DILEMMAS OF POLITICAL TRANSITION:

TOWARDS INSTITUTIONALISATION OF MULTIPARTY DEMOCRACY IN TANZANIA

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Promoting Credible Elections and
Democratic Governance in Africa

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principles, free and fair elections, a strong civil society and good governance
at all levels of Southern African society.

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LIST OF ACRONYMS

AMNUT	All Muslim National Union of Tanganyika
ANC	African National Congress
ARO	Assistant registration officer
ASP	Afro-Shirazi Party
ASU	Afro-Shirazi Union
CCM	Chama Cha Mapidunzi
CHADEMA	Chama Cha Demokrasia na Maendeleo
CSA	(Tanganyika Territory) African Civil Services Association
CSO	Civil society organisation
CUF	Civic United Front
DAC	Development Assistance Committee
DFID	Department for International Development
DG	Democratic governance
EMB	Election management body
ESAURP	Eastern and Southern African University Research Programme
EU	European Union
FFU	Field Force Unit
FORD	Forum for Restoration of Democracy
FPTP	First-past-the-post
GDP	Gross domestic product
IDEA	International Institute for Democracy and Electoral Assistance
IFES	International Foundation for Election Systems
ILO	International Labour Organisation
IMF	International Monetary Fund
IPC	Inter-Party Commission
KMKM	Kikosi Maalum cha Kuzuia Magendo
MMP	Mixed member proportional
MP	Member of parliament
NCCR-Mageuzi	National Convention for Construction and Reform
NEC	National Electoral Commission
NEC	National Executive Council
NGO	Non-governmental organisation
NLD	National League for Democracy
NORAD	Norwegian Agency for Development Cooperation
NRA	National Reconstruction for Alliance
ODA	Overseas development assistance

OECD	Organisation for Economic Cooperation and Development
OSISA	Open Society Initiative for Southern Africa
PINGO	Pastoralists Indigenous People's Organisation
PONA	Popular National Party
PR	Proportional representation
PRSP	Poverty Reduction Strategy Paper
RO	Registration officer
SA	Shirazi Association
SADC	Southern African Development Community
SIDA	Swedish International Development Agency
TAA	Tanganyika African Association
TADEA	Tanzania Democratic Alliance Party
TANU	Tanganyika African National Union
TAS	Tanzania Assistance Strategy
TEMCO	Tanzania Election Monitoring Committee
TGNP	Tanzania Gender Networking Programme
TLP	Tanzania Labour Party
TPP	Tanzania People's Party
UDM	Union for Multiparty Democracy
UDP	United Democratic Party
UK	United Kingdom
UMMA	The Masses/People's Party
UN	United Nations
UNDP	United Nations Development Programme
UNESCO	United Nations Educational, Scientific and Cultural Organisation
UNFPA	United Nations Population Fund
UNICEF	United Nations Children's Fund
UNIDO	United Nations Industrial Development Organisation
UPDP	United People's Democratic Party
US	United States
USAID	US Agency for International Development
UTP	United Tanganyika Party
ZAA	Zanzibar African Association
ZEC	Zanzibar Electoral Commission
ZNP	Zanzibar National Party
ZPPP	Zanzibar and Pemba People's Party

PREFACE

EISA has undertaken various initiatives, which have been aimed at facilitating the nurturing and consolidation of democratic governance in the Southern African Development Community (SADC) region. One such initiative is the first phase of the democratic consolidation research programme. Covering almost all the SADC countries, this research programme focused on the following key issues:

- Elections;
- Gender and democracy;
- Electoral systems;
- Electoral administration;
- Political parties;
- Conflict and elections; and
- Democratic assistance.

This first phase of the project has generated an enormous stock of knowledge on the dynamics of democratic governance in the region over and above the intricacies of elections *per se.* It has demonstrated beyond any shadow of a doubt that indeed there is more to democratic governance than just elections and electioneering. In a word, with hindsight, it is abundantly clear to us today that an election, in and of itself, does not necessarily amount to democratic culture and practice. Put somewhat differently, an election is not tantamount to a democracy, in the strictest sense of the term. Various other determinants are critical too including, *inter alia*, multipartyism, constitutional engineering and the rule of law, gender inclusivity in the governance process, electoral system designs and reforms, transparent and accountable management of national affairs including elections themselves, responsive and responsible conduct by political parties, constructive management of various types of conflict and the form and content of external assistance for democracy.

All these issues are explored in a fairly rigorous and refreshing fashion in this 7th monograph to come out of this programme, although a deliberate focus is given to electoral engineering in the form of reviews and reforms required in the SADC region in order for the selected countries to achieve the difficult goal of democratic consolidation. This monograph will be

followed in due course by various others that are country-specific exploring a broad array of challenges for democratic consolidation in the SADC region.

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Executive Director, EISA
Johannesburg

EXECUTIVE SUMMARY

This study is an evaluation of Tanzania's multiparty political system. While the report puts great emphasis on issues relating to democratic consolidation in Tanzania as it evaluates Tanzania's political situation along a number of key democracy determinants – namely, donor assistance in democracy and governance; electoral administration; political parties; civil society; and political conflicts – in essence, it is a report strictly analysing Tanzania's electoral democracy, as it presents an in-depth analysis of Tanzania's electoral democratic deficits. By focusing on electoral democracy, the study has cautiously limited itself to providing a general characterisation and description of current events in Tanzania's political landscape. The authors – who contributed to this report in their individual chapters, both in a descriptive and analytical manner – primarily identified the distinguishing characteristics of each of the determinants under examination, and discussed why the understudied electoral subject is so critical to Tanzania's electoral democracy.

The study uses data primarily gathered during interviews, complemented with secondary data that mostly drew on existing literature. Some topics reviewed in this study had already been extensively analysed and therefore had more secondary data available than others. In cases where authors faced literature deficiencies, they relied mostly on the data gathered from interviews; in addition the authors based their analyses on conventional depiction and wisdom, but added a more developed perspective on these descriptions.

The report begins with a brief introduction on the historical context of the political transition in Tanzania. The study then proceeds with chapters that evaluate Tanzania's political situation along the five main electoral democracy dimensions, as alluded to above. In Chapter Two, the recent political conflicts experienced in Zanzibar are given a critical analysis more in terms of understanding the causes of these conflicts than simply providing a description of the events surrounding the post-election violence. Chapter Three assesses the administrative capacity of the two election management bodies in Tanzania, and the efficiency and financial sustainability of election administration in Tanzania. Chapter Four assesses the position of donors in Tanzania's politics; more specifically it determines the level and role of

democratic assistance on Tanzania's democratic transition processes, while Chapter Five discusses the nature of civil society in Tanzania. The last chapter examines the state of Tanzania's contemporary political party landscape. Its primary concern is with the persistent challenges political parties face in Tanzania.

The paper identifies Tanzania's democracy as an electoral democracy that is consolidating, albeit at a snail's pace and despite the numerous challenges it continues to face. Since the introduction of multiparty politics Tanzania is, in essence, still going through a transition process. Even though its transition seems to be protracted, the end result is more likely to be a successful installation of democracy than a return to authoritarianism. At worst it is a democracy devoid of constitutionally consolidated democratic institutions, and at best it is an electoral democracy on an assured path to a constitutional one.

Some might argue this is better than nothing at all: Tanzania has created a basis of democracy befitting its conditions and context. Others might even say transitional democracies by their very nature are meant to experience bumpy starts and divergent routes to democracy. This is a view widely held by incumbent governments and sympathisers of transitional democracies. Let us not forget that multipartyism is often viewed differently by political strategists, international donors, incumbent governments and opposition parties, all basing their specific yardstick on divergent short- and long-term expectations and even self-interests. As a result the tendency has been to evaluate and value transitional democracies against very diverse standards. Sympathisers therefore tend to argue that many of the criticisms against transitional democracies, Tanzania included, are misplaced and overly judgmental. Since the rules of engagement that sustain a democratic framework are dependent on the conditions existing in the country undergoing the transition – which are most often tempered by its historical experiences, pervading power relations between political actors, and the changing nature of existing political structures and institutions – there is no prescriptive blueprint by which to judge a country's democracy. For this we must accept that a transitional democracy will not always go through a specific path of consolidation but will nonetheless experience some shifts, whether minimal or not, towards democracy.

A contradictory picture, however, has been painted by others with regard to Tanzania's democracy – that Tanzania's democracy rests on shaky grounds; and for those even more cynical, that Tanzania lacks democracy altogether, the lack of which is a consistent source of conflict in the country's political landscape. More disappointingly the government's commitment to democratisation has so far been fickle and inadequate. This is reflected mostly in the hesitant and disjointed constitutional reform process and the almost defunct election administration; a source of many conflicts and political party distrust. This description of Tanzania's democracy is premised on the expectation that by now, ten years on, the seeds of more democratic, perhaps more consensual, political systems should have been planted in Tanzania.

CHALLENGES AND RECOMMENDATIONS

Whatever yardsticks or conceptions we end up using to explain Tanzania's state of democracy, it is clear that what Tanzania has done to date in consolidating its democracy has been insufficient. More is required to systematically induce and sustain its democracy beyond where it is now. The study's assessment reveals that each of the understudied institutions, such as democratic assistance, political parties and election administration, have continued to face numerous challenges and pitfalls.

DEMOCRATIC ASSISTANCE

The real impact of external assistance in the promotion of Africa's democratisation processes, Tanzania's included, continues to be an issue of debate. International donors in Tanzania have given support to many aspects of the formal institutions of democracy – the election system, civil society organisations (CSOs), the judiciary and parliament – yet this support is often doubtful. First, the funding provided to date raises significant questions relating to democratic accountability. To whom is the Tanzanian government accountable: to donors or to their citizens? The popular World Bank/ International Monetary Fund (IMF) Poverty Reduction Strategy Paper (PRSP) has had some beneficial effects; however, there is cause to believe that the PRSP is actually causing systematic poverty with the potential to undermine democratic progress in the long term. Moreover, democratic assistance, for all the good it does, cannot be sustained indefinitely. The international community seems to be experiencing what some pundits have termed 'democracy fatigue'. That said, systematic financial support, whether it is

external or provided by the government, needs to be directed towards strengthening the main organs of government (parliament and the judiciary) to overcome and remedy their institutional troubles. Second, external support to CSOs is currently limited to raising their awareness and improving their interaction in political processes. The strengthening of organisational capacities of many emerging CSOs, which is just as important, tends to be ignored. What is needed is a multifaceted process that aims not only to increase CSOs' awareness and advocacy skills but also to strengthen their organisational capacities.

POLITICAL CONFLICTS

Mainland Tanzania is ethnically heterogeneous with as many as 120 ethnic groups, but has not suffered from any ethnic conflict. This is partly because no ethnic group has been large enough to dominate the political arena and partly because Nyerere was strongly opposed to tribalism. Unlike Tanzania, Zanzibar has not been as fortunate, in that a combination of historic factors have produced ethnic relations that have become a constant political issue. Political tensions in Zanzibar have been drawn out over the decades and the 2001 election conflicts revealed that ethnic tensions and identifications are still deeply rooted, with the potential to halt the democratic process. Granted, the Tanzanian leadership through the Muafaka agreements has succeeded in constructively managing the political conflicts. The Muafaka agreements address political tensions in a more realistic manner, and have managed to bring the two opposing sides – the Chama Cha Mapidunzi (CCM) and the Civic United Front (CUF) – together in a cooperative process. In fact, what the agreements did was to design a practicable and achievable system for managing the tension. Notwithstanding the success of these agreements, more emphasis needs to be placed on democratic institutions. Appropriate democratic political structures – electoral system design, election management body, judicial and legislative structures – play a crucial role in creating an enduring settlement. To make these institutions appropriate for such a cause, they need to be legitimate, inclusive, independent, accountable and transparent.

POLITICAL PARTIES

A major challenge facing Tanzania's democracy today is that it lacks viable opposition parties. The opposition is currently suffering from problems of

disunity: it has poor organisational skills and lacks the capacity to organise and mobilise; it lacks innovative and alternative policies; and is faced with the difficulty of establishing its presence in a political system that is dominated by the ruling CCM party. For Tanzania's multiparty system to institutionalise it is evident that political parties as entities need an organisational and technical overhaul. Moreover, the legislative and constitutional frameworks that govern the institutionalisation of political parties need to be revised. In an attempt to impede the marginalisation of political parties by the ruling party, both entities need to find a mechanism for constructive engagement and to move away from adversarial politics through joint collaborative initiatives. Opposition parties should be encouraged to develop a consensus with the government on issues of national importance and in the interest of national development. These are just a few of the steps both opposition parties and the ruling government are required to work towards in order to build vibrant opposition parties.

ELECTION ADMINISTRATION

The main focus here is on the independence, impartiality, composition, financial constraints and administrative capacity of both the National Election Commission (NEC) and the Zanzibar Election Commission (ZEC). Since their inception these bodies have been a continuing source of political tension as a result of their lack of independence, insufficient financial support and administrative capacity. The research reveals that the one area which keeps coming under the spotlight when the Tanzanian election management bodies are discussed is the administrative capacity. The incapacity of these commissions in terms of personnel, funding and equipment was visible in the first year of their establishment. Sadly, ten years on, their level of competence and efficiency in all stages of the election process – registration, nomination, voting and polling day – seems to have remained the same: at the low end of the scale. Granted, both institutions have made some noticeable progress; however, after more than a decade there should have been considerable improvement in the quality of Tanzania's electoral administration. The importance of a well-institutionalised and high-quality electoral administration cannot be overstated. It is now widely recognised that the quality of electoral administration has a direct impact on the way in which the outcome of elections is regarded by domestic actors, especially political parties, and whether or not these actors see the electoral process as

legitimate or not. Owing to this explicit relationship between the quality of election administration and the consolidation of democracy, the Tanzanian authorities should be made to put more effort into the organisational and technical capacities of both the NEC and ZEC, as well as to improve their impartiality and transparency.

HISTORICAL CONTEXT OF POLITICAL TRANSITION (TANZANIA MAINLAND AND ZANZIBAR)

Shumbana Karume

TRANSITION TO INDEPENDENCE

Tanganyika and Zanzibar were and still are two countries with such diverse backgrounds and milieus that their joining in 1964 to form the United Republic of Tanzania came as a complete surprise. Both countries had very different political, social and economic systems in the pre-colonial, colonial and post-independence eras. With such few connections, to this day their union has been viewed as none other than a mere interconnecting of two entities. This is even more so considering that the union was deliberately designed in such a way that it would have little significant implications on the internal political and economic systems of the mainland and the islands. The two countries were not only disparate in the political and economic spheres, they were also different linguistically and culturally – so much so that these stark dissimilarities have to this day conditioned and influenced the political climate of both countries.

Tanganyika's colonisation, which had not only been relatively severe but also long, lasted through two very distinct colonisers. The first were the Germans who ruled much of Tanganyika for over 30 years from 1885 to 1920. The second were the British who were handed over Tanganyika by the Germans after their defeat in the First World War. This defeat cost the Germans all their East African colonies, which were split as mandated territories under the trusteeship system of the League of Nations. This was a relief in many respects, as the German colonial authorities administered Tanganyika with the overwhelming force and brutality that German colonialists were famous for in their dealings with African resistance and unruliness.

The British rule lasted until 1962 when Tanganyika became independent under the Marlborough House Constitution. This system of indirect rule redefined relations between colonial administrators and the indigenous peoples and in turn gradually broke down the unchallenged control that

had been instituted by the Germans.[1] Illife writes that 'before 1914, all that was demanded of the colonial subjects was obedience. When they started being asked for loyalty, this suddenly changed the white–black relationship … should Africans not rather be loyal to themselves and unite to restore their own pride?'.[2] Indeed, the British way of colonising had initiated a sense of ownership and nationhood. Again Illife observed that 'as early as the beginning of the 1920s the first hints of black nationalism were showing themselves in welfare societies and young men's associations, led mainly by mission-educated teachers and preachers….'[3]. Illife's observations were accurate; by the end of the Second World War many movements and associations made up of modestly educated Tanzanians had appeared on the political stage. In fact, by 1952 there were 474 registered cooperative societies,[4] the most popular of these were the Tanganyika African Association (TAA) and the Tanganyika Territory African Civil Services Association (CSA) founded in 1922. They may not at first have had any political or nationalistic aspirations, as most initially were preoccupied with simply providing a platform for educated Tanzanians; however, they soon transformed into political movements at the insistence of Julius K Nyerere. In 1954 the TAA became the Tanganyika African National Union (TANU) under Nyerere's leadership, which he modelled on Nkrumah's Convention People's Party. TANU, with Nyerere's avant-garde leadership and charisma, provided a significant basis for mass support. These developments opened the way to self-government in September 1960, which was soon followed by Tanganyika's long-awaited independence in December 1961.[5]

Zanzibar's colonialism began centuries before Tanganyika's; the islands[6] had in fact been the seat of an Omani dynasty by the late 18th century. Soon after in early 19th century the Omanis established Zanzibar into a colony and through the enforcement of practices deployed by colonisers, an Arab-owned clove plantation dependent on slavery surfaced, together with strategic trade links that significantly dominated the politics and economies of Zanzibar societies for many years to come, until the British established a protectorate over Zanzibar in 1891. The chief reason for proclaiming Zanzibar a protectorate was none other than to control the thriving economic development and trade of the islands, although Britain's involvement was somewhat influenced by its desire to abolish the slave trade, which it succeeded in doing with the issuance of a decree in 1873. In reality, despite

the British having controlled the government departments and its finance, the sultan's rule over Zanzibar continued and so did the Omani elite social prominence. This new political order was unreservedly supported by the British, who thought of Zanzibar as an Arab state and tactically required it to remain that way.[7]

The road to independence for Zanzibar, again, was very different from Tanganyika's; it was tumultuous and precarious to say the least. The events leading up to the granting of independence by the British on 10 December 1963 were largely dominated by politically motivated constitutional changes, unfair elections and political allegiances and hostilities based principally on race and socio-economic class. The main political parties that contested the various elections (four in total which took place between 1957 and 1963) and confronted the prospects of independence were the Afro-Shirazi Party (ASP) – a political alliance which drew its support from the Shirazi and African populations; the Zanzibar Nationalist Party (ZNP) led by the Arabs and the Zanzibar and Pemba People's Party (ZPPP), an almost entirely Shirazi entity which had broken away from the ASP coalition. Although at least two elections had occurred before, in which the ZNP emerged as a winner due to the alleged manipulation of the system by the British administration, it was the July 1963 election – which again produced ambiguous results because of the handiwork of the British – that forced the ASP to revolt.

The results of the July 1963 election, like those before, put the ZNP in power in coalition with the ZPPP, even though both parties had received less votes than the ASP which had polled 54.3% of the vote. This clear popular majority was, however, not reflected in the Legislative Council as the ASP ended up with fewer parliamentary seats than its Arab opponents.

The revolution occurred during the night of 11 January 1964, supported by the ASP and its followers but militarily led by Ugandan-born John Okello. It lasted two hours before the ASP forces toppled the sultan's rule and established the Revolutionary Government of Zanzibar under President Abeid Amani Karume. Together with the need to overthrow a minority government, other goals of the revolution at that time included the need to install an African majority rule, the nationalisation of the land, the abolition of exploitative classes, and an end to racial discrimination and favouritism.[8]

UNION ISSUES

Only three months after the Zanzibar Revolution the Tanzanian Union was born with the joining of Zanzibar and Tanganyika to form the United Republic of Tanzania. With such dissimilar systems of government and with no prior close associations, the union seemed odd to many observers at the time. There are those[9] who argue, however, that a number of politically motivated factors influenced Nyerere's decision to merge with Zanzibar. First, the union with the mainland was aimed at guaranteeing political stability for both countries, although this, as with other goals, was not clearly articulated in the terms of the merger. Second, Nyerere opportunistically used the union to advance his ideology of pan-Africanism. Third, but hard to fathom, is the idea that Nyerere had hoped that the merger would provide him an opportunity to keep watch over and keep at bay China and the Soviet Union, which had already established themselves on the islands.[10]

Observers questioned the union even more and further believed that it served no strategic purpose when they discovered that the merger left Zanzibar with the same degree of autonomy. Zanzibar still remained independent but received all the benefits of the union. The Zanzibar civil service, police and defence forces, for example, were paid for by the union's budget. Furthermore, Zanzibar had, and continues to have, representation both in the Zanzibar House of Representatives and in the union parliament, while the mainlanders are only represented in the union parliament. What the union did was simply to create a union government that controlled mainland affairs and also allowed for a separate Zanzibar government with its own president, constitution and institutions of power such as a House of Representatives and local council system (*Diwani*). Clearly, Zanzibar did not only benefit from the union it also managed to retain its autonomy, giving it the freedom to govern as before except on the matters agreed to in the merger. These matters affected both Zanzibar and Tanganyika and were under the jurisdiction of the union government. They included constitutional affairs, international affairs, police, defence, communication, nationality, immigration, foreign commerce, taxes on revenue and customs, currency, banking operations and higher education.[11] The union was legally achieved by enacting a union constitution – the 1965 Interim Constitution of Tanzania. Under the new constitution Julius Nyerere became president of the United Republic of Tanzania and Abeid Karume the first vice-president of the republic.

The union has not been without problems, however. Over the years it has remained complex, divisive and contentious. The first signs of discontent emerged in the late 1980s when constituents in mainland Tanzania questioned the privileges Zanzibar was receiving from having representation in both parliaments.[12] This matter, together with the entire structure of the union, was further brought under the spotlight in early the 1990s, coinciding with the debates on multiparty rule. As part of opening up the process to competitive politics, a commission was set up headed by Chief Justice Nyalali to ascertain the people's desire for change. One of the areas the commission was forced to investigate was the union matter. In response to the few dissenting voices against the union, the commission proposed a number of institutional changes to the union's structure. The proposals called for the establishment of a separate Tanganyika government in addition to the existing Zanzibar and Union government. In essence, the proposed design was to move from a union with two governments to a federation with three governments. These proposals were introduced as legislation in the National Assembly by 50 or so parliamentarians, but without much success as the CCM party not only rejected the commission's recommendations but ensured that these received no support in parliament as well.

