action including an increase of special seat for women from 15% of the total parliamentary seat in the 1995 elections to 20% in the 2000 general elections, women youth and other disadvantaged groups are still under represented. Decision makers are government leaders rarely do they reflect peoples opinion. However, it has improved compared with the single party era. Citizens lack the knowledge and power to make legislators accountable except in elections. Though the law guarantees individual rights, state organs impede this freedom from time to time. Most citizens don't know their rights. The current government is insensitive to people needs and only cares for what donors and the international financial institutions want. In this regard citizens participation is high in those areas that donors have not dictated terms.

II) Interest Aggregation

Opposition parties lack confidence and competition tactics. The increase in the role of money in politics has reduced the level of competition. Excessive use of state instruments of coercion during elections has also reduced the level of election competition among parties. The parliament is largely a rubber stamp institution. Dominance of ruling party MPs (80-90%) and party whips has reduced the effectiveness of the MPs in shaping policies. There is a need for a provision on a right of recall. Most political parties have not established links with civil society organizations.

III) Government Stewardship

Arbitrariness on the part of government is still high and in some rural areas ethnic violence is still high. Increasingly, the military and police are taking the role of political leadership, under the banner of national security. The use of violent means to deal with dissent/opposition is on the rise particularly under the Mkapa regime (1995-2005). The international financial institutions and donors dictate most decisions, there is a little choice on the part of the government. This makes difficult to conclude that the decisions that are made are in the national interest.

IV) Policy Implementation

Accountability and transparency is on the increase. Equality is being stressed, while discrimination is being discouraged, women confidence in political affairs is on the rise. Though the institutions such as Ombudsman and Audit-General exist, their effectiveness is questionable, as few if any, civil servants care about their reports. The media and active civil society organizations are making a big difference. Serious efforts have been made to increase accountability including civil service and Local government reforms but corruption is hampering most of these efforts. Expertise is now appreciated, partly because donors finance most sectors of the economy. Appointment on non-merits basis exist but on a smaller scale than they were some years ago.

V) Relationship between the state and the Market.

The society is slowly recovering from the socialist tendencies of the single party era. Bureaucratic procedures still hinder smooth and quick operations. Consultation with the private sector is on increase. Bureaucracy and planners have not integrated globalization in their policies, and its negative effects are little known, let alone anticipated. As such very little, if any, the state incorporates international economic transactions into its policies. The reasons being that the state is not knowledgeable on those matters. Effects of politics on the private sector are significant. For example, businesses supporting the ruling party perform better than those supporting opposition. Business organizations are now demanding the right to be consulted. Foreign investors are granted 5-10 years tax

grace period. There are a number of examples which that shows there is a lot of cheating in this area.

VI) Dispute resolutions

In some cases financial constraints hinder equality. For instance, one has to pay 5 million Tanzanian shillings to file an election petition. Corruption in the Judiciary system inhibits implementation of justice recently a few magistrates have been arrested and charge of corruption. The government has signed most human rights related conventions and human rights have been included in the constitution. But the implementation has been difficult because of the contradiction between the constitutional provisions on human rights and existing laws which take precedence in Tanzania. Many have been incorporated, however, the pace is slow mainly for political and historical reasons. Access to justice is limited by corruption and low capacity of courts to clear cases early. There are too many “undecided cases.” The judiciary reform program is underway that may address some of these problems. A number of non-judicial institutions are put in place such the Media Council of Tanzania, Business Council, several other tribunals, and a lot of other traditional and community institutions that work in this area. In fact traditional norms and systems are well entrenched to provide fair resolution especially in the rural areas.

General Comments.

The multiparty dispensation does not seem to have ushered in a more democratic culture. The new political parties are extremely fractions, driven by internal dissensions, hampered by the lack of financial and human resources. There is virtually a one party atmosphere. Meanwhile those in power have proved incapable of affecting greater democratization as they are more contented with winning elections (sometimes fraudulently) than democratizing the country. There is a growing sense of paranoia in which contrary views are seen as treasonable and a meaningful dialogue has yet to emerge among the various political actors. Reforms that have been implemented lack

citizens ownership (top-down) with a number of conditionalities. Most of these reforms are viewed in monetary terms.

Issues Not Covered by the Questionnaire

- i) Level of agreement on the rule of the game.
- ii) The role and growth of civil society
- iii) Relationship between central and local government.
- iv) The independence of the Judiciary.
- v) Ordinary people's views

	Civil Society					Political Society					Executive				
Question	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
Tanzania - 2000	3. 45	2. 97	2. 58	2. 73	3. 03	3. 15	3. 24	2. 76	2. 76	2. 67	3. 15	2. 95	3. 05	3. 97	3. 24
Tanzania - 1996	2. 91	3. 00	3. 74	2. 48	2. 94	2. 73	3. 33	2. 58	2. 48	2. 55	3. 27	2. 86	2. 73	4. 03	3. 64

	Bureaucracy					Economic Society					Judiciary						
Question	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	mean score	median scores
Tanzania - 2000	3. 42	3. 18	3. 03	3. 15	2. 61	3. 12	3. 33	2. 97	3. 27	3. 35	2. 73	3. 12	2. 88	3. 09	2. 85	91.80	91
Tanzania - 1996	3. 15	2. 67	2. 58	2. 92	2. 56	2. 61	3. 82	2. 65	2. 52	2. 59	2. 55	2. 97	2. 70	2. 85	2. 58	86.97	85.5