PARTY MERGER

In February 1977 the ruling ASP in Zanzibar merged with the TANU party of the mainland to form the union party Chama Cha Mapinduzi (CCM). Apart from the economic benefits that were to accrue to both the mainland and Zanzibar following the merger,[13] there were many other reasons why Nyerere needed a more permanent integration. The merger at best, as Roth noted 'ended an anomaly of an ostensibly united state having two basically autonomous political and administrative units'.[14] It distinctly aimed at consolidating Zanzibar's government practices with those of the mainland. Most importantly it stood as a symbol of the permanence of the union; and as an added benefit the nationwide political party signified better relations between the mainland and Zanzibar. It is important to note here, that Karume had in fact, from the beginning displayed a reserved interest in union affairs and for that reason he resisted the party merger. It was only in 1977 under Jumbe's leadership that the merger occurred. Administratively the two parties merged under a string of discussions and committee arrangements. It began with TANU and ASP conferences passing a resolution to attend

each others' conferences. Soon after, referendums were held in party branches throughout the country to collect views on the possible merger, followed by the establishment of a joint commission to draft a new constitution and to supervise the merger of the parties. Finally, the merger occurred through a joint ASP-TANU conference which dissolved the two parties and ratified the constitution of the new party, the CCM.[15]

The merger did not mean a complete loss of autonomy for the islands. Zanzibar retained considerable autonomy both politically and economically, and Nyerere repeatedly made it clear, as a way of pacifying those concerned, that the merger did not mean complete integration. Zanzibaris continued to administer their own ministries, and the earnings from the clove trade at first continued to be under the foreign reserves of the Zanzibar government. The merger did, however, have far-reaching implications in Zanzibar in that it allowed the possibility of holding elections in line with the practice in the mainland. According to the CCM constitution, the leadership of the party were required to be elected by the masses; thus for the first time people were allowed to elect representatives for the National Assembly. Constitutionally as well, the CCM had some major ramifications; it created new constitutions for both the party and the union government. The 1977 Constitution of the United Republic of Tanzania was disappointingly non-conducive for democratisation as it remained very similar in substance to the Interim Constitution of 1965. It retained all its provisions with some minor changes made regarding the CCM's supremacy and the addition of more union matters that served to further consolidate the union.[16]

<center>II</center>

POLITICAL CONFLICTS IN ZANZIBAR: A SOCIAL, ECONOMIC AND POLITICAL INTERPRETATION

Shumbana Karume

'Zanzibar has weathered many storms in the past, and I have no doubt that she will meet all difficulties that may assail her in the future. Long may she flourish and long may the happy relations which exists between the various communities continue.'[17]

INTRODUCTION

Claude Hollis, a British representative in Zanzibar during the 1920s wrote these words in an attempt to demonstrate that the African slaves in Zanzibar, very different from other slave colonies, lived in comfortable conditions provided for by their masters; so much so that they had no reason to be hostile to those more privileged, presumably their slave masters, or even challenge the inequalities that the slave trade had created.[18] Needless to say, this is a rather misguided and warped view that many colonial officials of that time held – a view that this author is glad to say, has been adequately disputed by various historical and political analysts of our time. Mbwiliza, for one, asserts that it is wrong to suppose that because the conditions of many slaves in Zanzibar were more tolerable than they had been during their journey to the coast – a journey that had entailed suffering and misery for the slaves – and because after their emancipation in the late 1800s[19] there had been a low number of applications for emancipation submitted to the Zanzibar courts, that slaves were in fact happy with their servile status.[20] While Claude Hollis's words were meant to contextualise the inter-ethnic relations existing in Zanzibar in the post-slave emancipation years, what is of relevance here is his suggestion that Zanzibar will weather many of the difficulties she may experience in the future. Indeed, these are charitable words and with the recent political events in the isles they have come to mean much more than they were originally intended.

Since the inception of political pluralism in Tanzania, Zanzibar – made up of the Unguja and Pemba islands situated on the east coast of Tanzania – has experienced a number of political conflicts. These have mostly been inter-party conflicts between the ruling CCM and the main opposition party, the Civic United Front (CUF). This conflict has continued to engulf the political arena in Tanzania and has become more violent than originally anticipated or even imagined. The conflict has been characterised by sporadic acts of violence. The shocking deaths of demonstrators in January 2001 were among the acts which compelled the two warring parties to seek a resolution of the conflict. The other acts before this included bomb blasts in public places and indiscriminate detentions.

There have been several attempts, some more convincing than others, to understand the causes of such conflict. Many of these analyses have generated varied assessments; they fall between 'proximate and long term' arguments, a concept borrowed from Max Mmuya.[21] With regard to proximate causes, power struggles, personality differences and clashes of party ideologies have been identified as the contributing causes of the intransigent conflict between the CCM and CUF.[22] These will be discussed and analysed in full. Others have gone further and proclaim the view that the recent political tensions are rooted into long-term factors. In this case their assessments usually link these conflicts to the ethnic divisions that resulted from a number of historical factors: from the slave trade of which Zanzibar was at the centre, to intermarriages between the different ethnic groups.[23] Additionally, some analyses have further linked political conflicts to the political identities that came about as a result of the British colonials' exploitation of these ethnic divisions in the 19th and 20th centuries.[24] Ethnic divisions were exacerbated and exploited by British policies which favoured the Arabs and discriminated against Africans and other ethnicities. Those studies that have endeavoured to explain the political tensions in Zanzibar by understanding the political identities and dynamics that the British had fostered during the colonial period, have provided an opening for a different explanation of political conflict. The tendency had been to overlook the political legacy of colonialism. Mahmood Mamdani in *When Victims Become Killers*[25] affirmed that the tendency for political historians to explain political conflict in the period following African independence was to focus on political identities that had been framed during the colonial period from cultural and market-based

identities. But no one 'historicised the political legacy of colonialism – the colonial state as an institutional complex framed and set in motion particular political identities. No one tried to historicise race and ethnicity as political identities undergirded and reproduced by institutions of colonial vintage'.[26] A bulk of this section will therefore consider race and ethnicity and how this affected Zanzibari politics, but more importantly how British imperialism through exploitation of the supposed ethnic divisions and political formations constructed divisive political identities which have survived to this day and are locked in a continued political struggle.

THE TURNING POINT:
THE UNFORGETTABLE JANUARY 2001 DEMONSTRATIONS

Zanzibar's seven-year political instability, which began immediately after the 1995 multiparty elections, reached its peak on 27 January 2001. On this day the CUF had organised demonstrations which culminated in the loss of lives and, some would argue, grave human rights violations. The numbers of those killed and injured provided by the government and the opposition differ a great deal; so do the accounts of the events of that day. International reports such as Human Rights Watch and Amnesty International[27] have tended to take a cautious position using figures in between those of the government and opposition. These reports claim that such figures are an approximation based on government and press figures and cross-checked by witnesses. With so many variations of the events and numbers of deaths that occurred from the demonstrations, it is difficult to ignore the biased undertones of the various investigative reports produced, whether by international human rights groups, the opposition or the Zanzibari government itself. That said, this account will provide as much an impartial outlook and analysis of that day's events as possible, taking into consideration the different perspectives documented to date.

As already indicated the exact numbers of those killed and injured varied according to who discharged the information, so much so that it has been easier to conclude that the real numbers remain unknown. On the one hand, the two international human rights reports, Amnesty International and Human Rights Watch, both published conspicuously distinct figures. One maintained that at least 35 died and more than 600 were injured, with claims that they had verified these numbers; the other stated that 22 had died.[28]

The government, on the other hand, claimed that 21 people were killed, 82 injured and 352 arrested,[29] while the CUF alleged that 67 people were killed with hundreds injured and hundreds more mistreated and tortured.

With so many variations it is hard to ignore the possibility that some of these figures may have been deliberately inflated to allow for shock value and to trigger a public outcry. In any event the facts that remain undisputed, gleaned from various accounts, are those that explain where and why the demonstrations occurred. With regard to the locations: the CUF had its demonstrations in five towns on the Zanzibar isles – one in Zanzibar Town and four in the Pemba Island towns of Wete, Micheweni, Mkoani and Chake Chake. These four towns in Pemba were chosen for their strategic gains. Wete is a town of nearly 10,000 in north-west Pemba, and as the home of CUF leader Seif Shariff Hamad it guaranteed a wide support of demonstrators. Micheweni is a large peninsula at the north-east corner of Pemba, and as it is nearer the mainland, most of the demonstrators had approached from the mainland in numbers that vastly exceeded those from the other towns. As for Chake Chake, this town is a regional administration centre for southern Pemba, and the CUF had chosen to use it as its centre for the demonstrations.[30]

Thankfully many of the reports commissioned to investigate these events do not have contradictory accounts and analyses of the reasons behind the demonstrations. Simply put, the CUF called for the protests to take place in opposition to the 2000 election results and also in resistance to the government's refusal to hold new elections in Zanzibar. The opposition had wanted the election exercise repeated after it had vehemently declared, with the support of various international observers, that the elections had been flawed. Besides the call for a re-run of the elections, the demonstrators demanded a new and independent electoral commission, which had been the subject of major complaints after the elections.[31] The CUF had also demanded constitutional reform which it believed would facilitate all the demands it was making.

Again the accounts of the abuses vary depending on where the information is sourced. International Human Rights assessments emphatically reported that demonstrators, which were in crowds of thousands,[32] were mostly

unarmed and walked peacefully towards designated meeting grounds. It is the police that were accused of grave misconduct for letting loose a 'barrage of teargas, beatings, and shootings, sometimes even firing without warning'.[33] The abuse of the demonstrators did not end there: following the assaults, the reports maintain that security forces 'rounded up hundreds in house sweeps characterised by looting, and terrorising. Hundreds of demonstrators spent days in jail, often held without charge and physically abused while in custody'.[34] It is important to note here that the security forces referred to in these reports were army and riot police known as the Field Force Unit (FFU), who were trained to control riot crowds. That said, these reports indicated that other less trained and regular police were deployed and provided support to the riot police. Again, Human Rights Watch reported that:

> 'FFU uniforms were issued to a number of regular police in Pemba … who lacked training in riot control. The army, the Tanzania People's Defence Force, which maintains two barracks in Pemba, is usually not deployed for internal security matters; however, in this case they provided support to the police. The Zanzibar government also armed and deployed its coastguard – the Anti-Smuggling Naval unit (Kikosi Maalum cha Kuzuia Magendo KMKM) – that usually polices the coastal waters.'[35]

Many of these international reports maintain that there was no evidence that demonstrators planned any violent action, and yet the official government reviews report differently,[36] as do several reports by local political analysts.[37] Tanzanian officials say that the demonstrators tried to take over police stations and mount an armed rebellion. The police had in fact endured a number of physical abuses involving stone throwing, teargas and even beatings. In retaliation they at first fired several warning shots into the air, which the crowds disregarded. What is hard to ignore and deserves some mention is a horrific incident that occurred at a Police Station in Wete, which many claimed had fomented the violence that followed. According to government reports a police officer stationed in Wete had been decapitated by the demonstrators during the early hours of the demonstrations.[38] In addition, some of the local analysts' interpretations of these events corroborate the government's claims. For example, Max Mmuya, a political analyst at the University of Dar es Salaam who was himself a witness to the

events in Zanzibar Town on 26 and 27 January, argues that given the CUF action against the police during the demonstrations – with demonstrators throwing stones to provoke them, blocking the police on the roads with boulders, and deploying other such provocative measures – 'it was not surprising to hear that marchers in Pemba had weapons ready to assault the police with the possible intention of wrestling fire weapons from the police armory at police stations'.[39]

As shown above, the specificity and scale of the abuses reported in the international human rights reports, the CUF and the government's versions, contradict each other. There is indeed evidence that some demonstrators had planned to carry out violent actions and there is also evidence that the security forces reacted and cracked down on the demonstrators in abusive ways. Needless to say, this was an ugly affair that left both sides (the CUF and the Zanzibar government) embarrassed and apologetic, forcing them to make several attempts soon after to provide redress with the aim of ensuring no such atrocities ever occur again. Nonetheless, in summation, an analytical viewpoint of why both parties reacted as they did is necessary. Essentially the police were extra cautious as prior to the demonstrations they had experienced a scuffle or two with CUF supporters where they were assaulted. The demonstrations went ahead despite the police ban,[40] thereby forcing the police to be extra vigilant. Most critically, CUF supporters and some members of its leadership allegedly issued several threats ahead of the demonstrations. The most widely cited threat is the statement made by CUF Vice Chairman Shaaban Hamisi Mloo who at a rally in Dar es Salaam called on members of his party to equip themselves with machetes, clubs, knives and other weapons.[41] As for the CUF, the 27 January event was simply retaliation to the government restrictions to assemble. Accordingly, faced with such police resistance the CUF had no choice but to proceed with the demonstrations in a provocative manner.

PROXIMATE CAUSES OF POLITICAL CONFLICT

CONTESTED ELECTIONS OF 1995 AND 2000

Several analyses of many of the first and second elections in Africa have made quite a number of concerning observations regarding the status of elections in the continent, in terms of what they mean to African transitional

democracies and what they signify for the consolidation of democracy. As the Zanzibar experience shows, elections are judged and interpreted differently by contending parties, especially elections that do not result in regime transition or leadership alternation. For such elections Bratton and Posner maintain that 'various audiences; winning and losing, domestic and international tend to apply different standards of judgment and interpretations of what constitutes 'a free and fair' verdict'.[42] As a result, as is often the case with such diverse interpretations, the verdict of elections and thereby the meaning of elections is 'a resource manipulated by contending parties to promote their own interests'.[43] For example, Bratton and Posner continue to assert that under such circumstances the 'winner will deploy the informational and coercive instruments of the state to reinforce their claim that they have received a mandate, while losers try to undermine this assertion by arguing that results were rigged or that the electoral process was flawed'.[44] As for the international community – depending on who they are rooting for among the contenders and because continued project aid or balance of payments support is often contingent on a free and fair verdict – they further complicate the meaning of elections or interpretations of what constitutes a free and fair election.

The debate on the status of elections has also concerned itself with the trend among opposition parties to see elections as an illegitimate instrument for seeking power if the incumbent party wins. Experience has shown that outcomes of elections are not always accepted by opposition parties; losing parties do not always concede defeat. There is therefore a belief among opposition parties, taking into consideration the processes and outcomes of some of the national elections conducted to date, that because elections do not always offer the possibility of winning political office for opposition parties, they must not be regarded as the only instrument for seeking power.[45] As a result, whether or not elections have been conducted under 'free and fair' conditions, losing opposition parties tend to resort to dubious tactics with the aim of undermining the election outcome to serve their own purpose.

Much of the above scenario rings true for Zanzibar. Elections in Zanzibar have been manipulated by both warring parties to serve their own purposes to the point where they have become the main source of political conflict that is now plaguing the isles. Both the 1995 and, to a lesser extent, the 2000

elections contributed to the violence that erupted in January 2001. A closer look at each of the elections revealing the various dynamics that existed will show how both the 1995 and 2000 elections played their part in instigating the tensions that followed.

The 1995 general elections saw the CCM and CUF accusing each other of rigging the elections – each had different reasons for accusing the other. The elections, which were the first multiparty presidential and parliamentary elections, saw the re-election of Dr Salmin Amour of the CCM as president of Zanzibar. The re-election, however, was won only by a small margin and thus resulted in a close win over the CUF in the Zanzibar House of Representatives: Dr Salmin Amour won with 50.2% to 49.8% for the CUF's Secretary General, Seif Shariff Hamad. Table 1 shows two sets of election results: the official and the unofficial. For the CUF the difference between those results given by the ZEC and those given by non official sources proved that the elections were rigged.[46] For the CCM, because it was not very clear how they had won the elections, it made formal complaints of irregularities and administrative errors to the ZEC. The CCM leaders in fact wrote a letter of protest to the ZEC showing their 'dissatisfaction on the conduct of the elections'.[47] This section is not rejecting or confirming the claims but only considering the issues and analysing how they led to the political crisis in Zanzibar.

Table 1: 1995 October presidential election results: Official and unofficial results

Conflicting election results for the presidency	Official		Unofficial[48]		Difference
Salmin Amour (CCM)	165 271	(50.2%)	157 351	(48.6%)	-7 920
Seif Shariff Hamad (CUF)	163 706	(49.8%)	166 522	(51.4%)	+2 816
Majority	1 565	(CCM)	9 171	(CUF)	10 736
Total valid votes	**328 977**		**323 873**		**-5 104**

Source: M Mmuya 2003, adopted from D G Anglin, Zanzibar impasse and Commonwealth mediation, Journal of Contemporary African Studies, *2000.*

The CUF declared the CCM victory fraudulent and that the elections overall were flawed and thus lacked credibility. The CUF's rejection of the results was made on the grounds that, first, the CCM had impeded its organisational and campaigning efforts through harassments and other forms of political coercion and oppression.[49] Second, the CUF criticised the ZEC's conduct of elections arguing that it had administered the elections rather chaotically. Several incidents during election day did indeed show that the ZEC was to a large extent inefficient. In particular, officials and necessary supplies arrived late at many of the polling stations; even more chaotic was the counting process, which observers concluded was marred with irregularities. At first, however, many of the international observers had mixed reviews of the voting process. There were some that had presented congratulatory statements, such as the United Nations (UN) Election Observation Team, which stated that

> 'voting and counting were conducted satisfactorily. The observers were left with a distinct impression that the integrity of the voting process, including the secrecy of the ballot was maintained. The limited number of irregularities did not seem to compromise the results at the polling stations.'[50]

Other statements were less laudatory, however, especially after the ZEC delayed the release of the results.[51] In the end the CUF, despite the contradictory views expressed by international observer teams, not only rejected the election results and demanded a re-run within six months, but also boycotted the House of Representatives (parliament).

A pertinent issue to note here is that the election process was plagued from the beginning by CUF complaints and its general belief that a free and fair election was not possible. To add to the confusion and thereby to the unacceptability of the election results, the international community believed that the CUF would gain victory in both islands. When the results proved them wrong, their refusal to endorse the election results only managed to complicate further the contentious post-election discourse. Furthermore, this indirectly encouraged the opposition party – which knew full well that Zanzibar's continued support for international aid was contingent on a free and fair verdict – to persist with its assertion that the elections were fraudulent. The international community's rejection of the elections in the

end led to many donors, mainly the European Union (EU), cutting aid to Zanzibar. This not only exacerbated the political impasse as their palpable biases divided the two parties further and pushed them to extreme adversarial levels, it also led to the general deterioration of economic and social conditions in Zanzibar during that period.

As anticipated, the 1995 elections – which had polarised even further the political life in Zanzibar – affected the October 2000 elections. It created an atmosphere which ensured that both parties experienced a further face off in the 2000 elections, irrespective of the conduct or results of the elections. In recognition of this, local analysts prior to the elections confidently predicted 'that [the] CUF would refuse to recognise any elections which they would judge not free and fair',[52] which was indeed the case. Again, like the 1995 elections, the CCM was accused of 'unlevelling' the pre-election field, in ways not very different from the 1995 elections. According to Ahluwilia and Zegeye, the CCM 'intimidated the opposition through the use of police supervising the rallies. In addition it denied the opposition access to the dominant government media and manipulated the campaign funding to their advantage'.[53]

The CCM's victory in Zanzibar was again declared fraudulent by the CUF, even though the ruling party gained a clear majority in the House of Representatives and in the presidential elections. In fact the new CCM candidate, Amani Abeid Karume, won with 67% as opposed to Seif Shariff's Hamad 33% of the votes, and CCM won 34 of the 50 seats in the House of Representatives in Zanzibar, giving the CCM a two-thirds majority. The CUF nonetheless rejected the results with claims of electoral fraud. This time the ZEC received much of the brunt of the accusations made by the CUF, leading to its admittance that there had been mistakes. As a result the CCM was forced to order fresh elections in 16 of the 50 constituencies in Zanzibar, which the CUF rejected as being inadequate since it had demanded that new elections be held in all the constituencies. The CUF again ended up not only boycotting the by-elections but also the parliamentary proceedings that took place after the elections.

The case of the 1995 and 2000 elections in Zanzibar demonstrates that elections were indeed used as a battle ground by the CCM and CUF. In

essence these two elections were manipulated by both parties in pursuit of their self interests. As a result the inter-party rivalry which began in modest forms before the elections was transformed into more overt political turmoil during these elections; or, in the words of Marina Ottaway, 'the process of democratisation has made political tensions more acute in many countries by destroying the mechanisms that ha[d] regulated and kept conflict in check in the past'.[54] Clearly this raises a broader concern regarding the longer-term impact of elections: that elections can in fact delay or, as the Zanzibar case demonstrates, even reverse democratic progress.

INTER-PARTY CONFLICTS

The political scene in Zanzibar in recent years has been marked by substantial inter-party conflicts. Consequently many coherent perspectives and analyses have been offered as an attempt to explain the origins of these conflicts and their effects on the democratisation process.[55] Maliyamkono, for example, recognises that 'political party conflicts are an integral part of politics and that they feature in both single party and multiparty systems'.[56]

In a survey conducted by Maliyamkono to gather the views of the public to ascertain their understanding of the dynamics and implications of inter-party conflicts in Zanzibar, many of the respondents agreed with this perspective: that conflict between political parties is indeed natural. At least 63% of the respondents were of the view that conflicts are 'a normal phenomenon in politics'.[57] Maliyamkono was nonetheless quick to add that conflicts between political parties can only be 'normal' provided that the rules that govern the interplay between contentious parties are fairly drawn and fairly administered. If this is not the case, the antagonistic relations will set back the democratisation process, because of the interplay between political parties and democratisation. Kanyongolo maintains that political parties, 'ever since their genesis, have had a critical impact on the progress of the democratic process'.[58] Additionally, he maintains that in order to ascertain whether or not the impact of political parties has been positive or negative on the democratisation process, one would need to examine the 'nature of the inter-relations of the various parties'.[59] More often than not, given the reality of the multiparty dispensation, inter-party relations tend to be contentious. As witnessed most recently, conflicts have in fact characterised the various aspects of inter-party relations in Tanzania.

Factors that explain the occurrence of such conflict are numerous. Many scholars listed the following as the main sources of conflict between the CCM and CUF: arbitrary arrests based on political grounds; detentions without trial; ideological differences; power struggles; and personality clashes.[60] These were also confirmed by the public as the main sources of inter-party conflicts in Tanzania. Maliyamkono's survey results indicated that a substantial majority of the respondents perceived power struggles as the most important cause of party conflicts in Tanzania. The explanation given by the interviewees for choosing this category was their belief 'that most African politicians make politics a career and view it as an avenue for personal gain', suggesting that the struggle for power is therefore 'likely to result in conflict, if contenders view public office as the only source of personal gain'.[61]

Ideological or policy differences were also seen as an important factor contributing to the existing tensions between the CCM and CUF, although many of the respondents, according to Maliyamkono, could not clearly show how ideological differences have led to political conflicts on the isles. The reason for this, Maliyamkono argues, is because he believes there are no sharp ideological differences between the CCM and CUF. Other scholars, however, have indicated that policy differences and disparities in party directives do indeed exist and are widely recognised as contributing significantly to the current standoff between the parties' leadership.[62] The CUF's manifesto, for example, has continually advocated for the denationalisation of land on the Zanzibar isles. It is basically advocating for a dismissal of the three-acre nationalisation programme that President Abeid Karume implemented, from which many Zanzibaris benefited.[63] In addition there have been other less popular policy positions that the CUF has maintained throughout. Its denunciation of the 1964 revolution is by far the least popular of its party stance. The CUF firmly condemns the revolution on the grounds that it did not stand for the people of Pemba Island who mostly consider themselves Arabs, and accordingly believe that the revolution deprived them of their historical right as Arabs to rule Zanzibar.[64] The CUF has also over the years proclaimed its dissatisfaction with the structure of the union, and has made repeated calls for a referendum to decide on the future of the union.[65] Its main frustration with the union revolves around the CUF's belief that the union has not been politically, economically or socially beneficial to the people of Zanzibar. This platform of ideologies

quite clearly is against everything that the CCM stands for, politically and historically.[66] No sooner was the CUF manifesto made public, it was met with a retaliatory response by the CCM which stated in its 1995 manifesto that the

> 'CCM's position on 1964 Revolution will be to develop, guard, strengthen and honour the Revolution and to Recognise the 12th of January 1964 as the day when Zanzibar was liberated from colonial and Sultanate administration and the day the legacy of those rules was wiped out. Land will continue to be Government Property and the nationalised assets (plantation and houses) will never be returned to the former owners before the Revolution.'[67]

Such opposing views and perceptions on several of the islands' monumental historical affairs – the Zanzibar-Mainland Tanzania Union, the 1964 Revolution, and the land nationalisation programme – make the possibility of reconciliation between the two parties even more difficult. The extreme adversarial positions over these issues, according to Mmuya, 'imply complete loss or gain of what either side seeks … rather than just a transfer of power from one regime to another'.[68] In the case of the 1964 Revolution, the ruling party's position is poles apart from that of the CUF, such that Mmuya observes they 'will cling to power for fear of possible return to the pre Revolution situation and retribution'.[69] The CCM in fact views the revolution as an 'economic, social and political reform that wrestled power from an Arab oligarchy and their British Colonial supporters'.[70] This is unmistakably very different from the CUF, which sees the revolution as a political mistake. Besides the revolution, the union matter is another contentious issue that represents loss or gain for either contending party. It is no secret that the CUF upon gaining power will not hesitate to break away from the union as it sees it as a politically and economically unfair arrangement; a view scorned by many CCM supporters, in particular those ideologically in the same camp as Karume and Nyerere – the master-minds of the union.

In the period leading to the 2000 presidential and parliamentary elections, both the CCM and CUF remained unwilling to diffuse the tensions and deployed overt harassment tactics against one another. These ranged from arbitrary arrests of CUF members to harassment pursued mostly by the ruling

party. The most hostile of these arrests was the 1997 capture of 18 CUF members and leaders who were accused of plotting a coup d'état.[71] This incident came to be known as the treason trial because of the alleged attempt by the CUF to overthrow the Amour government. This was clearly a politically motivated arrest. There was no evidence available that confirmed the treason charges against the 18 CUF members. Moreover, the government's deliberate attempts to delay the trial through various tactics of adjournments showed that the case against the prisoners was weak and unclear.[72] It must be made clear that the Amour government was widely criticised for this, not only internationally but within the CCM camp as well. In fact, 45 CCM parliamentarians in 2000 signed a petition calling on the Zanzibar authorities to drop the treason charges and end the trials.[73] In addition the Tanzania Court of Appeal some few weeks later ruled the treason charges unlawful; a ruling which the Amour government chose to ignore and the 18 CUF prisoners were only released some days after the October elections by the new Zanzibari president.

The opposition's actions following the 1995 elections also to some extent contributed to the tensions that ensued. Not only did Seif Sharif Hamad, leader of the CUF, defiantly reject the election results, he refused to recognise the Amour government and ultimately cautioned the CCM government in Tanzania that if the Zanzibar crisis was not resolved he would not be able to control his followers who would inevitably resort to violence.[74] Seif Sharif Hamad's approach was not to work towards a peaceful resolution of the problem; instead he preferred to pressurise the Amour government to call for new elections. The CUF's continued boycott of the House of Representatives was also evidence of the party's refusal to cooperate politically. The CUF's participation in the House of Representatives would have provided it with a chance to ease the political tensions by influencing and contributing to the House's debates. Unfortunately, the CUF chose not to go that route: a political strategy that was costly to the political progress of Zanzibar.

LONG-TERM CAUSES OF POLITICAL CONFLICT

Following Africa's independence from colonialism, identity politics and ethnic divisions seemingly became a thing of the past for many newly independent countries. African leaders saw ethnic nationalism as a threat to

the state, among other things, and considering the havoc that tribal and religious rivalries had caused before, their rejection of ethnic identities was an understandable political choice. To say the least, the conditions of many of the newly independent countries at that time made such a rejection seem prudent. African states were weak and fragile and inhabited by citizens that identified more comfortably with tribal groups than with the new nationalism discourse their leaders were advocating.[75] Marina Ottaway, however, reminds us that African leaders of that time may have been overly optimistic in thinking that ethnic divisions could easily be subverted. Ethnic divisions, according to her, were more than a

> 'passing phenomenon … and the increase in the number and violence of open conflicts revolving around ethnic or religious identities during the 1990s provide a strong reminder that communal identities are not a residue of the past, but a live force in today's politics.'[76]

There is indeed considerable empirical evidence suggesting that ethnic identities are gaining strength; the re-emergence of Zanzibar's political identities based on pre-revolution ethnic divisions is but one of many cases providing such evidence. What is more, Ottaway argues that the political change under way in Africa – a change hailed as the process of democratisation – has re-awakened the long dormant ethnic tensions. She establishes that:

> 'ethnicity is now more central than ever to the political process of many African countries, as political openings and multiparty elections have led to the formation of innumerable or covertly ethnic political parties.'[77]

In the past African leaders had only just succeeded in managing ethnic relations under the authoritarian institutions that guarded or organised their 'civic nationalism' ideologies. In a sense an authoritarian system, according to Ottaway, made it possible for ethnic identities to subsist and for some ethnic minorities to dominate the authoritarian governments. The transitions to multiparty politics, however, disrupted these arrangements as the ability to elect representatives during elections, which were more often than not

contested by ethnic parties, meant that political co-optation of ethnic leaders was no longer as easy or necessary as before.[78]

This section will therefore seek to analyse the changing nature of ethnic politics in Zanzibar. It will go as far back as the pre-revolution years to provide a descriptive analysis of the various ethnic formations and groups, looking in particular at the political identities that emerged from the early ethnic formations which the British helped to crystallise. More importantly, the effects of these political identities on voting patterns of the 1995 and 2000 elections will be examined, arguing specifically that Zanzibar's transition to democracy legitimised, or more precisely resurrected, the contentious political identities that existed earlier. With manipulation by some political authorities these identities became more acute and played an influential role in the violent conflicts of 2001, which will sadly continue to threaten Zanzibar's political stability for many years to come.

ORIGINS OF ETHNIC AND RACIAL FORMATIONS

The early settlers of Zanzibar are said to have migrated from the mainland probably during the third and fourth centuries AD.[79] These were mostly Bantu who began to shape the indigenous communities in Zanzibar. They established village settlements along the western shores of both Zanzibar and Pemba, including the island of Tumbatu, creating three quasi ethnic groups now known as the Wahadimu of southern and eastern Unguja, the Watumbatu of Tumbatu Island in northern Unguja and the Wapemba of Pemba Island. Their origin may have been Bantu, but centuries of intermarrying with Persian immigrants and visitors produced ethnically mixed communities in these settlements, known as the Shirazis because of their Persian identity and culture.[80] Over the years, between the 8th and 18th centuries, other racial groups immigrated to Zanzibar. The early visitors included Hindus, Portuguese, Arabs and Persians. With the arrival of each of these racial groups, including the introduction of the slave trade, patterns of differentiation within communities began to emerge which culminated in distinct ethnic divisions.

It must be noted that before the populations of the islands became ethnically mixed and divided and while the islands were inhabited largely by the Shirazis, the term Shirazi did not connote an ethnic identity: it was a term

that suggested status more than anything. Michael Lofchie, a researcher in the 1960s, noted that the Shirazi's

> 'tended to look upon themselves as the heirs of a rich cultural tradition concretely symbolised in ancient ruins and monuments. They know that generations of their forebears in Zanzibar had adopted the Islamic faith and led an independent political life centuries before the arrival of the Omani Arabs.'[81]

These memories which formed a group identity were continually used by the Shirazis to set themselves apart from the mainland African community of Zanzibar who settled as slaves on the islands. Due to the introduction of a plantation economy in the second half of the 19th century, Zanzibar began to indent slaves and as result became a vibrant market for the slave trade. Many of the slaves originated from Malawi, Mozambique and eastern Congo, ethnically known as the Wanyasa, Wanyamwezi, Wamakonde and Wayao.[82] It was not only the slave trade that established early patterns of community divisions. The Arab colonisation of the Zanzibar islands in the early 1800s, which redefined the roles of the Arabs and Africans (the latter already divided among the Shirazis and descendants of African slaves), had also facilitated these community differentiations. Such then was the racial historical base upon which group and community attitudes and differences were built (see Table 2 for the 1948 proportions of Arabs, Shirazis and Africans in Zanzibar).

Table 2: 1948 Proportions of Shirazis, Africans and Arabs

	Unguja		Pemba		Protectorate	
Community	**No.**	**%**	**No.**	**%**	**No.**	**%**
Shirazi	81 150	61.2	67 330	60.2	148 480	60.8
African	37 502	28.3	13 878	12.4	51 380	21.0
Arab	13 977	10.5	30 583	27.4	44 560	18.2
Total	**132 629**	**100**	**111 791**	**100**	**244 420**	**100**

Source: Journal of Modern African Studies, *cited by Tambila.*[83]

Like Mamdani and Ottaway, Mbwiliza[84] also maintains that other factors 'contributed to the continuous reproduction of community attitudes' and thus entrenched and accentuated the racial, ethnic and community differences. What then followed was the evolution of a political culture. The clove plantations, for example, created two different segments of Zanzibari Shirazis: the one evolved into a community group located in Unguja that resented the Arab domination; and the other evolved into one of tolerance and accommodation. The difference in attitude between Unguja and Pemba Shirazis towards the Arabs, argues Mbwiliza, can be explained 'in terms of the differences the impact of that domination was felt in the two islands'.[85] According to Mbwiliza, the impact of the clove plantations was felt more sharply in Unguja than in Pemba. In Unguja, the Arab plantation owners were oppressive and preferred to impose their authority over the local communities, whereas in Pemba the Arabs were less authoritative, largely because colonial administrative structures were weak in Pemba but most importantly because there was more high-quality arable land which made Arab plantation owners economically secure.[86] In addition the Arabs in Pemba acted more like settlers than colonialists and were basically peasants like the Shirazi hosts, with similar rudimentary agricultural practices.[87] In Zanzibar, however, because Omani occupation was administered wholly via Zanzibar Town it produced very different patterns of social and economic relations between the Arab minorities and Africans. The Omani Arabs, unlike their counterparts in Pemba, settled in Zanzibar from the start as colonists and administrators, forcefully occupying most of Zanzibar's limited fertile land and ruling over the island as colonial administrators.[88]

Turning again to Ottaway, she substantiates this by asserting that it was possible for colonial powers to help shape these identities because ethnic identities are not natural or primordial. Most often, according to Ottaway, 'ethnic identities are artificial and not fixed and as a result can change a great deal over time'.[89] This can help to explain why, as a result of manipulation by the British colonials and the Arabs through their various political decisions, the Shirazis disintegrated, ending up with one section in Pemba seeing themselves as part of a particular group 'that was not previously a part of their own or anybody else's consciousness',[90] and another section in Unguja with completely different political aspirations and more eager to use their grievances against the Arabs.

The British colonials on the other hand through their exploitation of the supposed ethnic divisions to control Zanzibar, accentuated these divisions further. They deployed a number of politically unfavourable policies that privileged the Arabs over all the other ethnic groupings, which among the Shirazis and Africans included Indians, Comorians and Goans[91]. The most widely cited policy by historians involves the British handling of the food shortages during the First World War,[92] which led to further disfigurations of Africans into Shirazis and other ethnic groupings 'in order to qualify for a better share than that offered to Africans',[93] who were at the bottom of the food distribution list. Since Arabs got more and better food rations, as well as other political favours, it was beneficial for Shirazis to identify themselves as Arabs. The British continued to entrench the various divisions and to alienate Arabs further from Africans by granting them more privileges, such as offering Arabs the bulk of arable land. These identities, however, remained rather porous and flexible throughout the better part of the 20th century; they had begun to shape the political identities which many associations, first cultural and later political, were subsequently born from.

THE EMERGENCE OF POLITICAL IDENTITIES

Associations based on racial lines had started forming as early as the 1930s. These were the Arab, Indian, African and Shirazi associations. The Arab and Indian associations formed primarily to defend their commercial, financial, land ownership and political domination interests, the latter task being more relevant to the Arab association. The African and Shirazi associations, both established in the 1930s, were for protecting the interests of groups on the extreme opposite of the economic ladder, mainly squatters and labourers. As with other associations elsewhere, many became the foundation of political parties in Zanzibar. The first to move into politics, encouraged by British promises of independence, was the Arab Association which transformed into a political party known as the Zanzibar National Party (ZNP) in 1957. Before any of these social associations moved into politics, it must be noted that the racial differences between the African and Shirazi associations had begun to form a complex web of power struggles, which later became more volatile and disruptive. Lofchie observed in the 1960s how 'throughout the post-war period these associations contested bitterly over the allocation of the seats in the Legislative Council'[94] which managed to deepen the split between these two communities.[95]

The movement of these associations into racially based political parties was brought about by the changes the British pledged to introduce in the political system. As a result many of the associations were no longer satisfied with the quest of protecting specific socio-economic interests but, encouraged by British promises of self-government and independence, felt it necessary to transform into sovereign political identities. No time was wasted. Following the constitutional amendments aimed at turning the Zanzibar isles into a sovereignty, all parties moved towards self-governing and independent entities. Lofchie and Campbell say that, at first, parties encouraged by this new political development moved into politics with multiracial promises and nationalist ideas and aspirations, but this 'nationalistic consensus did not serve to forge bonds of solidarity between the Zanzibaris'.[96] Sooner than expected the racial and communal frictions that had remained dormant rose to the surface and each political party began to identify itself distinctively with a particular segment in society.

The ZNP, for example, which was a coalition of the Arab association and the Nationalist Party of the Subjects of the Sultan (in Arabic *Hizbul Watan Li Raiat Sultan*)[97] was a party chiefly formed to protect Arab aspirations. Although the party did for a brief period campaign on the platform of Africa for Africans and claimed that it was non-racial and nationalistic, this was purely a political gimmick. The ZNP was an Arab organisation and was supported by most members of the Arab community. The Arab members within the party membership ranks distinguished themselves from the Africans by calling themselves Hizbu and referring to Africans as *Hizbu Matope* (muddy Hizbu).[98] In fact, according to Campbell, the Arabs in Zanzibar had a real fear of being 'swamped by illiterate Africans'[99] and had no desire to let African associations govern Zanzibar. Campbell, in an attempt to substantiate this assertion, draws attention to a letter from the leader of the Arab association to Sir Hilary Blood who was preparing a list of recommendations for a new constitution during that time. The secretary of the Arab association wrote:

> '… the principle that Zanzibar citizenship should be safe-guarded receives full support. We in this country have our tradition that we cherish. Our loyalty to the throne (Sultan) is very great, and we have many other traditions which have been handed to us

from generation to generation. To give a chance to half-baked
immigrants (Africans) to have any say in our political life is only
to disrupt our heritage.'[100]

The African and Shirazi associations formed into the Afro-Shirazi Party (ASP)
at the insistence of Julius Nyerere who during his visit to Zanzibar in 1957,
succeeded in effecting an understanding between the two parties. Following
the cooperation, Abeid Amani Karume, who was president of the African
Association, was chosen president of the ASP and Thabit Kombo was chosen
as secretary of the new union. Only a small group of the Shirazis joined the
union, however. Always mindful of their identity and the deep mistrust they
had of Africans, Shirazis remained distant and not wholly supportive of the
ASP. What followed then was party politics that reflected these suspicions
and historical patterns of racial divisions with 'regional variations in character
and intensity, particularly between Pemba and Zanzibar'.[101] The birth of the
Zanzibar and Pemba People's Party (ZPPP), for example, arose as a result of
the tenuous relations between the Africans and Shirazis within the ASP. The
ZPPP was specifically designed for Shirazis who wished to avoid
involvement with the African-led ASP and had its base mainly among the
Shirazi's in Pemba. During the elections of 1957, 1961 and 1963, party loyalty
and voting behaviour was expressed mostly through these three main
political parties: the ZNP, ASP and ZPPP.

One can clearly see that Zanzibari politics from the beginning survived on
alliances of racially disparate groups, which unfortunately – in Lofchie's
words – 'lent the party system in Zanzibar an impermanent and unsettled
quality'.[102] The ASP, for example, drew its support principally from the
mainland and Shirazi communities (the Zanzibar segment); the ZNP relied
heavily for its support from the Arabs and Asians; and the ZPPP, a faction
that had split from the ASP, was designed in particular to provide a voice for
the Pemba Shirazis. Each party's political solidarities were founded largely
on ethnic fears. Both the ASP and ZNP appealed strongly to each of its
communities' fears of the other party's domination. While the ASP
manipulated African fears of Arab domination, for example, the ZNP did
the same by provoking Arab fears with threats of African domination. The
campaign period of 1957 was therefore characterised by 'widespread
communal prejudices' and highly autonomous ethnic loyalties which

'engendered hatred and animosities that persisted long afterwards as an ineradicable feature of competitive party politics in Zanzibar':[103] an assertion that other scholars unreservedly support. Mukangara notes that elections in Zanzibar will always be contested along racial and ethnic blocs, after all 'it is a fact that divisions based on racial and ethnic identification are the most enduring, and that they produce the most hardened perceptions and positions when they are fused with politics'.[104]

ASPECTS OF BRITISH EXPLOITATION

The British, in all honesty, should bear some responsibility for Zanzibar's political polarisation. Throughout the period under which Zanzibar remained a British protectorate, its administration went to great lengths to ensure that power stayed solely with the sultan. It did so by giving political precedence to Arabs through instituting, among others, government bodies that excluded African representation and constitutionally preserving the institution of the sultan.[105] The representative legislative bodies that the British had established to act as government advisory councils, for example, had representation from all the major ethnic communities save the Africans. The Zanzibar Protectorate Council together with the executive and legislative councils had members representing simply the Arab, Indian and European communities. It was only in 1946, 20 years after the councils were created, that a decision was made to reserve one seat for an African representative.[106] The sultan, however, appointed a Shirazi who at that time was still classified as an Asian by the British administration.

British favouritism of the Arabs was at its most glaringly obvious in the 1961 and 1963 elections. Following the ASP victory in the 1957 election, with a sweeping win of five of the six contested seats, the British administration continued to openly favour the Arabs by manipulating electoral constituencies in all the subsequent elections. This tactic ensured Arab electoral victories, which without question helped to widen the rift between the parties. In 1960, in response to the constitutional recommendations Sir Hilary Blood made in his report,[107] the Legislative Council was expanded to 21 seats but the local administration authorities added an extra seat in the Stone Town area: a constituency which was predominantly Arab and thereby a ZNP stronghold. This was clearly an act of gerrymandering as the additional seat produced constituencies which each had 1,393 and 1,077 voters,

considerably less than the average of 4,472 voters in other constituencies.[108] Again in the June 1961 elections the government created a 23rd constituency in the south of Pemba, which so happened to be a ZPPP stronghold. As a result, in the June 1961 elections as well as the July 1963 elections, and despite the ASP receiving more popular votes than the ZNP and ZPPP combined, the ZNP/ZPPP coalition managed to form a government with more constituency seats (see tables 3 and 4).

Table 3: 1961 June election results

Party	Votes	%	Seats
ASP	45 172	49.9	10
ZNP	31 681	35.0	10
ZPPP	12 411	13.7	3

Source: *Maliyamkono and Kanyongolo, op cit, 2003.*

Table 4: 1963 July election results

Party	Votes	%	Seats
ASP	87 402	53.4	13
ZNP	47 943	29.3	12
ZPPP	25 610	15.6	3

Source: *Maliyamkono and Kanyongolo, op cit, 2003.*

EFFECTS OF RACIAL DIVISIONS ON CURRENT POLITICS

In 1971 President Abeid Karume had predicted that the racial differences plaguing the politics of the isles would not disappear for another 50 to 60 years after the revolution. Not only have the racial differences become more salient since the introduction of multiparty politics, the current CUF–CCM divide seems to parallel the racial divide of the pre-revolution period, confirming Karume's predictions.[109] In the 1957, 1961 and 1963 elections the ZNP/ZPPP had dominated Pemba with a few strongholds of significant

support in Zanzibar, most notably in Stone Town, while the ASP dominated Unguja Island and, like its opponent, had significant support in the South Pemba constituency. This electoral landscape seems to have replicated itself in the 1995 and 2000 elections, where the CCM – a product of the 1977 ASP/ TANU merger – dominated Unguja, with the CUF – arguably an association of the ZNP/ZPPP coalition – performing outstandingly in Pemba and only barely gaining a foothold in Zanzibar through the ZNP's traditional strongholds of the Stone Town constituencies (Malindi and Mkunazini).[110] Another way of demonstrating that party loyalties have not changed much since the revolution is by examining electoral performance among racial groups. Mukangara notes that 'where the Arabic or semi Arabic population is higher', as in Pemba and in the few constituencies where it gained the majority in Zanzibar, 'the votes for CUF tend to be proportionally higher' and the reverse is true for the CCM. In Pemba, for example, the CCM won in predominantly African constituencies.[111] The above discussion highlights that Zanzibari politics is determined largely by racial loyalties that are certain to affect it for a long time to come.

DEALING WITH CONFLICT – MUAFAKA[112] ACCORDS I AND II

Managing conflict in Zanzibar, as elsewhere, has not been an easy task. It has in fact been the most difficult and complex task facing the government to date; even more so when the resolution period faced continuous time pressures and political tensions. Consequently, the accords tended to have more of a short-term objective than any long-term aim of sustainable settlement.

Both of the peace accords (Muafaka I and II) addressed the two most powerful elements that combined to form political conflicts in Zanzibar: racial identity and the political system. The former, as it was soon discovered, was much more difficult to address as it is a persistent and intractable issue that is much less amenable to negotiation. The latter offered a more effective solution as the political conflict in Zanzibar needed at best to be addressed from a governance standpoint. Together with the long-term multiculturalism that must be confronted in one way or another, the manner in which the violence of 2001 transpired suggests that Zanzibar's transitional democratic institutions need to undergo a major transformation. It is widely acknowledged that appropriate democratic institutions such as the electoral

system, legislative bodies, election administration and judicial structures, to name a few, are vital elements in forging an enduring settlement to political conflicts; provided of course that these institutions and structures are developed and designed through fair and honest negotiation processes.[113]

MUAFAKA I

Zanzibar's political crisis following the 1995 multiparty elections was first settled, after many delays and attempts, in June 1999 through a Commonwealth-mediated agreement. The Commonwealth reconciliation efforts were directed largely by the Secretary General Chief Emeka Anyaoku, together with his envoy Dr Moses Anafu, who on the occasion of the signing of the agreement by the CCM and CUF had declared that both parties

> '… would work together in the spirit of national reconciliation to consolidate democracy in Zanzibar, promote human rights and good governance and ensure that the elections scheduled for the 2000 and all other subsequent elections are free of controversy and in which the will of the electorate will be respected.'[114]

Regarding the areas to which both parties were to adhere, the agreement contained 15 articles which covered mostly contentious issues such as:

- review of the constitution and electoral laws;
- reform of the Zanzibar Electoral Commission (ZEC) and the judiciary;
- compilation of a credible voters' register;
- equal access to the media;
- free political activity;
- independent assessment of CUF compensation claims;
- ending the CUF parliamentary boycott; and
- giving the CUF two more parliamentary seats.

The facilitation of the programme of action was to be implemented solely by an Inter-Party Commission (IPC) composed of seven members of each party.

Several of key principles contained in Muafaka I, as it happened, were not implemented. This contributed significantly to heightening the tensions and

problems experienced in the 2000 general elections. By the time of the deadline of May 2000, there was no observable progress on the constitutional and electoral law reviews nor had the ZEC been reformed, as anticipated by the agreement. A progress review of all the other areas revealed a similar picture: no measurable progress had occurred in many of them. The only clearly identifiable areas where there had been progress were those concerned with the CUF. The CUF as provisioned by the agreement had taken steps to recognise Dr Salmin Amour's government and to end the boycott of the House of Representatives.

A thorough analysis into the reasons why Muafaka I failed reveals that other than administrative offsets and impediments, such as lack of office space, equipment, personnel and funds to run its activities,[115] lack of commitment and extreme adversarial relations appear to be the main recognised problems that affected implementation. For the most part the government of Zanzibar under Dr Salmin Amour lacked the political will required to implement the agreement. But the reconciliation process was doomed by an even greater problem: the reluctance on both sides to implement the pact. This was characterised by accusations that each party hurled at one another, lack of trust and general animosity. The process utilised by the Commonwealth secretariat to reach an agreement was also widely criticised by both parties and was lauded as one of the main reasons behind the failure of Muafaka I. Experiences in conflict management have shown that the process by which parties reach an outcome impacts significantly on the quality of the outcome. The approach followed by the Commonwealth in reaching Muafaka I was regrettably far from perfect and widely flawed. The Commonwealth primarily employed a shuttle mediation approach[116] and held discussions with one party at a time. In fact the first time the CCM and CUF negotiating teams met was three years later at the signing of the agreement. Accordingly, a wide range of shortcomings arose from such an approach. Both parties felt that much time had been wasted unnecessarily; the messages were likely to have been distorted as result of the continuous shuttling between the two parties; and because the pact had been mediated by an outsider, it lacked Tanzanian ownership altogether.[117]

External actors have as much an effect on the outcome of a conflict management process as the negotiating partners themselves. In the case of

Muafaka I the donor community together with the media, exploring its newly discovered freedom, inadvertently undermined the significance and efficacy of the agreement. Owing to the donor community's biased actions, such as the freezing of aid and constantly pressurising the CCM during the reconciliation process, the government viewed the agreement and the mediator as donor-driven and thereby untrustworthy. An additionally important explanation for the failure of Muafaka I involves the lack of enforcement mechanisms. The shared view in this respect is that not only was the IPC constrained from the start with weak internal structures, the institution itself lacked legal authority to ensure effective implementation.[118] This was quite unfortunate, as an agreement has little value if it cannot be properly maintained.[119]

MUAFAKA II

The failure to implement Muafaka I resulted in the 2000 elections being held in an atmosphere of mistrust and tension. Again there were allegations by the CUF that the elections were highly flawed, causing it to demand a re-run. Much of the CUF resistance and complaints of irregularities were directed at institutional issues that Muafaka I was expected to address, namely, the impartiality of the ZEC, equitable coverage of state-owned media, as well as the institutionalisation of a free and open political environment. Little attention was given to these demands until the January 2001 demonstrations, which forced political parties to initiate the second round of negotiations that resulted in the signing of Muafaka II in October 2001.

The negotiations proceeded in several steps, starting with a reconciliation process which was assisted with the issuing of a joint statement. The statement cleared the way for thorough discussions that followed. A notable difference in these negotiations was the approach that was used throughout the discussions: both parties had agreed to make use of their own mediation skills and to carry out the talks without a mediator. Bilateral discussions (face-to-face talks), it was later observed, contributed significantly to the accord's success. Both parties felt that amidst such mistrust face-to-face talks were a vital requirement in paving the way towards some kind of reconciliation. Besides this, the experience revealed that bilateral talks not only helped to weaken the tensions, but also helped the negotiation process. It was observed that bilateral talks had great value in clarifying the

perceptions on both sides and in defining their priorities. To facilitate the talks a CCM-CUF Technical Committee was formed with the responsibility of analysing the agenda. Finally, parties engaged in negotiations via a Joint Negotiation Committee of the Secretaries General, and as the name suggests the committee was led by the secretaries general of both parties: Philip Mangula for the CCM and Seif Sharif Hamad for the CUF.

The content of the agreement concentrated largely on reforms aimed at reasserting the rule of law in Zanzibar; reforms which many had hoped would help prevent any recurrence of violence such as that in January 2001. The agreement itself did not differ significantly from the first one. In fact, one of the first areas the parties had agreed to abide to was the implementation of Muafaka I. This included the establishment of an independent electoral commission, the creation of a permanent voters' register, a review of Zanzibar's constitution and election laws, equitable coverage of state-owned media institutions, reform of the judiciary, and the establishment of a joint presidential supervisory committee to ensure implementation of the accord. All else that followed were points of agreement that related specifically to events of the 2001 demonstrations. Most importantly the agreement provided for the formation of an independent commission of inquiry into the January 2001 demonstrations.[120]

Unlike Muafaka I, the government remained committed to Muafaka II throughout and as a result managed to implement many of its provisions with the utmost sincerity. Some of the actions that were implemented in 2002 in line with the accord's provisions include the establishment of an independent electoral commission which was made possible via the effecting of several constitutional amendments. The ZEC now includes two members from the opposition who are appointed by the president in consultation with the head of opposition in the House of Representatives. Several amendments of the electoral laws also made possible the establishment of a permanent and credible register for voters. Other electoral laws and constitutional terms underwent a similar review. Some provisions, however, were initiated only in 2003, with the remainder still planned for reform prior to the October 2005 elections. These include the reform of the judiciary, a new secretariat of the ZEC, a review of the union laws and reform of the state-owned media. The implementation of the accord to date has not been without some

administrative glitches. Lack of funds and expertise, among others, has affected, though minimally, its execution pace.

There is no doubt that Muafaka II has been an important step towards stability; its successful implementation by some accounts ensures fair elections in 2005 and that because of it, political violence is now much less likely. What reasons explain its success? After all, despite experiencing some minor hiccups the accord has received much local and international praise on both its contents and the commitment shown by Tanzania's political leadership. Even opposition leaders who were sceptical at first have wielded to the powers of Muafaka II and recognise the milestones that have occurred as a result of it.

First, the context under which the agreement was signed was very different from that of 1999. Given the extent of the violence that occurred and the severe tensions that prevailed thereafter, the political leadership was in disbelief and feared that if the conflicts were not resolved they would deteriorate to unmanageable levels. As such this aversion to continued conflicts forced both parties to seek redress. Other reasons include farsighted leadership, the bilateral approach employed, the agreement's flexibility and the trust it evoked. As already mentioned, the face-to-face approach was a far better mechanism for Zanzibar's political conflicts as it not only reduced the possibility of distortion but ensured more local ownership. Political leaders also helped to make the accord a success. Conflicts require far-sighted leadership. Just as many conflicts are exacerbated by leaders who inflame the tensions, conflicts can be brought to an end with leaders who can put aside their differences and sentiments and who also have the authority to do the same with their supporters. Additionally, the mutual trust and high degree of flexibility that parties exercised during the negotiation processes helped to produce the results it did. The importance of trust cannot be overstated: negotiations demand a minimum of cooperative effort. Although it is issues that tend to be the focus of such negotiations, ultimately the success depends on the actors and their trust in one another.[121] Similarly, the greater the flexibility actors exercise; the greater the chance of success. In sum, all these factors without reservation helped to increase the accord's chances of success and progress – an initiative that has enhanced Zanzibar's multiparty democracy in more ways than originally imagined.

ADMINISTRATION OF ELECTIONS – A PERSISTENT STRUGGLE OF INSTITUTIONALISATION AND CONSOLIDATION

Wole Olaleye

INTRODUCTION

Regular, credible, free and fair elections is a demonstration of a clean bill of health of any democracy. It also serves as a critical instrument for assessing the prospect of democratic consolidation. Elections allow citizens to use their own choices and voices to appoint both local and national leaders to run national affairs on their behalf. Nohlen isolates 13 key functions of elections in entrenching democratic governance as follows:

- Legitimising the political system and government;
- Transferring national trust to persons and parties;
- Providing for orderly succession of governments;
- Selecting and recruiting leaders;
- Representing opinions and interests of the electorate;
- Linking political institutions with voters' preferences;
- Mobilising the electorate for social values, political goals and programmes, etc;
- Enhancing the population's political consciousness by clarifying political problems and alternatives;
- Channelling political conflicts in procedures for their peaceful settlement;
- Integrating social pluralism and forming a common will for political action;
- Giving rise to a competition for political power on the basis of alternative policy programmes;
- Bringing about a decision on government leadership by means of the formation of parliamentary majorities; and
- Establishing an opposition capable of exerting control.[122]

When elections entrench democratic governance, it is ensuring democratic consolidation – a long-term process through which democratic practice is

gradually institutionalised.[123] Institutionalisation will only occur when the atmosphere is conducive for the culture of tolerance, bargaining, compromise and willingness to accept the outcome of elections among political rivalries. This kind of atmosphere will only be developed and sustained if the agent (political institution) responsible for election administration is transparent, impartial and credible. In Tanzania, the electoral administration and management bodies (EMBs) are responsible for supervising and coordinating the registration of voters, conducting elections, demarcating boundaries, and performing other functions. This is done so in accordance with the law as it relates to presidential, parliamentary and local councillors' elections. This chapter assesses the conduct of elections in mainland Tanzania, as well as in Zanzibar, with a view to making some policy suggestions on how to fine-tune the election administration as an important agent in the process of democratic consolidation in that country.

REGULATION OF ELECTIONS IN MAINLAND TANZANIA AND ZANZIBAR

Presidential and parliamentary elections in Tanzania are held according to the Constitution of the Republic of Tanzania, 1977 (with relevant amendments), the Elections Act, 1985 (Act No.1 of 1985) with all the amendments up to and including 30 June 2000,[124] and the Political Parties Act No. 5 of 1992. Local government and town council elections are regulated under the Local Authorities (Elections) Act, 1979 (Act No.4 of 1979). Elections in Zanzibar are, however, covered under a separate constitution and Electoral Act. It is regulated under the Zanzibar Constitution and Elections Act, 1984 (Act No.11 of 1984), the Political Parties Act of 1992 and the Election (Amendment) Act No. 3 of 2000. Zanzibar law covers the presidential, parliamentary and local councillors' elections. Also important is the Zanzibar Municipal Council Act, 1995 (Act No. 3 of 1995).

These laws give legal power to the NEC and ZEC as the custodians of election administration and management in both Mainland Tanzania and Zanzibar. In both cases, the laws have statutory status and are supreme organs in all matters related to the conduct and management of all elections in Tanzania and Zanzibar. Many commentators and analysts in Tanzania and internationally have rightly noted that the relationships between these two supreme organs constitute a major bottleneck for the effective and efficient administration of elections.[125] For example, mainlanders are not allowed to

register and vote in Zanzibar either in presidential, parliamentary or council elections if they have not continuously resided in a constituency or ward for five years in that particular electoral district.

This provision within the Electoral Act contradicts the constitutional provision. The purpose of the act was to link elections with residency as compared to citizens, which is often usual practice across many countries in the Southern African Development Community (SADC) region. As a result numerous potential eligible voters were disenfranchised. In essence, it means there are two different laws governing voter registration: section 12 is operative in Mainland Tanzania and section 12A in Zanzibar. As noted by Chaligha,[126] during the 1995 elections the NEC extended the registration period in the mainland, but was unable to extend voter registration in Zanzibar due to the provision of section 12A of the 1985 Elections Act. A similar incident occurred during 1995. According to a NEC statement:

> '… this is an unsatisfactory situation. The law in Zanzibar has imposed a requirement of a continuous residence for three years (previously five years) before a person can be registered as a voter in the elections for the House of Representatives. That requirement does not exist in Section 12.'[127]

In such cases where there is dispute of jurisdiction between the two EMBs, the law remains ambiguous over which law should take precedence. Members of the electoral commissions interviewed during the field visits to Dar es Salaan and Zanzibar confirmed that this situation makes their work difficult, especially when the ZEC has to conduct voter registration.[128]

THE NEC AND ZEC: ORGANISATIONAL STRUCTURES

The institutional framework, as contained in the constitution and electoral acts, provides for the establishment of an independent electoral commission (the NEC and ZEC), which is responsible for the administration and management of elections in Mainland Tanzania and Zanzibar respectively.

The NEC is a seven-member body comprising a chairperson, a vice chairperson and five other members. According to article 74(1)(a) of the constitution, the chairperson and vice-chairperson of the commission must

be a judge of the High Court or a justice of the Court of Appeal or have a qualification to be appointed judge. The vice-chairperson is appointed on the principle that if the chairperson is from one particular region of the union, then the vice-chairperson must originate from the other part. Regarding the remaining five commissioners, one must be a member of the Tanganyika Law Society, while the other four members must be persons with experience in the conduct and supervision of parliamentary elections or with other qualifications deemed appropriate by the president. According to section 4(1)(d) of the Elections Act 1985, the four other members of the commission are to be 'persons possessing either adequate experience in the conduct or supervision of parliamentary elections or such other qualifications as the President considers necessary for or pre-requisite to the effective discharge of the functions of the commission.'[129]

The constitution further prohibits a certain category of people from being appointed as commissioners. Within this category are a:

- minister or a deputy minister;
- person holding any kind of office specified by a law enacted by parliament prohibiting a person holding such office to be appointed a member of the electoral commission;
- member of parliament or a local government councillor; or
- leader of any political party.[130]

The ZEC in Zanzibar is established under article 119(1) of the Zanzibar Constitution of 1984 and the Elections Act 4(1) of 1984. The ZEC also comprises seven members. The act stipulates that the following members will be appointed by the president of Zanzibar:

- The chairperson of the commission with relevant qualities as the president may feel appropriate.[131]
- Other members be appointed based on the following criteria: one from Tanganyika Law society; and other four members must be persons with experience in the conduct and supervision of parliamentary of election, or with qualifications considered appropriate by the President for the job.

The ZEC is given the responsibility to appoint its deputy-chairperson among the other appointed members. The constitution also provides three clear

guidelines (other than death) for the removal from office of any member of the commission, namely: completion of a five-year term since appointment; the occurrence of anything that would have stopped a member to be appointed, if the person is not a member of the commission; and removal by the president of Zanzibar. All those appointed and involved in the management and administration of elections are barred from belonging to a political party. The issue of commissioners' independence and their efficiency and effectiveness in fulfilling their responsibility continues to undermine the commission's integrity and impartiality.

INDEPENDENCE OF THE NEC AND ZEC

There are two ways at looking at the independence issue. First, is to look at the independence of the commissions as a legal entity. As far as the law is concerned, the NEC and ZEC are both supreme organs. They have the ability to make decisions as it relates to election administration and management. These include: approving or disapproving candidates for elections; determining demarcation of constituencies; designating polling stations; issuing registration and voting procedures; and dealing with all complaints in relation to election procedures. In this regard, the NEC and ZEC are independent statutory organs. Second, is to see the appointment of the commissioners as falling within the executive mandate of presidential duties. The president in his capacity as the chief executive of the executive branch of government and not in his capacity as the national chairperson of the ruling party (CCM) appoints the commission. However, the extent to which a party loyalist is an honest broker to the appointing authority remains a critical issue for the Tanzanian democracy. Complaints were levelled against the appointment of commissioners and their lack of efficiency and effectiveness in fulfilling their functions. For examples, the CUF and other electoral stakeholders raised objections to the Zanzibar Elections Act of 1984 and the appointment of members of the commission.

Many continue to maintain that the commissions' dependence on government for funding and personnel further undermines their ability to ensure independence. The EMBs do not have their own personnel. All NEC and ZEC personnel are government employees seconded to the commission. It is within the mandate of the central government to withdraw or re-deploy any personnel when and if necessary. It was reported that in cases where

the electoral authority appoints local government officials, such as the district executive directors, who are also central government appointees, to be returning officers during by elections, the central government can and does transfer personnel without consultation. This occurred in 1994 during the Ileje by-election and in 1999 during the Mitema by-election. Although in Zanzibar there is nothing within the law that compels the EMB to use government officers as ZEC personnel either at the district or constituency levels, the practice, however, is such that the ZEC always recruits and appoints people from government offices. To make matters worse, the *sheha*, who is a government administrator, is an *ex-officio* member of the commission. The lack of provision within the Electoral Act to allow the commissions to employ competent, suitable staff further raises doubt about the independence of the commissions and contributes to lack of institutionalised electoral administrative capacity within the system – a serious deficit for democratic governance and sustainability of the election management infrastructure.

Another factor that further compounds this problem is the financial constraints faced by the commissions. Although they receive funding from foreign donors, this only amounts to part of the finances needed to conduct elections; the bulk of the finances always come from the government. What makes the situation even more unattainable is that the commissions have no special budgetary allocation voted for and approved by parliament. The situation is such that for every election, the NEC has to apply for funds from the Treasury, with the approval of the Prime Minister's Office. Since the commissions do not have their own budgetary allocations and lack financial autonomy, they continue to be starved both logistically and adminis-tratively.[132]

Another important factor that confronts the commissions is the perception of Tanzanian citizens with regard to their independence. The general public perception is that both the NEC and ZEC have in the recent past behaved in ways that undermine their credibility as non-partisan bodies. According to the Secretary General of CUF:

> '… during the 2000 general elections when the ruling party [the CCM] lost in its traditional constituencies, CCM ordered the electoral commission to cancel election results in those

constituencies, while in other constituencies soldiers were ordered to confiscate ballot boxes before counting began. The boxes were sent to the district office without party representatives … after a couple of weeks, the commission announced the result and declared CCM as the winner of the Presidential election in Zanzibar.'[133]

Article 41(7) of the Union Constitution states that: 'No court is allowed to inquire into the election of a presidential candidate who is declared by the electoral commission to have been duly elected.' This constitutional provision gives further credence to the popular perception that the commissions are not independent, impartial or credible agents, which makes the possibility of challenging the decision of the electoral authority unattainable.

From our interaction and impressions gathered from numerous stakeholders, it appears that only the ruling CCM has trust and confidence in the NEC and ZEC:

> 'there has been no occasion at which CCM openly criticised or protested against the conduct of these organs with regard to the election process. This testifies to CCM and NEC/ZEC having a mutual relationship.'[134]

There is nothing wrong with political parties having a mutual relationship with the electoral management body provided such relationship is not based on favouritism and rent-seeking behaviour. The fears of the opposition parties and general public are well based in this context, given the history and perpetual culture of a one-party system and the impossible task of distinguishing the ruling party from the arms of government. Leaders of opposition political parties, given the realisation of this complex institutional arrangement, have consistently advocated for reform of the entire electoral system.[135]

MANAGEMENT AND ADMINISTRATION OF ELECTIONS: NEC AND ZEC ASSESSMENT

Our attempt to assess the effectiveness of the NEC and ZEC in managing elections is directed at selected areas of activities. These include: the voter

registration process; the voters' roll; voter education; human resources; voting and counting; and conflict management. The analysis presented here is limited to the conduct of the 2000 elections. Our approach is not to provide an exhaustive account of the entire election administration process but rather to highlight key focus areas around which recommendations and interventions are necessary.

VOTER REGISTRATION

The Electoral Act of 1985 stipulates that all Tanzanian citizens 18 years and over have the right to register as a voter. Unlike in South Africa and other countries in the SADC region, voter registration takes place before elections; Tanzania does not have a continuous voter registration process. Efforts are under way to establish a permanent voters' register for possible use in the 2005 elections. Registration officers (ROs) are appointed by the electoral commissions for each constituency. The ROs are responsible for appointing assistant registration officers (AROs), whose duty is to appoint registration clerks for a period of one month to carry out registration. Some of the problems associated with the 2000 voter registration drive include: problems related to the short registration period; misconceptions of prospective eligible voters; problems related to the activities of registration clerks, ROs and AROs; shortcomings concerning registration centres; problems related to party agents; violations of election laws; and management or NEC administrative problems.[136] These problems are due to time constraints, the shortage of funds and resources, and NEC/ZEC unpreparedness for the 2000 elections.[137] Out of 10,303, 891 estimated voters, 10,088,484 (or 97%) were registered, of which 5,149,125 were men and 4,939,359 were women.[138] This high percentage was the result of an aggressive operation NEC embarked upon in the last week of voter registration. During the 2000 general elections, an amendment was made to the Electoral Act to remove subsidies provided by the state to pay party agents who were supposed to oversee voter registration, vote casting and vote counting. This situation greatly hampered the opposition and smaller parties' ability to provide agents to protect their interests during registration and voting.

VOTERS' ROLL

Tanzania does not have a permanent voters' register. The usual practice is to register voters during any given election. According to article 5(3) of the

Constitution of the United Republic of Tanzania, 1997, Tanzania is required
to have a permanent National Voters' Register. Some benefits of having a
voters' register include: simplifying election preparations; reducing the cost
of registration; and preventing the possibility of multiple registration, which
was one of the administrative problems confronted by the electoral
commissions during the elections. This lack of a voters' register is further
compounded since Tanzania does not have a national identification card
system. Although the government has promised to provide the necessary
support for the establishment of a voters' roll before the next general elections,
the relative lack of experience and technical know-how of the electoral staff
is an issue that needs serious consideration in the establishment of a
permanent voters' roll.

VOTER EDUCATION

There can be no substantive democracy without voter education, which plays
a vital role in ensuring that elections are free and fair. Imparting knowledge
on the importance of exercising the right to vote and how to vote is crucial
to the electoral process. We do not believe that voter education should be
made a specific statutory function of the electoral commission, but that the
Commission should be given the necessary resources to implement voter
education.[139] A partnership between civil society and the electoral commission
is important in a society such as Tanzania where the impartiality and integrity
of the national electoral commission is doubted. As demonstrated through
the 2000 elections, even with the assistance of civil society in distributing
voter education posters, the materials failed to reach people in the rural areas.
It isn't hard to imagine what other glitches the distribution would have
experienced had the activity been left to the commission to perform alone.[140]

HUMAN RESOURCES

The focus here is on quality of the NEC field personnel; those responsible
for the administration of elections. The 1995 election guide provides three
criteria that a prospective electoral officer must fulfil. These are: key election
officials must have sufficient education and training (e.g. regional elections
coordinators, returning officers, assistant returning officers, registration
assistants and presiding officers); an election official must not be a member
of any political party; and must have experience in conducting elections
(especially for regional election coordinators and returning officers).[141]

Although there were allegation of favouritism towards CCM party identifiers, overall, the quality of the field personnel was satisfactory.[142] Most field officials had at least a high school education, while the recruitment and selection of presiding officers and their assistants was carefully executed.[143] A major problem with respect to the election personnel is in the quality of training received by these officials. In most cases, administration problems were evident during voting and vote counting, where election officers' lack of knowledge of the election rules and regulations was a common occurrence.[144]

VOTING AND COUNTING

Section 46(1) of the Elections Act of 1985 and section 48(1) of the Local Authorities Elections Act, 1979, states that after the candidates for presidential, parliamentary and councillors' elections have been nominated, the commission is required to publish in the *Gazette* an election day and set an election day no less than six days and no more than 90 days from the day of nomination.

Voting for the 2000 general elections took place under new amendments to the electoral legislation. The most controversial of the changes to the act regulating voting is the June 2000 amendment under section 70A(2), which gives power to the electoral commission, the director of elections or the returning officer to change a counting centre by transferring ballot boxes to another centre for reasons of security, inadequacy of space or other reasonable causes. This provision clearly amounts to unfairness inherent within the system. Although opposition parties and other interested groups, including international donors and academics, raised serious objections to the amendment, nothing came of these. Since the ruling party has a two-thirds majority in parliament, the legislation went through parliament easily. On the eve of the elections, the commission issued a directive stipulating that all votes should be counted at the polling stations.

CONFLICT MANAGEMENT

The outburst of violent conflict following the 2000 elections demonstrates the extent to which conflict creates legitimacy crises for election results. The NEC is responsible for ensuring that all political parties contesting elections play by the rules of the game as set out in the constitution, the Elections Act,

the Handbook of Tanzania Electoral Laws and Regulations, and other directives and regulations issued by the NEC. During the last election, reports indicated that the NEC failed to enforce compliance of the contesting parties in overseeing the agreed upon rules.[145] All political parties contesting the election, including the ruling party, failed to comply with the rule for enforcing an environment conducive to the conduct of a free and fair election.

The NEC needs to make a concerted effort to implement alternative dispute resolution and conflict management processes such as mediation, arbitration and conciliation structures, which in Southern Africa have been found to be potentially more accessible and cost effective and are considered as quick mechanisms for addressing disputes emerging from elections.[146] In addition, the establishment of party liaison committees or any other similar structures would go a long way to preventing future conflicts arising between supporters of different contesting parties and organisations at voting stations and during the counting process, due mainly to the exclusion and marginalisation of CSOs and party supporters from electoral processes.[147]

CONCLUSION

The 2000 general elections in Zanzibar and to a lesser extent in mainland Tanzania is a clear pointer to some of the hurdles that still need to be overcome by both NEC and ZEC if there are to become efficient election administration institutions. By all accounts the 2000 elections in Zanzibar were described as complete chaos because of the level of irregularities that characterised those elections. In view of the ZEC's performance, many international and local observers made recommendations around the need for ZEC reforms.[148] Of note is the statement issued by International Foundation for Election Systems (IFES):

> 'The Government of Zanzibar should review the composition of and requirements for appointment to the Zanzibar Electoral Commission (and the senior level staff) as soon as possible, taking the importance multipartisanship into account. The experience of the 2000 elections is a stark indicator of the consequences of cherry-picking election staff who are not competent to manage this very important process.'

The domestic Tanzanian Election Monitoring Committee (TEMCO) issued a statement following the elections that 'the state instrument responsible for managing the elections in Zanzibar had let down the people and multiparty democracy'.[149]

IV

THE ROLE OF DONORS IN TANZANIA'S DEMOCRATISATION PROCESS

Shumbana Karume

INTRODUCTION

Much has been written and documented about Africa's advent of transition from single to multiparty politics and on the factors that prompted this historical shift in the early 1990s. Much has also been written on the individual countries that underwent such fundamental political reform, documenting diverse scenarios and contexts. Noting these differences, several documented studies have produced a single overarching conclusion for all the countries under review, with regard to what was believed to have caused their transition to political liberalisation. They established that while global changes in the political economy are believed to have had considerable influence on the political liberalisation movements, it was donors' roles in developing countries' politics – which had been redefined following the changes in the international context – that ultimately opened up political processes in these countries.

In Tanzania's case external influence wielded by donors did indeed play an important role in pushing for a multiparty system of government. But the degree to which this influence was frequently and willingly exerted by donors is up for debate. On the surface it seems that Tanzania, like many of its neighbours, faced a similar battle of the wills between the single party government and its external funders. A closer look, however, reveals a strong variation in the nature and strength of donor influence and pressures. It shows that the domestic conditions prevailing in Tanzania in fact shaped the ways in which both the international community within Tanzania and the government itself responded to outside pressures for political reform.

Similar to other countries, donors used two basic methods to influence Tanzania to open up its political systems: dialogue and political conditionality for aid.[150] It was the former process that seems to have received the most

attention, however. Unlike the confrontational approach donors took with other countries in their attempt to promote political reforms, and officially tying democratic contingency to continued aid transfers, they were more accommodating with Tanzania. The reason for this, among others, the priority of the international community at that time was to continue to assist Tanzania in reviving its economy. Having undergone decades of considerable economic mismanagement and consequent economic stagnation, donors found it not only difficult to move from a 1980s' agenda of promoting economic liberalisation but presumed the policy change of political reform to be less imperative. Accordingly, cooperation rather than explicit pressure was the underlying strategy in the approach applied to Tanzania.

The pressure applied was simply to exercise leverage over the government's economic policies. A pertinent issue to note here is that the long-standing and acute economic crisis Tanzania experienced in the 1980s redefined donors' roles in the Tanzanian economy from being a bystander to a partaker of the processes. Previously, and much to their chagrin, Nyerere had followed an independent socialist (*Ujamaa*) development route which not only excluded donors but ignored their pleas not to follow such a path. The promotion of socialist policies and state interventions in the market economy was considered to be ill-fitting for Tanzania's nascent developmental state, and the economic crisis that followed proved them right. By the mid-1980s the economy had stagnated to such extreme levels that the World Bank and IMF felt inclined to prescribe its structural adjustment programmes to the government. What ensued, however, was a six-year (1976-1986) battle against the imposition of these policies, with Nyerere resisting not only the Bretton Woods Institutions' interference but that of the other donors who had united behind this common development framework and began to tie their aid transfers to some conditionality. When Nyerere eventually succumbed to donor pressure by signing an IMF agreement in 1986,[151] donors had finally achieved what they wanted most: to set Tanzania's economic policy guidelines and to chart the trajectory of societal development. 'In this new division of labour, donors became the policy makers in Tanzania while the government became charged with policy implementation.'[152] For the next few years, as newly instituted Tanzanian policy makers, donors sought to consolidate this role, so much so that when political reforms assumed top priority, many did not dare actively promote it, given the history of their

relationship with the Tanzanian government. Another way of looking at this is that while donor priorities differed substantially across the continent, dependent on country conditions, the international community in Tanzania did not regard the position it had taken to be completely unrelated to the West's new goal of promoting democracy. In many ways, controlling and limiting state action in economic activities was perceived by donors as a more general effort to encourage political reforms.

This is not to understate the power of the international community; if anything, changing the resolve of the government reinforced their authority. It was a turning point in the Tanzania–donor relationship, making them a powerful entity in the country's domestic policy making process both in the economic and political realms. At this time donors had significant influence and could have imposed direct pressure on the government to move towards multiparty democracy, as had been the case elsewhere. In Tanzania, however despite their official policy of making democratisation contingent to the continued transfer of aid, it appears that donors chose neither to impose direct pressure nor, as will be demonstrated later, to implement political conditionality in Tanzanian aid transfers.

Officially the international community made the promotion of democracy its foreign policy goal after the end of the Cold War. By 1992 almost all of Tanzania's major donors had incorporated democratisation as a contingency for continued economic assistance. Canada was first to officially integrate democracy into its aid policy, followed by Italy in 1989. Others soon followed by making various declarations in support of democracy and human rights as the main objectives of their aid programmes. A number of joint communiqués were issued during that time which would formally announce donors' intentions of adopting a comprehensive policy aimed at promoting human rights, development and democracy. The most significant of these was the joint communiqué issued by the Nordic ministers in 1990. Japan would be the last of Tanzania's 11 major donors to call for the promotion of democracy and to officially tie this democratic contingency to its aid.[153] Once all foreign aid policies had been modified to reflect this new concern, and thus encourage democratisation throughout the continent, countries like Tanzania were bound to this new trajectory. Accordingly, donor aid disbursements to Tanzania would have been affected by such policy. They

would entail either an increase in response to Tanzania's political reforms or a decrease should Tanzania have refused to liberalise its politics. Several research papers using aid transfers in the years surrounding Tanzania's political transition present a convincing empirical account by arguing that this in fact was not the case for Tanzania. Whatever adjustments, increases or even discontinuations in aid flows that had occurred during these significant years were not indicative of donors' reaction to Tanzanian democratisation.

One of the most convincing research analyses, which supports the notion that the levels of international aid flows to Tanzania was generally unrelated to the frequency of its political reforms, was made by Jessica Vener.[154] In her study she compares the overseas development assistance (ODA) figures for the years 1986/87 to 1994/95 to assess the aid adjustments or fluctuations between the pre- and post-transition years. By grouping all the 11 major donors in Tanzania into three clusters, she calculates the average annual percentage change in ODA for all 11 donors, which show variations in trends, to explore the possible correlation between aid transfers to Tanzania and the frequency of its political reforms. From her calculations (see Table 5), three of the donors – Japan, Canada and the Netherlands – displayed the highest average percentage change in their ODA to Tanzania from 1991/92 through to 1994/95. The second group of countries – which includes Germany, Norway, the United Kingdom (UK) and Denmark – exhibited a negative average annual percentage change, and the remaining nations – the United States (US), Finland, Italy and Sweden – averaged the greatest percentage decline over these four years.

The analytical interpretation of these trends – assessing whether or not they were indicative of both the implementation of democratic contingency in donor aid policies and Tanzania's democratisation efforts – were explored with the help of interviews conducted by Vener with various representatives of the donor countries. Almost all aid adjustments or fluctuations were explained by both budget cuts and the relocation of aid money to other Southern African countries. Vener noted that additional factors that may have affected the aid transfers included the economic conditionalities that were also tied to aid transfers during this period, and incidental and structural factors such as the underspending of funds already allocated to Tanzania

Table 5: Total net ODA to Tanzania, Main donors
[distribution in millions US$]

	1986	87	88	89	90	91	92	93	94	95
Netherlands	61	74	79	71	95	56	51	55	58	77
Germany	45	60	68	52	61	75	69	72	64	67
Denmark	55	49	78	79	79	89	95	81	77	60
Canada	27	36	30	37	35	29	32	20	11	25
Sweden	106	77	104	90	150	143	93	91	51	45
Finland	29	34	67	55	51	41	35	16	23	9
USA	8	1	15	6	39	35	27	24	24	18
Norway	72	75	79	58	103	86	82	69	50	52
UK	17	39	59	61	27	65	105	40	44	31
Italy	28	196	77	61	106	38	66	22	11	6
Japan	35	46	97	63	41	57	73	89	105	124

Source: *Organisation for Economic Cooperation and Development (OECD), Geographical distribution of financial flows to aid recipients.*[155]

and the distribution of aid funds over a larger number of recipient countries.[156] A growing level of donor fatigue was also cited as one of the major reasons for decreases in aid.

Those donors that had insisted on implementing their democracy aid contingency policy and thereby promised to adjust their transfers in accordance to the changing trends in Tanzania's political reforms, had not come close to fulfilling their policy. Countries like Denmark, Finland, Italy, Sweden and the US, which had been impressed by the progress of Tanzania's democratisation reforms, not only left their aid transfers at the same levels but some had reduced their aid levels significantly. Again, according to their representatives, budget cuts prevented some from increasing their financial support as a reward to Tanzania for its implementation of positive democratic developments. In summation, Vener's analysis of the trends in Tanzania's aid transfers reveals that while donors may have driven Tanzania's democratic transitions through indirect pressure, the democratic contingency policy which acted as a direct force or causal factor in creating multiparty

transitions elsewhere, did not do the same in Tanzania. Aid transfers to Tanzania neither responded to the implementation of donors' democratic aid contingency policies nor did they reflect Tanzania's political reforms.

In view of the above, it is therefore widely acknowledged that the causes of Tanzania's democratic transition were more domestic than international. Giving due recognition to this perception does not in any way undermine the significance of donor pressure; it only states that in determining the causes of Tanzanian's transition to multiparty politics, the focus needs to be more on domestic rather than international factors. Among the domestic factors, observers of that era have maintained that political leadership and domestic opposition were the two most significant domestic instigators of the transition process.

In an attempt to avoid the overbearing and explicit pressure its neighbours encountered from donors, the political leadership in Tanzania needed to be the first to introduce the debate for multiparty politics in that country. The ruling CCM party in particular believed that despite the absence of overt donor pressure, political liberalisation in Tanzania was inevitable. At that time greater external pressure was being exerted on virtually every other country, and Tanzania would have eventually experienced similar pressure. This perception was expressed by President Ali Hassan's comment: 'When your neighbour is being shaved, you need to get prepared.'[157] As a result the ruling party under President Mwinyi's leadership appointed the Nyalali Commission in February 1992 to investigate whether a single party or multiparty system was best for Tanzania. In fact, by accepting the reform process and being the architects of the agenda, the ruling CCM was able to determine the mode and speed of transition. However, many have criticised the CCM for manipulating the process by setting the rules. Professor Rwekaza Mukandala of the University of Dar es Salaam offered his impressions of the causes behind the transition by maintaining that:

> 'Democracy in Tanzania was driven from the top by CCM. This defined its successes and limitations, for instance there have been some constitutional amendments but [this] has been constitutional making in patchwork; CCM chose and picked what it wanted and it chose minimum recommendations.'[158]

From this, one would get the impression that the momentum for change came largely from within the CCM; that it was indeed CCM self-realisation that made the transition possible. This perhaps may have been the case; however, Vener maintains that it was the perceptions of donor pressure among the Tanzanian political leadership that brought about this political self-realisation. Tanzanian leaders believed that donor aid levels would be affected if they did not reform accordingly, and it is that belief that initiated the political reforms. Interestingly, many of the CCM leaders, while they preferred to give the political reassessment of the CCM much recognition as a main instigator of the reforms, nonetheless accepted the role played by donors. It is this circumlocutory acceptance of the influence donors had on the processes that Vener argues may have motivated the political leaders in Tanzania to initiate reforms.

As for the role played by domestic pro democracy groups, there seems to be much disagreement on the extent of their influence. In any case, one could still argue that domestic political opposition was important in its own small way, albeit as the Nyalali Commission revealed only 20% of the population supported multiparty politics, many of whom were academics and from the throngs of the political elite. Other opposition members came largely from civic institutions such as the Chamber of Commerce, farmers, workers and cooperative unions. Their influence may have been limited at first; but an array of factors were evolving that would have eventually given this group the prominence it needed and which would have made them no longer dismissible and easily ignored with their demands for political pluralism. Hence in such circumstances internal forces did play a role in promoting multiparty politics, though the degree to which such a role influenced the processes is up for debate.

From the above it would seem that much of Tanzania's preliminary democratic reforms were driven by internal pressures and that the influence of donors on its democratisation was in fact limited. There is indeed evidence to support such an assertion, as revealed by the above analysis of aid transfers to Tanzania during its democratic transition. The analysis demonstrated that donor levels to Tanzania were not affected by the democratic contingency policy which many donors by 1992 had incorporated into their aid policies. Whatever fluctuations occurred happened irrespective of the country's

reform successes. However, the indirect pressures from the donor community and the perceptions of such pressures by the political leadership cannot be ignored. It has been maintained that the mere existence of democratisation policies, despite the lack of explicit donor action, exerted enough influence on Tanzania's political leadership to motivate them to democratise. In essence, donor threats, though directed elsewhere, and the political pressures applied by donors in their policies did help to drive Tanzania's transition process.[159]

CURRENT LEVELS AND SCALE OF DONOR ASSISTANCE

Traditionally with its strong socialist past Tanzania has maintained particularly close relations with Scandinavian countries and with China, all of whom have continued to give considerable development assistance in a number of sectors since the 1960s. Other diplomatic missions that exist in Tanzania – either due to socialist links cemented in the 1970s or to the decisive affiliations it has had with its colonial powers – have included East European countries, North Korea, the former Soviet Union, the UK and Germany. Most recently since its peaceful transition to multiparty politics, Tanzania received escalating attention from the wider range and more conservative of donors, including Japan and the US. More importantly, however, its outstanding performance in the implementation of various controversial economic and social policies of the Bretton Woods Institutions has enabled it to receive considerable economic assistance from these institutions. Of all the SADC countries, Tanzania as of late has become a favourite channel for high levels of foreign aid from both the World Bank and IMF.[160] Such generosity shown by these institutions has not only come about as a result of the government's commitment to sustaining the implementation of their policies and strategies, but also because of the visible progress and benefits these policies have produced in terms of both current gross domestic product (GDP) growth rates (3.5-4.5%) and macroeconomic stability. Table 6 provides some indication of Tanzania's annual levels of ODA.

As already indicated, Tanzania's enduring relationship with donors was forged right after the country achieved independence. Since then Tanzania has become a major recipient of foreign assistance due mainly to its attractive policies based on an egalitarian approach, self reliance and political stability. As a result it has a long history of development cooperation programmes,

**Table 6: Top ten donors of gross ODA (2001-2002 average)
(US$ m)**

United Kingdom	198
IDA	174
Japan	167
Netherlands	107
EC	95
Denmark	69
Italy	67
United States	56
Sweden	54
SAF/ESAF (IMF)	51

Sources: OECD, World Bank

and foreign aid has invariably played a significant role in all its most prominent sectors, the economy being the most volatile and most influenced sector. Being one of the longest and major aid recipients in the region, Tanzania has development cooperation programmes with over 50 governments, donors, international financial institutions and non-governmental organisations (NGOs) covering numerous projects in almost all sectors. Consequently the country is now considered to be highly donor dependent, ranking alarmingly high compared to other sub-Saharan countries on the basis of aid as a percentage of GDP. Most recently approximately 25% to 30% of the government budget is dependent on aid; and even more startling, 80% of its development budget was covered by foreign finances.[161]

With such rising interest in Tanzania as an effective and popular donor recipient[162] and it becoming increasingly donor dependent, structural problems centred on donor funds were sure to arise. The most common of these have been the underrated problem of aid fatigue, ineffectiveness in administering aid and the lack of progress in reducing poverty, despite such overwhelming financial contributions. In responding to some of these problems a number of initiatives, both international and national in nature, have been formulated aimed at making aid more effective. There are certainly

other areas that these initiatives place emphasis on in an attempt to address issues of aid delivery. These vary from simply targeting the dilemma directly by promoting ownership, partnerships and improving aid coordination, to less direct measures such as harmonising donor policies. The most recent home-grown national development strategy, or at least one that is designed to address these concerns from the Tanzanian perspective, is the Tanzania Assistance Strategy (TAS). In brief, TAS is a scheme formulated by the Tanzanian government but more importantly perceived by it and the international community as a process of change and not a project *per se*.

To date, Tanzania has undergone numerous evaluations aimed at reviewing the implementation progress of not only TAS but other initiatives with similar objectives of coordinating and managing external resources; not all have been generous with their assessments. Needless to say there are some that have reported significant progress in almost all the provisions adopted within TAS and other schemes. These assessments, in particular an independent review carried out in March 1999, revealed that aid coordination – the area that the initiatives emphasised most – had been consolidated and that over time Tanzania had managed to overcome some of the inherent problems development assistance faces during delivery.

DEMOCRATIC ASSISTANCE

The TAS review also reported significant progress in the delivery effectiveness and implementation pace of the democratic governance (DG) initiatives funded by the international community. As a result, over the years the DG component of foreign aid to the Tanzanian government and its civil society sector has remained substantially high; notwithstanding the political upheaval following the 1995 elections in the Zanzibar isles, which radically changed the donor-government circumstances forcing donors to cut off aid.

As the governance reforms embarked upon by Tanzania as part of its democratisation process grew more visible and extensive, donor assistance in the DG component followed suit. Cleary the types of projects funded by donors have evolved over the years to take account of the changing needs in this sector. However, those early and most significant interventions aimed at sustaining Tanzania's initial governance reforms still remain donors' top priorities. These range from legal reform to the most popular assistance

among donors: electoral assistance. All in all there seems to be a handful of popular areas under which most donors conveniently categorise their DG assistance, both technical and financial. These include legal reform, anti-corruption strategies, local government reform, civic education, civil society development, and not forgetting the all-encompassing electoral assistance. Norway, for example, through its bilateral development agency, the Norwegian Agency for Development Cooperation (NORAD), supports Tanzania's democratisation processes in a number of ways, but all compartmentalised in the aforementioned sectors. In more detail, NORAD supports a few organisations dealing with civic education and human rights issues, particularly women's rights. Between the period 1999 and 2001, for example, NORAD contributed approximately US$1,306,237 to the support of CSOs dealing with good governance and human rights projects.[163] The fight against corruption seems to be an equally important aspect of Norwegian development assistance. In 2000 it committed a total of US$1,084,398 to its anti-corruption strategies. Together with other donors, the Norwegians co-finance a selection of anti-corruption projects which are coordinated and implemented both via the government through its Good Governance Coordination Unit and CSOs. The additional support given to civil society in this area is done so with the hope that organisations' capacity will be strengthened to enable them to provide public support for anti-corruption activities. Support is also provided to strategic studies and to facilitate the anti-corruption dialogue. Under its parliamentary component, NORAD has a long history of supporting the Tanzanian parliament. With the experiences learnt from this project it intends to implement a similar capacity-building programme within the East African Legislative Assembly.

Scrutiny of another development assistance organisation's projects undertaken in the democratic governance realm reveals a similar pattern. A Swedish International Development Agency (SIDA) representative during a brief meeting summarised their interventions in the DG sector in the following areas[164]– legal reform programme, police and prisons reform, parliament support,[165] co-financing the United Nations Development Programme's (UNDP's) anti-corruption initiative, and supporting legal reforms through research and publication of Tanzanian laws. NGO support also features in this succinct list of programmes, however it seems limited to only a few NGOs: legal and human rights centres based in both mainland

Tanzania and the Zanzibar isles, and the Pastoralists Indigenous People's Organisation (PINGO).

While the UNDP's various interventions in the DG area may seem more focused with a longer list of direct beneficiaries, a closer look at its strategic activities reveals an all too familiar picture. That said, the UNDP's distinctive agenda is to build capacity both at the central and district government levels and to form strategic partnerships with other donors, and its various activities exemplify this objective. The principle goal of its anti-corruption strategy is to strengthen the capacity of the Good Governance Coordination Unit not only to coordinate and monitor the action plans but also to prepare annual state corruption reports. An even more decisive project that attests to the capacity-building policy that the UNDP espouses is the activity that supports districts to plan, manage and monitor use of their resources in a participatory and transparent manner. With respect to building strategic partnerships with its fellow donors, the UNDP recently formed a partnership with the Department for International Development (DFID) to support poverty reduction initiatives and development management in Zanzibar. Both institutions have committed approximately US$9.6 million for the programme, aimed at supporting four strategic areas within the Zanzibar Poverty Reduction Plan, two of which broadly address the DG requirements on the isles, namely, civil society and governance initiatives. Table 7 gives an indication of the total potential financial resources committed by UN agencies between 2002 and 2006.

Table 7: UN agencies' grant aid (US$ 000s), 2002-2006

Agency	2002	2003	2004	2005	2006	Total
UNDP	17 000	20 000	20 000	20 000	20 000	97 000
UNICEF	26 000	26 000	26 000	26 000	26 000	130 000
UNFPA	3 500	3 500	3 500	3 500	3 500	17 500
WFP	5 000	5 000	5 000	5 000	5 000	25 000
WHO	3 000	3 000	3 000	3 000	3 000	15 000
UNIDO	2 000	2 000	2 000	3 000	2 000	11 000
UNESCO	2 000	2 000	2 000	2 000	2 000	10 000
ILO	4 000	N/A	N/A	N/A	N/A	N/A

Source: United Nations Development Assistance Framework for Tanzania (2002-2006)

In the case of the US Agency for International Development (USAID), though largely inspired by US foreign policy goals, its overall DG objective seems to echo that of the UNDP and other donors. There is, however, a slightly different angle to the UNDP framework articulated above: the development agency seems to have a penchant for private-public partnerships. USAID's main purpose is in fact to promote partnerships between civil society and government to foster good governance – a purpose that cuts across all its other strategic objectives. This is an attempt to have public discussions on major policy and for implementation issues to be less government driven. Until recently, due to the government's dominance of and thus exclusion of civil society from political life and policy making, there was very little regulation or supervision of the government's actions by civil society; a situation USAID saw as being an impediment to Tanzania's democratic transition and thus needed to be remedied by including civil society in this sphere of public discussion.

The amount of funds USAID requests in democratic assistance varies from year to year. However, with an average annual amount of over US$1 million used as funds – although comparably these amounts are small and mostly symbolic – USAID is confident that it will achieve many of the performance targets it has set for itself. Already it can lay claim to some significant milestones. CSOs are being helped in dozens to represent public interests more effectively to the government on selected issues. In the 2003 financial year alone, a total of US$600,000 was spent on a series of training programmes targeting over 30 national and regionally based NGOs to address this impending goal. Furthermore, the capacity-building assistance provided to government agencies to make them more responsive and effective seems to be reinforcing and perpetuating a much needed customer service direction. At the same time USAID is leveraging both change and other donor support on major issues.

PROBLEMS OF DEMOCRATIC ASSISTANCE: A BENEFICIARY'S PERSPECTIVE

The problems that are typically associated with the implementation of democratic assistance are in many ways similar to those that confront the overall institution of foreign aid. Several assessments to date have maintained that among other problems, foreign aid tends to be selective and unevenly

distributed. It is tied to procurement conditions in the donor country, which does not guarantee that what the donor offers is what the recipient needs.[166] It is distributed to implement 'blue print' projects, commonly termed as such because they are, by and large, implemented with the intentions of furthering donors' aims and objectives rather than those of the local beneficiaries. These often reflect the bilateral donor priorities rather than the needs of the partner country. Such projects also maintain a donor-accepted arrangement, and its composition of activities follows a standardised implementation course that supposedly guarantees impact. As with foreign aid in general, democratic assistance overall is packaged in such a way that it produces a problematic situation in this industry; one where donors end up dominating the process, and recipients become dependent to this process. This indeed sums up the problem of democratic assistance and foreign aid in general, but the specific difficulties of democratic assistance are numerous and fall in between many of the problems accounted above. Phrases which are typically used to classify these problems include 'aid ineffectiveness', 'interference', 'lack of sustainability', 'independence', 'irrelevance' and so on.

The existence of the aforementioned structural and institutional difficulties may explain why democratic assistance is having limited impact. Cleary the failure of democratic assistance to transform some of the transitional democracies into sound liberal democracies is most strongly related to the internal politics of recipient countries. It is also to some degree related to donor activities and the policies that inform them. In this regard many questions have been asked as to whether democratic assistance has led to long-term sustainable democracy on the African continent. A number of assessments carried out to study the effect of donor activities have produced diverse conclusions. Many concluded that at best the effects of these activities have been partial, blaming donors' policies for this.[167] One such explanation argues that the goal of promoting democracy is only one of many foreign policy goals of donors which more often than not conflict with each other. As a result, in many instances donors tend to disagree on how democracies should be built and what concrete steps need to be taken to bring about democratisation. In addition, donors set many aspects of the domestic agenda when promoting a country's democracy. This has had dire consequences. Most notably it has undermined the ability of recipient countries to design and implement their own policies.

More specifically some of the issues relating to Tanzania's beneficiaries of democratic assistance – that were pointed out by interviewees as problems facing different projects – involved mainly the subject of financial dependence. Many of the beneficiaries were, however, quick to note that while various activities have unfortunately led to greater financial dependence, they have to some degree enhanced their political competence and thereby their ability to assist the country's political reforms. What needs to be addressed in the meantime, they emphasised, is the issue of sustainability of the projects they implement. Considering donors meet more than 90% of the costs of many pro democracy projects, worrying about the ability to continue operation upon donor termination is indeed a valid concern.[168] The issues of self reliance and sustainability have indeed become pertinent over the years, even more so when evidence has shown that donors pay little attention to this in the projects they sponsor. Many have been largely slow in exploring local technical capacity and financial resources.

Another related concern echoed by many of the politically oriented NGOs and, to a lesser extent, members of the political leadership in Tanzania related to the donor-led administration mechanisms and standards by which local NGOs are assessed. In commenting on issues around donor interference, the Tanzania Gender Networking Programme (TGNP) held that

> 'donors were defining what NGOs did and were assessing them according to their own terms. They are pushing the government, NGOs and parliament into believing that if certain conditions are not being fulfilled they are not democratic, or worse, not enhancing political processes effectively.'

The most obvious downside to relying on donor finance and standards for implementation has been that many NGOs have become accountable to the international community rather than to the domestic society, which they claim to be helping and representing. Consequently, the links between CSOs and the people they represent have been severed. When the opposition in Tanzania is faced with problems or has grievances over a political issue, they are more inclined to appeal to donors to pressurise the government to reform than use domestic forces. Only recently have opposition forces started to mobilise their supporters to pressure the government, as opposed to

appealing to donors whom they seem to regard as the sole guardians of Tanzanian's democratic reforms.[169]

The Tanzanian political leadership in particular has resented some donor interventions – implemented under the guise of democratic governance – for eroding their autonomy in areas they regard as their domestic affairs. In general, owing to the powerful influence that the international community has not only in Tanzania but across the SADC region, the line between promoting democratic reforms and interfering in domestic affairs of sovereign states very often becomes blurred and easy to cross. There have been numerous situations in Tanzania where the international community has come under fire from the government and has been accused for undermining the country's sovereignty. This was seen more openly during the 2000 elections when the CCM accused the West of plotting to remove it from power, and most recently in January 2001 after the CUF-led demonstrations which resulted in 24 deaths, for which the international community without hesitation blamed the government. Mkapa responded aggressively and boldly to this criticism by demanding that donors respect Tanzania's sovereignty.[170]

Other than the perception that democratic assistance is a danger to the country's sovereignty and to the independence and sustainability of civil society, there is also the notion that donors in their attempt to democratise Tanzania at times have subordinated some of its key policy institutions. Prof. Mukandala of the University of Dar es Salaam demonstrated this by arguing that '[d]onors in principle are anti democratic because they want certain things done, and when it is done it's fine. In so doing, however, they circumvent democratic institutions such as parliament'.[171] This perception has been even more noticeable in recent years. According to Mukandala, parliament has been reduced to a rubber stamping function as far as economic policy prescribed under the PRSP is concerned.[172] He maintains that 'Mkapa is implementing many of the PRSP conditions to the letter and using parliament to fast track and pass them irrespective of the nation's priorities, thereby reducing [parliament] to an institution whose only job is to rubber stamp PRSP policies'.[173]

In view of these problems, whether perceived or real, new patterns of interaction between donors and beneficiaries of democratic assistance in

Tanzania have emerged, aimed at putting in place more effective donor interventions. Accordingly, several strategies have been devised, both at international and national levels, with frameworks that have placed much emphasis on the results and impact of activities, the efficiency of aid delivery and the harmonisation of donor practices, as an attempt to improve democratic assistance but also to aid effectiveness in general. Each donor's programmes and activities have been encouraged to operate within these frameworks, which are aimed at addressing many of the issues listed above by encouraging strong local commitment, participation, capacity development and ownership.[174] Probably the most important locally designed initiative in Tanzania aimed at making foreign aid rather than democratic assistance *per se* more efficient and effective, and addressing the roles of stakeholders such as the government, rather than CSOs, is the already mentioned TAS. This is a government initiative aimed at restoring local ownership and leadership by promoting partnership in the design and execution of development programmes.[175] At the international level, important initiatives have included the Nordic-Tanzania Development Partnership and the Organisation for Economic Cooperation and Development's (OECD's) DAC – Shaping the 21st Century.[176]

In addition to restoring local ownership and promoting partnerships and the capacity of local beneficiaries, there has been a persistent call among the international donor community for greater coordination of their own aid interventions. The idea is that if the various donor agencies match their individual priorities and rules there will be less duplication and waste.[177] In this regard the UNDP has taken the initiative to improve aid coordination by providing coordination support to development partners operating in Tanzania through the local Development Assistance Committee (DAC) as well as the DAC Secretariat for which it acts as a co-chair together with the World Bank and host, respectively.

DONOR POLICY CHANGES

Another way donors have attempted to improve aid coordination has been through the establishment of basket funds. Over time the tendency has been for donors to change from technical and project assistance to basket funds and budget assistance as a move towards reducing the high transaction costs of uncoordinated aid and harmonising aid support in general. In the case of

Tanzania, assistance through and participation in the basket fund has become increasingly important among the various sectors, most notably the health, education and democratic governance sectors. Within the DG sector itself many of the activities financed to support it fall under two main basket funds, these are the multi-donor Elections Basket Fund and the Joint Donor Basket Fund for the support of the Muafaka (Peace) Accord, which has a steering committee led by UNDP, the Netherlands, Denmark and the UK. Both of these funds have several components attached to them. The components provide substantive technical support to the electoral commission, civic education, as well as capacity building of the press, among others.

Table 8 shows donor assistance in the areas of electoral assistance, promotion of the National Assembly and human rights between 1998 and 2001. More specifically it is meant to show the aid allocations to the UN coordinated basket funding for electoral assistance.

Table 8: Donor electoral assistance, 1998-2001

IRELAND				
Project	**1998**	**1999**	**2000**	**2001**
Strengthening human rights	73 456	136 544		
Strengthening theNational Assembly	194 205	126 112		
Electoral assistance	30 382	201		
EU/UN electoral assistance			1 117	
NORAD				
Project	**1998**	**1999**	**2000**	**2001**
Electoral assistance	335 025	2 264		
Strengthening the National Assembly	293 001	310 592		
EU/UN electoral assistance			12 711	

Switzerland				
Project	**1998**	**1999**	**2000**	**2001**
Electoral assistance	47 861	302		
EU/UN electoral assistance			4 037	
Finland				
Project	1998	1999	2000	2001
Strengthening human rights	20 987	114 841		
Strengthening the National Assembly		43 892		
Electoral assistance	47 861	302		
EU/UN electoral assistance			51 837	
Netherlands				
Project	**1998**	**1999**	**2000**	**2001**
Electoral assistance	103 717	705		
EU/UN electoral assistance				62 370
Sweden				
Project	1998	1999	2000	2001
Electoral assistance	68 606	402		
EU/UN electoral assistance			53 454	
United Kingdom				
Project	**1998**	**1999**	**2000**	**2001**
Electoral assistance	31 582	201		
EU/UN electoral assistance			38 602	
Denmark				
Project	**1998**	**1999**	**2000**	**2001**
EU/UN electoral assistance			50 183	

Sources: *Donor reports, UNDP Country Review, 2001.*

As Table 8 indicates, donors differ in their emphasis accorded to the basket fund strategy and in their levels of participation in these funds. Since this strategy took hold in Tanzania there have in fact been sizeable differences among donors in their support for the basket funding arrangements. Ireland, for example, has had 80% of its funding in such arrangements, whether sectoral basket funding or budget support, while Japan has been extremely cautious about this approach. Countries such as Denmark and Finland are located in the middle ground on this issue, while many of the Scandinavian donors seem to have a more favourable outlook on such a strategy and are increasingly allocating their aid via the existing basket funds.[178] There were inevitably numerous pro and con arguments put forward by those that either wholeheartedly supported the initiative and those that did not. At the end of the day the camp was divided into two: those who decided to participate on a trial basis for a limited period of three years, together with donors that participated on a continuous basis; and those who planned to focus on project assistance for the present, including France.

Even the government preferred donors to make funding through basket funding, in the light of the advantages associated with such a strategy. The more relevant ones for the government in the context of financial management would be the increase basket funding has on coordination and the fact that it aims to reduce the tying of aid. Other explicit advantages of basket funding – in addition to reducing coordination costs, improving transparency and accountability of funds – cited by donors as reasons for their participation included the following: participation provided them with greater visibility of their assistance; the risk of participation is small; participation enables them to attend basket funding operation committee meetings, to express their opinions and ensure that these are reflected in decisions; and participation in the funds gave them a chance to accumulate experience. In addition, it was commonly pointed out that continuous interaction through the committees enhanced cooperation and thereby allowed the sector to achieve its desired results.

All bilateral donors engaged in partnership experiments such as the sector basket funding are, however, learning that as they become heavily engaged in such arrangements, both donors and their various recipients face numerous risks. For the government and civil society recipients, the risks they face on

an ongoing basis include delays in payments. According to TGNP Executive Director Mary Rusimbi, 'basket funding brought a lot of bureaucratic procedures. Some of the election 2000 basket funding was only released after the elections'. Moreover, the establishment of basket funding tends to be extremely taxing on NGO management capacities. Some NGOs who are recipients of these arrangements have questioned whether they can manage their annual expenses properly at the sector level. For the donors, risks include losing their autonomy. For a funding agency to conform to a set of priorities or rules with other agencies, this conformity usually leads to limitations on different perspectives of aid and its implementation. More specifically, such a consensus produces a particular way in which aid is conceived and packaged.[179]

DONOR RELATIONS WITH THE NEC AND ZEC

There are two electoral commissions in Tanzania: the National Electoral Commission (NEC) and the Zanzibar Electoral Commission (ZEC). The NEC is involved in the conduct of presidential and parliamentary elections in the United Republic and councillors' elections in Mainland Tanzania, while the ZEC (based in Zanzibar) is responsible for the conduct of elections for the president of Zanzibar, members of the House of Representatives and local government in Zanzibar. The commissions, however, consult on a regular basis during the implementation and execution of their duties, as required by both the Constitution of the United Republic of Tanzania (1977) and the Constitution of Zanzibar (1984).[180]

The finances of both the NEC and ZEC have become an issue of contention in Tanzania. It is not so much the escalating cost of elections that is the problem but rather the commissions' dependence on foreign sources and the caustic relations that have ensued as a result of this reliance. As in many other countries in the region, the specific institutions necessary and responsible for administering or governing multiparty politics have experienced numerous financial difficulties over the years; the two electoral commissions in Tanzania are no exception. What makes the situation even more complex in Tanzania is that finances for both institutions are largely dependent on and determined by the often contradictory political dynamics existing both within the international community and the government. To make matters worse the constitution and Elections Act of 1985 does not secure

funds for the commissions. The commission in Mainland Tanzania in fact operates as a department of the Office of the Prime Minister. This means it has no independent budget or the legislative right to be allocated funds directly from the government budget and it is thereby fiscally controlled by the Office of the Prime Minister.[181]

THE 1995 ELECTIONS

The NEC submitted its 1995 election budget of TSh1,358,037,337 to the treasury for the 1995 October elections as early as March 1994. Out of that amount TSh35,807,337 was for the re-run of the presidential elections in the event that no candidate received a majority of the votes. The actual estimates for the elections was in fact TSh10,097,910,816. This budget had taken into account all the factors that the NEC had expected would need financing during the elections, and was therefore expecting no further changes to be made to the budget. As the months went by, however, unforeseen factors emerged forcing the NEC to increase its budget estimate to TSh25,325,048,481 in February 1995. The most damaging of these changing dynamics were the amendments made to the Constitution of the United Republic of Tanzania (1977) and the Elections Act (1985) during this time, which alone substantially increased the administration costs. For example, the amendment which dictated that the vice-president be elected concurrently with the president necessitated the printing of extra nomination forms as well as bigger ballot papers. Second, the decision to have votes counted at the polling stations necessitated the purchase of hurricane lamps for each polling station, and the estimate of this cost change alone came to TSh245,000,000.[182] Other factors unrelated to these amendments but important nonetheless included the depreciation of the Tanzanian shilling, which meant that prices of election materials became more expensive and needed to be revised in the budget estimates.

Over the next few months the NEC struggled to get the treasury to release these funds. Not only were the funds released haphazardly and late, the actual amount released eventually was nowhere near what it had estimated. The treasury authorised only Tsh600,000,000 for the election preparations. To make matters worse, other institutions were given more priority. The treasury in March had authorised the commission to pay the TSh1,027,999,000 that it had left from the local government elections to Radio Tanzania Dar es

Salaam, the Tanzania Information Services, the Tanzania News Agency and the Government Printer to cover their election costs. The situation therefore put the NEC in serious financial trouble. It seems that the little money the commission had for election preparations before the treasury released any of its funds, was given to other institutions. A slightly larger amount to the one it initially authorised (Tsh600,000,000) was eventually released in late June 1995. This came to a paltry figure of TSh847,352,477, which although too little and released too late, was the first of eight installments. More funds were released in similar small instalments, the last of which only came two months after the elections.[183]

It is no wonder then that the NEC conferred with donors during this time, many of whom became the commission's major safety net. Donor supplements amounted to US$17.5 million and they were allocated to cover mainly civic education programmes, printing and distribution of materials, seminars for presiding officers and election day expenses. The donors included Denmark, Sweden, Finland, the Netherlands, Norway, the EU, UK, Japan, Canada, Belgium and Ireland.[184] The amount pledged by donors suffered similar delays to the funds released from the government. During the research team's deliberations in Tanzania, the NEC stated that contributions continued to come in way past the election month. In fact, by May 1996 TSh835,750 had yet to be released.

The costs of the 1995 elections came to a total of US$38 million, with donors supplying a third of these costs. Ultimately the NEC had to operate with a limited budget, and although it is difficult to assess what the impact of inadequate funding was on the commission's administrative capacity, the NEC was nonetheless convinced that this affected its ability to meet many of its responsibilities. In its 1995 report, the NEC blames almost all its shortcomings on the untimely funds and late release of funds from both the government and donors. It believes, as did others who observed the process, that the 'commission was not given early and timely funds to enable it to carry out its election activities in accordance with its timetable', and that this situation was actually the 'main cause of most of the problems which surfaced during the elections'.[185] In order to avoid financial difficulties and the inconsistent releasing of funds, the NEC recommended the creation of an election fund in which money would be deposited during the inter-election

period for use during an election, rather than waiting until an election year for the mobilisation of funds.[186]

The ZEC did not escape any of the NEC problems in terms of both government and donor funding. Even worse, unlike the commission in Mainland Tanzania, the ZEC's relationship with donors was far from cordial. Claims were made by ZEC officials that the attitude of some donors was abusive and uncompromising. The pressure it endured from the donor community was so overwhelming that, according to ZEC officials, it resulted in the resignation of the chairman and vice-chairman.

It would be unfair to undervalue the donors' role in the Zanzibar 1995 elections because of these accusations, especially when one sees that almost half of the ZEC's election budget was covered by donor funds. Overall the financial contributions donors made to the ZEC's budget was indeed substantial, with a total of TSh470,000,000 compared to the government's slightly larger figure of TSh531,628,480. Again, most of the donor funds were allocated to election tasks such as the printing of election material, the purchasing of ballot boxes and writing material, transport, voter education, seminars and election day expenses. That said, however, donors cannot escape some of the blame. Much of their funds were in fact released at the last minute – on 13 October; eight days before the elections (22 October) – to the point where some funds had to be returned after the elections (TSh109,405,277). As a consequence, the elections were administered with insufficient election material and some programmes, such as voter education and training, could not be adequately undertaken.[187] Furthermore, some donors had attached conditionalities to their funds, which greatly interfered with the ZEC's financial independence. The UK Overseas Development Administration (ODA), for example, had pledged to give the ZEC £130,000 to help with the printing of ballot papers, provided that an ODA official was present during the entire process of printing and delivery. This was only one of a long list of undesirable and nonsensical ODA conditions. The government of Zanzibar also received its fair share of blame. Not only did it release insufficient funds but most of it, according to the ZEC, was released late and not in accordance with its requests. As a result, like the amount returned to donors, the ZEC returned TSh22,152,540 to the Revolutionary Government of Zanzibar.

THE 2000 ELECTIONS

After the financial problems encountered by both commissions during the 1995 elections, one would expect the funders to have paid attention to the recommendations made and to avoid making the same mistakes for the 2000 elections. This, however, was not the case. In a speech delivered at a donors' meeting in June 2000, Justice Makame, Chairman of the NEC, admitted that 'the government's initial preparedness for the electoral process was no better this time than last time round'.[188] The NEC also highlighted some of the problems it encountered in its election report which looks very similar to that of 1995, although the NEC was quick to point out that these problems were not as serious. The 2000 NEC election report cited the late release of funds earmarked for election preparation from the government and donor delays as the main problems it had encountered that year. This, the NEC reported, compelled it to revise its implementation plan which was initially scheduled to start in July 1999, but was ultimately delayed until February 2000. Furthermore, donor delays in releasing their contributions caused confusion in the tendering process for the procurement of election material.[189]

Costs for the 2000 elections came to TSh39,893,379,900, 86% of which was covered by the government and the remaining 14% was provided for by the donor community. For a country beset with economic difficulties this figure might seem unrealistically high. But the NEC thought it was minimal compared to what it would have been if the 25 constituencies and 495 wards that had not contested, which originally reduced the costs, had run for elections after all. In addition, several amendments were made to some legislation,[190] reducing the costs of elections considerably since the amendments allowed all the three elections – presidential, parliamentary and councillors' elections – to be conducted and supervised by the NEC only in all the constituencies.[191] Furthermore the NEC had introduced certain measures geared to make the costs as low as possible. For example, it put an end to the practice of paying allowances to polling agents and also combined and redesigned certain forms to cut down on printing expenses.[192]

Donor allocations, as already indicated, came to approximately TSh5,767,370,900. This is a fraction less than what they originally pledged, owing the reduction mainly to the donor basket group, which many donors joined and subsequently reducing their initial pledges. What was strikingly

different in 2000 compared to 1995 is not the strategy chosen by donors for the distribution of their allocations but the tasks these funds were directed at. In addition to the usual activities such as printing of ballot papers and forms, voter education and the purchasing of ballot boxes, funds were also spent on the acquisition of better and more befitting premises for the commission, the appointment of various field offices and consultancies, all aimed at building the capacity of the NEC. The administrative capacity of the commission came under the spotlight after several shortcomings occurred during the elections which resulted in a re-run of balloting in Dar es Salaam. Many of the observers, especially the Commonwealth Secretariat, pinned this on the NEC's internal organisational weaknesses, claiming that 'inadequate preparations especially in logistical planning by the NEC contributed to much of the mismanagement that occurred during the election day'.[193] As a result, many of the foreign allocations after the 1995 elections were directed to more technical areas, aimed at creating mechanisms to support the administrative capacity of the commission.

Zanzibar's 2000 election budget was TSh155, 639,000; just enough apparently to cover the salaries of ZEC officials. There was no aid this time around from the international community, which brought no relief to the commission's financial constraints. This was because of the ongoing political tensions which the international community reacted to by financially isolating the islands. Most donors handled the controversies associated with 1995 elections by suspending all aid to Zanzibar.

THE 2005 ELECTIONS

All aid was resumed in early 2002 after the international community decided to lift the freeze placed on development aid to Zanzibar, which had gone on for nearly six years. Even ahead of this resumption of aid a huge quantity of bilateral financial assistance had already been flowing to Zanzibar in recognition of the 10 October 2001 Muafaka Accord II (peace agreement). Only a few donors and the majority of multilateral organisations had remained unforthcoming and reluctant to lift their aid ban until early 2002. Election assistance for the ZEC is therefore expected to be generously forthcoming from the donor community for the elections scheduled for October 2005 for both the Mainland Tanzania and Zanzibar elections. It is too early to tell if funding allocations will incur the same set of problems

that has been plaguing both commissions since 1995. There is every indication, however, that donors through the ever popular election basket funding will try to minimise these difficulties as much as possible.

At the time of writing no specific allocations had been announced in relation to election assistance aimed for either Zanzibar or Tanzania. Even so, dialogue has been initiated and currently donor discussions with the ZEC and NEC are focusing on the need for a convergence of expenses between these two commissions. Furthermore, they seem more interested in empowering the commissions than in exclusively supporting the 2005 election process. With regard to the approximate costs likely to be incurred for these elections, the NEC believes that these may go up to a staggering US$50 million because of the introduction of the permanent voters' register.[194] Accordingly, a permanent voters' register will introduce a system whereby a database of registered voters will be established as a permanent feature that will require continuous updating. The good news is that with the introduction of a permanent voters' register, election costs would be reduced by at least 25% for elections after 2005.

CIVIL SOCIETY AND DEMOCRATISATION IN TANZANIA

Dr Khabele Matlosa

With the onset of the political transition from one-party to multiparty rule in the African continent since the early 1990s, democracy discourse has also been marked by a critical probe into the state and role of CSOs in the governance process:[195] the political transition in Tanzania is no exception to this current trend.[196] This is as it should be, for democratic governance is not the preserve of the state and the political elite alone; it is supposed to be the agenda of an array of actors including the state, the private sector and CSOs. Civil society is defined as the 'aggregate of institutions whose members are engaged primarily in a complex of non-state activities … and who serve and transform their identity by exercising all sorts of pressure or controls upon state institutions'.[197] Thus, civil society comprises

> 'all forms of social organisations – except political parties –
> between the state and the individual family including religious
> organisations, various independent professional and student
> associations, women's groups, sports clubs, youth clubs, various
> disabled groups, independent labour unions, burial societies, etc.
> In other words, civil society is a special type of community-based
> organisation.'[198]

These institutions play an important role in the governance process and have been, and continue to be, influential in both the political transition and democratisation processes in Africa in general, and in Tanzania in particular. Gyimah-Boadi refreshes our minds on this point too: 'Among the forces that dislodged entrenched authoritarianism in Africa and brought about the beginnings of formal democracy in the early 1990s, the continent's nascent civil societies were in the forefront.'[199] CSOs played a crucial role in Tanzania's struggles for political independence and, subsequently, for political liberalisation and multipartyism of the 1990s. However, the observations above should not be read to imply that CSOs in and of themselves are

inherently democratic. As Sachikonye observes: 'Such organisations can be obstructive to the democratic process as was the case in the minority white settler societies, and in certain instances in other colonial contexts more generally.'[200] This section provides a sketchy review of the role of civil society in Tanzania's democratisation process.

THE NATURE AND ROLE OF CIVIL SOCIETY

Unlike political parties whose involvement in governance includes contestation for the control and use of state power, civil society engagement with governance is confined to various types of activities aimed at improving the livelihoods of their members and also influencing state policies to serve the interests of the members. In a nutshell, civil society operates as a pressure group or interest group lobbying and advocating for a favourable policy environment to improve the livelihoods of its members. Kiondo corroborates this observation thus:

> '[W]hile the aim and major goal of political parties is to capture state power and rule the country, civil society organisations in their different varieties do not aspire to this goal. Instead, they aspire to influence government policies and laws in order to promote the interests of their clients and/or further the cause for which they stand.'[201]

Of course, various CSOs achieve their set goals and objectives depending on their strength *vis-à-vis* the state. Ngware reminds us that, ideally, civil society is considered strong if it possesses the following characteristics:

- The poor and marginalised are organised and politically influential.
- There are associations that are politically independent of the state.
- A culture of tolerance exists and divergent views are not suppressed.
- There is substantial equality of access for all groups without discrimination based on gender, religion or race.[202]

Be that as it may, almost all accounts of civil society and governance in Africa in general, and in Tanzania in particular, bemoan the serious weaknesses of

civil society.[203] For instance, Wagle observes lack of coordination and duplication of programmes as one of the weaknesses facing civil society, leading to cut-throat rivalry in some instances. He thus notes that 'because of these rivalries, many activities are duplicated by different organisations, causing a waste of resources'.[204] What should be appreciated as reality is that the stronger the civil society, the more effective it is for lobbying and advocacy in influencing state policies. The reverse is also true: the weaker the civil society, the less effective it is in influencing state policies.

Since the political transition that ushered in multiparty politics, the evolution of the various kinds of CSOs has gone through different phases. Lange et al identify three as follows:

- The mushrooming phase, characterised by the popping up of various organisations;
- the consolidation phase, a period when these organisations develop their managerial and other kinds of capacity; and
- the influential phase, when these institutions develop sustainable programmes and build mutual trust with the state in order to achieve their set goals and objectives .[205]

These authors then conclude that civil society in Tanzania today is

'… in the mushrooming phase with a few organisations developing into strong civic organisations. In this process many of the organisations will die, as they were simply not based on the right motivations, or lacked a clear plan with their activity. There are many examples of so-called brief-case NGOs, or organisations that have little or no popular base. This can be explained by the current retrenchments and the level of unemployment which make people turn to this sector as an alternative source for income. A coinciding factor is the strong focus on civil society from the donors' side.'[206]

Judging by the observations above, it is only fair to conclude that, to all intents and purposes, civil society in Tanzania is still in its nascent or infant stage, and that given its structural and capacity weaknesses, its effectiveness

in influencing state policies and driving the governance process is severely
limited.

Available data indicates that as of 1993 there were 224 registered NGOs in
Tanzania, with this figure increasing to 8,499 in 2000.[207] The authors classify
these NGOs and indicate their main strengths and weaknesses (see Table 9).

Table 9: Classification and capacity of NGOs in Tanzania

NGO type	Major strengths	Major weaknesses
District development trusts	• Local funding	• Undemocratic • Characterised by patron–client relationships
Religious organisations	• Organisational skills • Mass involvement • Good urban-rural links	• Danger of destabilising communities
Community development activity	• Grassroots involvement	• Often donor dependent • Lack organisational and managerial skills
Organisations working for the rights of their membership	• Forum for the less privileged • Potential for popular involvement	• Often donor dependent • Lack organisational and managerial skills
Elite-based advocacy organisations that work for others	• Competent and well-educated personnel • Successful lobbying on certain issues • Use of media	• Donor dependent • Urban bias • Working for the people, not with the people

Source: Lange et al, 2000, p 16.

THE STATE OF DEMOCRATIC GOVERNANCE AND THE
PLACE OF CIVIL SOCIETY

Since independence in 1961, Tanzania's governance regime was characterised by *de jure* one-party rule, at whose helm sat the party of the country's liberation – TANU, also known as the CCM. Despite the good intentions of Julius Nyerere, the then party leader and president of the country, one-party rule simply centralised power and asphyxiated popular participation in both the development and governance processes. Consequently, the centralised state became convoluted, bloated and too powerful, and this triggered some repressive tendencies of the state. In this regard, as the repressive arms (the security establishment) of the state became important for the governance process, popular forces were on the retreat and these included CSOs. We concur with various scholars who have bemoaned the reversals in the vibrancy of civil society in the immediate aftermath of independence. Suleiman Ngware aptly notes that

> 'the promulgation of a one-party political system in 1965 ushered in the beginning of a long and at times, painful process of bureaucratised politics, which finally constrained popular enthusiasm and eroded the space available to the development and growth of civil society in Tanzania.'[208]

Mohamed Halfani and Richard Stren also observe that whereas at independence civil society in Tanzania was active and vibrant, this changed over the next couple of decades due primarily to bureaucratisation and centralisation of politics. But again, this also placed TANU itself in an awkward political predicament, for bureaucratic decisions and policies had to be rationalised and justified on popular grounds of African socialism (*Ujaama*). Thus, according to Halfani and Stren, 'TANU played a contradictory role of propagating the peoples' interests in some instances, while helping to implement bureaucratic decisions in other instances'.[209] The bureaucrati-sation and centralisation of politics which in turn undermined civil society vibrancy was indeed extremely paradoxical, for TANU itself was born as a result of civil society agitation against colonial rule, and the political pressures that TANU exerted against the British colonial administration were driven primarily by civil society groups. Yet, it was civil society that had to be suppressed under TANU rule immediately after independence. It was the

one-party rule and the centralisation of state power that pitted civil society against the government, and the two locked horns in a protracted conflict that eventually witnessed the opening up of the political space in the country and, subsequently, the adoption of a multiparty governance framework.

This new dispensation presents an interesting environment for civil society engagement with the state in the areas of governance and development. This is the moment that civil society in Tanzania should use strategically to make a transition from the mushrooming phase, towards the consolidation phase and, ultimately, reaching the influential phase. CSOs should not bask in the glory of democratisation and overplay their sense of achievement, in the end resting on their laurels. They need to be both assertive and aggressive in their engagement with the state in order to influence policies in a manner that advances sustainable development and sustainable democracy. In fact, there are two interesting, if informative, studies that have been undertaken by PACT-Tanzania, which present a useful guide on how civil society could effectively influence public policy, and in particular how these organisations could have an impact on the legislative process in the country. The current hierarchy of policy making in Tanzania looks as follows:

Parliament (chaired by speaker)
- Approves public policy
- Enacts law to facilitate policy implementation

Cabinet secretariat (chaired by president)
- Deliberates and adopts public policy
- Inter-Ministerial Technical Committee (IMTC) discusses the policy

Department/sector
- Proposes the policy

Community/civil society
- Initiates and/or advocates on the proposed policy

CSOs need to exploit the existing democratic space in the country to enhance their lobbying and advocacy roles as well as to influence public policy more effectively. For this to happen, the PACT-Tanzania study proposes that civil society be more involved in the governance process by:

- mobilising citizens to participate more fully in public affairs;
- enhancing transparency;
- making and enhancing action plans to fight corruption;
- providing ways to enable citizens to get access to justice; and
- research, advocacy and training.[210]

Strategically, CSOs need to agitate for their effective participation in the process of public policy making. Often, they would not be involved by the state on its own volition. Even where the state does involve them on such grounds, CSO ought to mount political pressure for their demands to be met and to avoid possible co-optation by the political elite.

POLITICAL PARTIES – THE STATE OF TANZANIA'S CONTEMPORARY POLITICAL LANDSCAPE

Wole Olaleye

INTRODUCTION

The history of party politics in Tanzania dates back to the 1950s when the colonial administration came under pressure from existing African associations – the Tanganyika African Association (TAA), Zanzibar African Association (ZAA) and the Shirazi Association (SA) to form political parties.[211] Subsequently, the TAA changed into the Tanganyika African National Union (TANU) in 1954; and the ZAA and SA merged in Zanzibar to form the Afro-Shirazi Union (ASU) in 1957. Soon after, in 1959, a split within the newly formed ASU led to the formation of the Zanzibar and Pemba People's Party (ZPPP). This split laid the foundation for the bitter and seemingly unending inter-party, racial polarisation still evident in Zanzibar. Those left within the ASU, under the leadership of Sheikh Abeid Amani Karume, renamed the party as the Afro-Shirazi Party (ASP).

In the mainland, TANU, under the leadership of Julius Kambarage Nyerere, grew into a formidable political force, which soon led the movement that gained political power at independence from Britain in 1961. Although there were other smaller parties in the mainland – the United Tanganyika Party (UTP), the All Muslim National Union of Tanganyika (AMNUT) and the African National Congress (ANC), it was TANU that maintained dominance through landslide electoral victories in the 1957 and 1959 elections. The UTP and AMNUT collapsed leaving only the ANC and TANU in the political arena in the mainland.

Multiparty politics is a new political phenomenon in Tanzania. Parties, however, are by no means a new phenomenon. Between 1961 and 1965, according to Kiondo,[212] 'Tanganyika was a *de jure* multiparty system, which passed as a dominant party system … smaller emerging political parties were suppressed and civil society organisations were incorporated into state

organs'. In 1963, the TANU National Executive Council (NEC) decided to make Tanganyika a one-party state and in 1965, after the adoption of recommendations by a presidential commission on constitutional matters, Tanganyika was declared a one-party state, with the retention of national elections. Those contesting election under the then constitution were selected by the TANU NEC. The stipulation states that each seat would be contested only by one or two candidates in order to ensure that no member could be elected without commanding majority support. The elections of 1965, 1970, 1975, 1980, 1985 and 1990 were contested under these rules.[213] The decision was described as forming part of a continental drive in the 1960s on the crucial role of the state in economic production within the context of African socialism, premised on the existence of democracy.[214]

In Zanzibar the political landscape was shaped by parties such as the ASP, the Zanzibar National Party (ZNP), the Masses/People's Party (UMMA) and the ZPPP. The ASP and ZNP were the two dominant parties on the island. ZNP and ZPPP went into an alliance on the eve of independence in December 1963 to form cabinet after the ASP had won the majority of seats and votes in the July 1963 elections, as shown in Table 10.

The alliance gave both the ZNP and ZPPP a total 18 seats compared to the ASP with 13 seats. One month later, the ASP, with the assistance of TANU in mainland Tanzania, organised a successful revolution and overthrew the newly formed government of the ZNP and ZPPP to form a new ASP

Table 10: Election results in Zanzibar, 1957-1963

Elections	ASP		ZNP		ZPPP	
	No. of Seats	% of Votes	No. of Seats	% of Votes	No. of Seats	% of Votes
July 1957	5	35	0	22	–	–
January 1961	10	43	9	39	3	18
June 1961	10	51	10	35	3	14
July 1963	**13**	**54**	**12**	**30**	**6**	**16**

Source: Adapted from Mmuya & Chaligha,1994, p 41, in REDET 2001.

revolutionary government under a one-party system. Invariably, this ended multiparty politics in Zanzibar and led to the entrenchment of a one-party state. TANU and the ASP consolidated their dominance under the one-party system by merging in 1977 to form the CCM, or the Party of Revolution.

MULTIPARTYISM IN TANZANIA

The democratisation process which began in Tanzania[215] in the mid-1980s through pressure from both inside and outside has experienced two successive multiparty elections (in 1995 and 2000). The outside influence relates to the pressure put on Tanzania to liberalise by the IMF Bretton Woods Institutions and other Western donors in the wake of the fall of the Berlin Wall and the collapse of Communism in the former Soviet bloc. The international community called for open space for civic organisation engagement, participation in political processes, observance of human rights and complete liberalisation of political activity. Inside pressure pressing for democratisation included the emergence of a merchant class acting as a force against state monopoly in the economy, the rise of a strong political elite calling for a more accountable and transparent multiparty government and the general dissatisfaction of the citizens with the state's inability to deliver on essential social services.

In response to these pressures, United Republic of Tanzania President Ali Hassan Mwinyi on 27 February 1991 inaugurated a 40-member commission under the leadership of Tanzania Chief Justice, Hon. Francis L. Nyalali. The commission was mandated to assess public opinion on whether or not to continue with a one-party state. Among the commission's recommendation was the establishment of multipartyism based on the findings that people preferred the multiparty system and needed to be given the opportunity to participate in the conduct of the nation's affairs.[216]

The Political Parties Act, 1992 (Act No. 5 of 1992) was enacted to allow for the registration of political parties. The act set rules and regulations to be fulfilled before registering a political party and, according to the act, party registration follows two stages: the provisional registration phase requires only an application from founding members and a party constitution. The final phase, requires a party to fulfill certain conditions, these include:

- proof of not less than 200 members qualified to votes, from each region in the country, with at least two of those regions from Zanzibar and Pemba;
- the names of national leaders of the party, coming from both Zanzibar and Mainland Tanzania; and
- submission of the location of the party head office to the register.

The enactment of the legislation saw the registration of 13 political parties in 2000.[217] Symbolically, this meant a political victory for the pro-democracy movement because it meant the end of the CCM's 30-year domination of the political landscape. Tanzania, like many countries in the SADC region[218] which moved from a one-party system to multiparty democracy during the 'fourth wave'[219] of democratisation is faced with the challenge of transforming political parties into effective democratic institutions. This paper would argue that one of the major challenges facing the democratisation process in Tanzania is that of finding the appropriate formula for transforming political parties into effective democratic institutions capable of operating democratically, with systems and procedures that support the values and principles of liberal democracy.

POLITICAL PARTIES IN DEMOCRACIES

The analysis of political parties is an important element in the process of democratic consolidation. Parties play a central role in both the theory and practice of modern liberal democracy, representing a critical link between the citizens and politicians who exercise control over the affairs of the state. This is one of the main reasons why political parties are regarded as a virtually indispensable factor of modern democratic governance. Numerous political analysts[220] share the view that political parties are an essential element of democratic governance because a crisis of political parties represents a crisis for democracy. Clapham,[221] surveying the prospect of democratic consolidation in sub-Saharan Africa, concluded that the capacity to develop a party that is both integrative between communities and competitive between different political parties is the key to democratic consolidation. Mainwaring and Scully,[222] in a study based on 12 Latin America states, further conclude that a high level of party system institutionalisation fosters democratic consolidation. Similarly, Dix[223] argues that in assessing the prospect for democratic survival and consolidation, much depends on

political parties. Political parties aggregate and then represent social interests, providing a structure for political participation. Parties act as a training ground for political leaders who will eventually assume a role in governing society.

In addition, parties contest and seek to win elections in order to manage government institutions. Political parties in the legislature play an important role in shaping the relationship between the executive and the legislature and in prioritising the legislative agenda. Political parties form parliamentary caucuses or organised groups that effectively contribute to a more efficient legislature and cordial working relationships between the ruling party and opposition groups, which combine to establish mechanisms for dealing with contentious national issues. How well political parties perform through their elected representatives as an indispensable institution for deepening democratic principles, values and culture is highly dependent on the extent to which organisational arrangements of political parties help contribute to the effective functioning of intra-party democratic processes in a range of areas including party discipline and internal decision-making, inter- and intra-party relations, and gender representation.

PARTY CONCENTRATION

Tanzania, like many other new democracies, faces the challenge of establishing transforming political institutions to address adequately the legacies of non-democratic regimes, while at the same time addressing the new dilemmas arising from the introduction of a democratic system of governance. Since elections lie at the heart of democratic politics, and parties function as mechanisms to access power, the presence of a strong and institutionalised party system is viewed as an important factor towards strengthening the performance of democratic governance.[224] The major problem with political parties in Tanzania is that of party concentration. One political party heavily dominates the party system as depicted in the Table 11: the CCM occupies almost all the seats in parliament (88%), with exceptionally weak and splintered political opposition parties. The 2000 election results show an overwhelming concentration of the CCM in parliament. When compared to the 1995 election results, the CCM continues to show an improved electoral victory in the midst of what analysts describe as an 'unlevel' playing field. According to Ahluwalia and Zegeye,[225] the

abolition of state subsidies to political parties meant that the opposition parties were unable to fund their campaigns adequately and do not have access to certain strategic campaigning resources, such as the government media. The Tanzania Election Monitoring Committee (TEMCO) in its evaluation of the 2000 general elections issued a statement to the effect that:

> 'the elections on Mainland were free but not fair. The unfairness comes from the big state bias in favour of the ruling party, the heavy handedness of the police in campaign rallies of opposition parties, and the incomplete separation of state resources from those of the ruling party.'[226]

CCM dominance is mostly based on its ability to explore the incumbent advantage at the expense of rather catastrophic opposition parties. According to a report released by International IDEA in 1999, the CCM is characterised by the following features:

- It presides over a weak and perhaps effective but largely politically incompetent civil society;
- It is highly authoritarian insofar as it does not seek to persuade but to impose its will upon its own members and all other parties. It is more a state party than a political party;
- It is a ruling machine designed to maintain a tight grip on political power rather than an engine for socio-economic development;
- It is a state-party essentially intolerant of dissent and unable to accommodate, let alone, to absorb views from outside itself.[227]

Furthermore, the CCM is characterised by strong central authority and personal networks, with close links to different administrative structures. Although the party does have visible structures, it is still largely defined by a one-party culture. Competition within the party is very limited. For example, during the 2000 party primaries, Mkapa, the incumbent president, was the only person registered as a CCM candidate for the elections. Instead of the opposition parties capitalising on the lack of political competition within CCM by forming a united political opposition, they continue to be heavily damped by splits and disorganisation. The National Convention for Construction and Reform (NCCR)-Mageuzi, which was the most significant

challenger to the ruling party in the 1995 general elections with 27.8% of the
presidential votes and winning 16 mainland seats, split into two opposing
groups and secured only one parliamentary seat in the 2000 elections. A
considerable number of party cadres left the party with their charismatic
populist chairperson, A Mrema and joined the Tanzania Labour Party (TLP).
The Chama Cha Demokrasia na Maendeleo (CHADEMA) party also suffered
from factionalism because it was perceived as a class/ethnic-based party.
The Union for Multiparty Democracy (UMD) was completely destroyed after
the first multiparty elections in 1995 as result of opportunistic leaders who
led the party, splitting before the 2000 general elections.[228]

Table 11:
Party composition in parliament after the 1995 and 2000 elections

Party	1995		2000	
	No. of seats	% of seats	No. of seats	% of seats
CCM	168	80.2	202	87.5
CUF	24	10.3	17	7.4
NCCR-Mageuzi	16	6.9	1	0.4
CHADEMA	3	1.3	4	1.7
UDP	3	1.3	3	1.3
TLP	–	–	4	1.7

Source: National Electoral Commission: The 1995 and 2000 Presidential and Parliamentary and Councillors' Elections.

Although there is a functioning party system in Tanzania, it is however
dysfunctional with an exceptionally high degree of fragmentation (many
smaller parties). Smaller parties within the system find it extremely difficult
to work together. With a large CCM representation and weak opposition in
parliament, power is concentrated in the hands of the executive who are
CCM party executive members.

OPPOSITION PARTIES IN PARLIAMENT
With the introduction of the Political Parties Act in 1992, the number of
political parties competing for power has increased substantially, now

standing at 17. Only seven of these parties, however, have presence in the national parliament. Table 12 shows the number of registered parties with their respective parliamentary seats obtained in the 2000 elections.

Table 12: Votes won by parties and party parliamentary seats in 2000 elections

Party	No. of votes	%	No. of parliamentary seats	%
CCM	4, 628, 127	(65.2)	202	(87.5)
CUF	890, 044	(12.5)	17	(7.4)
TLP	652, 504	(9.2)	4	(1.7)
UDP	315, 303	(4.4)	3	(1.3)
CHADEMA	300, 567	(4.2)	4	(1.7)
NCCR-Mageuzi	256, 591	(3.6)	1	(0.40)
UPDP	14, 789	(0.2)	–	
PONA	11, 731	(0.2)	–	
TPP	10, 206	(0.1)	–	
TADEA	9, 647	(0.1)	–	
UMD	7, 550	(0.1)	–	
NLD	2, 507	(0.0)	–	
NRA	70	(0.0)	–	
Total	**7, 099, 636**		**231**	

Source: *National Electoral Commission: The 2000 Presidential and Parliamentary and Councillors' Elections*

From the result of the 2000 parliamentary elections, no strong opposition emerged in parliament. Although the opposition parties combined secured 34.8% of the total votes cast, they received only 12.5% of the seats in parliament. One of the important reasons for this low proportion of seats in relation to the number of votes gained lies in the nature of the electoral system[229] employed in translating votes cast into parliamentary seats. The first-past-the-post (FPTP) or winner-takes-all electoral system used in

Tanzania is based on constituency representation, which makes it difficult for minority representation and promotes wasted votes. FPTP has the tendency to create strong governments and provides an easy mechanism for appointing MPs. The weakness, as depicted in the composition of parliament, is that it is heavily biased against opposition party representation in parliament. Evidence elsewhere in the SADC region suggests that countries with proportional representation (PR) systems (for example, Mozambique, South Africa and Namibia) have a more equitable distribution of votes in relation to votes won by parties. Expert opinion suggests that had PR been applied in the 2000 election, the balance between the ruling CCM and the opposition would have changed with roughly 40 more seats to the opposition – corresponding to about 17% of the parliamentary votes.[230] Despite the low showing of opposition parties in parliament, the leader of the major opposition party in parliament, Seif Hamad, maintains that 'contributions made by opposition parties' parliamentarians during sessions is very effective, causing government to rethink its mostly dictatorship approach to legislation …'.[231]

Equally true of Tanzanian opposition parties in parliament is that they lack comprehensive alternative programmes and tactics to the ruling party,[232] exhibiting weak linkages between parliamentarians and party structures. Parties are no more than channels that provide access to parliament with little or no influence on legislative processes. The introduction of multiparty politics came with a host of changes to the Standing Orders of the House. The most significant being that of the official opposition in parliament, which according to the order would be constituted by the party with over 30 seats in parliament. The party, according to the order, would be given preference in asking questions, tabling motions and responding to ministers' statements. This order created a dilemma for opposition parties in parliament because no party had secured 30 seats. When the House began its first session, the CUF, with the largest number of seats, made a pact with the UDP to form an official opposition. The CUF then took on the role of official opposition. However, the political identity of the CUF made it difficult for it to play the role of an effective opposition. The CUF was a Zanzibar-based party, opposed to the constitutional arrangements and relatively unconcerned with political issues on the mainland, instead preoccupied with highlighting the plights of Pembans and its supporters in the islands.

This kind of dominant party system is not healthy for the long-term sustainability of democracy. Such a system contributes to the concentration of power in the hands of the executive and the marginalisation of opposition politics, undermining a vital mechanism that creates checks and balance within a democracy – a phenomenon that spreads across all democracies in Southern Africa. In the case of Tanzania, the reason for this phenomenon is partly based on the occurrence of majority representation in single-member constituencies, which formally advantage the big parties; parties with a strong regional base, built around a nationalist personality and a symbolic national identity. Given the degree of political fragmentation and the inability of the opposition parties to present an alternative political platform, the CCM will continue for a long time, especially in Mainland Tanzania, to maintain its political hegemony.

INTRA-PARTY DEMOCRACY IN CCM

> '… parties talk about democracy but there is no democracy within parties … party primaries are not transparent … the mechanism for selecting party representatives for elected office is not transparent … nomination is by choice … most of the time, parties' hand pick people to stand for party primaries … .'[233]

The CCM follows the principle of 'democratic centralism' entrenched during the one-party system. The highest decision or policy making body is the National Executive Council (NEC) which meets once every five years to choose the chairperson, general secretary and other members of the NEC. The NEC makes policy decisions that guide the party for five years, but periodic review is made at consultative congresses that meet once a year. The NEC is tasked with the implementation of the decisions and resolutions made at the congress. The national secretariat is responsible for the general management and administration of the party.

The president and chairperson of the party, Benjamin William Mkapa, commands a great amount of political power. Most often, the president, through the party NEC, decides who will ultimately become a party candidate. This is more so because of the election regulations. According to the regulations governing elections, citizens willing to contest an election

must, in addition to other requirements, be a member of and sponsored by a fully registered political party. Critics and analysts are of the view that this requirement undermines individual liberties guaranteed under the constitution, which allow interested and qualified citizens the right to vote and be voted for.[234] The lack of intra-democracy within the CCM is the failure of the Political Parties Act, 1992 to provide a clear and elaborate procedure for the nomination of candidates within parties. According to the regulation governing nomination within political parties under the Constitution of the Republic of Tanzania 1977, articles 39(1)c and 67(1)b of the constitution require that presidential candidates and parliamentary candidates respectively should be nominated by their respective parties. To avoid a situation in which victims of democratic centralism hop from party to party and form splinter parties, the regulation would have to be amended to allow for independent candidates to stand for elected offices as individuals.

THE ROLE OF WOMEN

Tanzanian women have always been involved in party politics and continue to be so. Women in Tanzania were part of the liberation struggle as members of TANU. Like in most other parts of the region, women in Tanzania have generally occupied a disadvantaged position within parties, even though women constitute more than 50% of party memberships. Women's participation in party politics, especially at leadership level, has been constrained by numerous socio-culture and economic factors. These includes negative traditional attitudes, lack of adequate resources and skills, lack of time due to productive and reproductive roles, and lack of influence and ability to break through male-dominated party structures.[235] The cumulative effect of these factors on women has resulted in few aspirant women within parties. To promote women's participation, after the introduction of the multiparty system, the law was amended to allow for 15% of parliamentary seats to be allocated to women in political parties, in proportion to the number of parliamentary seats won in election. By the second multiparty elections, the law was further amended to allow for 20% of seats to be allocated to women in parliament and 30% in local government councils.[236] In accordance with the articles 66(1)(b) and 78(1) of the Constitution of the United Republic of Tanzania, 1977, the commission declared elected 48 women MPs, through the special provision into parliament, which is equivalent to 20% of the 237 of MPs.

Table 13: Special seats for women MPs

Political party	No. of special seats	Percentage of votes
CCM	41	85.4
CUF	4	8.3
CHADEMA	1	2.1
UDP	1	2.1
TLP	1	2.1
Total	48	100

Source: National Electoral Commission: The 2000 Presidential and Parliamentary and Councillors' Elections.

With the introduction of a women's quota system within parties, the opportunity for women's representation has increased as more women join and aspire to leadership and political positions within the different parties; and this leads to more women winning constituency parliamentary seats. In 1995, only five women won parliamentary seats but this figure increased to 12 after the 2000 general elections.

PARTY FUNDING

It is widely established through research that public party funding during and after elections is critical for democratic consolidation.[237] Section 13 of the Political Parties Act, 1993, provides five sources of funding for political parties with full registration:

- membership fees;
- voluntary contributions;
- the proceeds of any investment, project or undertaking in which the party has interest;
- subventions from the government; and
- donations, bequests and grants from any other source.

Every political party is required by law to disclose to the registrar of political parties any funds or other resources obtained by the party from foreign sources: either coming directly from outside the country or through Tanzanian sources, from non-Tanzanian citizens resident in Tanzania, and

from foreign organisations stationed in Tanzania. Political parties are required to maintain proper accounts of the funds and property of the party and to submit annual audited reports to the registrar; however, there is no compliance within the law for this provision.

Membership subscriptions and voluntary donations, especially for newer parties, form a major source of funding. However, membership fees represent a very small proportion of party budgets and in most instances they remain at the branches for operating costs. The CCM has an advantage over new parties. As the oldest party, the CCM has many members and receives large sums of money for membership contributions. In addition, it has a considerable amount of property accumulated over a long period. Tanzania needs a stable funding system for political parties. Presently, party funding is directed towards party operating costs. This is only limited to parties in parliament and is based on the proportion of seats in parliament rather than on the number of votes won in the elections. This means that only six parties out of 13 fully registered parties receive financial support: the others are left to their own devices. As a result public funds to parties have become a source of constant conflict. For long-term sustainability of a democracy, public funding to parties in elections should be the norm and not the exceptional. Such funds should be strictly controlled and proper accounting regulations and enforcement provisions should be prescribed by the law to avoid rent-seeking behaviour.

LIST OF RESPONDENTS

Political parties
Civic United Front (CUF)
Mr Seif Shariff Hamad, Secretary General

Union for Multiparty Democracy (UMD)
Mr Hassan Hussein, Secretary General

Democratic Party (DP)
Mr Kakinga, Secretary General

National Convention for Construction and Reform (NCCR-Mageuzi)
Mr Mwaiseje Polisya, Secretary General

Tanzania Labour Party (TLP)
Mr Harold Jaffu, General Secretary

NGOs
Women's Legal Aid Centre
Mrs Avalon

Trade Union Congress of Tanzania (TUCTA)
Mrs Margreth Sitta, National Chairperson

Tanzania Gender Networking Programme (TGNP)
Ms Mary Rusimibi, Executive Director

Legal and Human Rights Centre (LHRC)
Mr Richard Shirilamba, National Coordinator

Tanzania Ecumenical Dialogue (TEDG)
Dr Kitadge, Director Christian Social Services Commission

Donors
Royal Norwegian Embassy
Ms Inger Tveit, First Secretary
Ms Njau Inger-Johanne, Secretary to the Ambassador
Swedish Embassy
Mr Lars Tengroth, Senior Programme Officer

United Nations Development Programme (UNDP)
Ms Lucie A. Luguga, Assistant Resident Representative

United Nations Development Programme (UNDP)
Mr Eugene Owuso, Deputy Resident Representative

Electoral Management Body
Hon. Julie C. Manning, Commissioner
Hon Amon E. Chaligha, Commissioner
Hon. H.J.Mkatte, Commissioner
Mr Rajabu Kiravu, Director of Elections
Ms Amina Ngonde, Director of Administration and Personnel
Ms M. Mpanji, Principal Information officer
Ms S. Mugasha, Principal Legal Officer
Ms C. Komba, Senior Election Officer

NOTES

1   I Kaplan, Tanzania – Chapter 1A: Historical setting, *Countries of the World*, January 1991.
2   T L Maliyamkono, The two in one state, quoted in T L Maliyamkono & F E Kanyongolo (eds), *When Political Parties Clash*, Eastern and Southern African Universities Research Programme (ESAURP), TEMA Publishers Company Ltd., 2003, p 103.
3   Ibid.
4   Maliyamkono & Kanyongolo, op cit.
5   Kaplan, op cit.
6   Zanzibar comprises two main islands, Unguja and Pemba, and a number of small satellite islands.
7   Kaplan, op cit.
8   See Zanzibar Government 1964-1967: We have completed three years: The fruits of the revolution in the islands, 1967.
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10   Ibid.
11   P Ahluwalia & A Zegeye, Mutliparty democracy in Tanzania: Crises in the Union, *African Security Review* 10(3), Institute for Security Studies, Pretoria, 2001; and Roth op cit.
12   P J Kaiser, Power, sovereignty, and international election observers: The case of Zanzibar, *Africa Today,* 1 January 1999.
13   The benefits referred to here included equal representation for Zanzibar in all the important committees of the CCM party, and for Tanzania the merger fulfilled the expectation that the union would bring both entities closer economically. For example, the foreign reserves that Zanzibar had earned from its clove trade would now be under the Union treasury.
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15   Ibid.
16   S L Chachage, *Globalisation and Democratic Governance in Tanzania*, Development Policy Management Forum (DPMF), Occasional Paper No.10, 2003.
17   C Hollis, Zanzibar: Present conditions and interests, *Journal of the African Society*, XXVII, 1928-29. Quoted in J Mbwiliza, The birth of a political dilemma and the challenges of the quest for new politics in Zanzibar, in T L Maliyamkono (ed), *The Political Plight of Zanzibar*, Eastern and Southern African Universities Research Programme, (ESAURP), TEMA Publishers Company Limited, 2000.
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23   A Talbot, Nyerere's legacy of poverty and repression in Zanzibar, World Socialist website, <www.wsws.org>, 15 November 2000.

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25   M Mamdani, *When Victims Become Killers: Colonialism, Nativism and the Genocide* in Rwanda, Princeton University Press, 2001.

26   Ibid.

27   Amnesty International Report, Tanzania human rights concerns relating to demonstrations in Zanzibar, 2002; The bullets were raining, *Human Rights Watch Report* 14(3) (A), April 2002; and Legal and Human Rights Centre/International Federation for Human Rights (FIDHI), Zanzibar wave of violence, 2001.

28   Ibid.

29   A Joint Presidential Supervisory Commission and an Independent Commission of Inquiry were formed on 16 January 2002 to investigate the January 2001 violence in Zanzibar. This commission was chaired by retired Brigadier General Hashim Mbita, a former executive secretary of the Organisation of African Unity (OAU) Liberation Committee. The commission, made up of an eight-person team, released their report to the government on November 2002.

30   Human Rights Watch Report, op cit.

31   Tanzania Human Rights Report, 2002 issued by the Legal and Human Rights Centre (LHRC).

32   The exact number of demonstrators was never recorded. All that has been said in relation to the number is that demonstrations were widely supported with thousands turning out to protest.

33   Human Rights Watch Report, op cit.

34   Ibid.

35   Ibid.

36   Ibid; and Amnesty International Report, op cit.

37   Mmuya, op cit, p 32.

38   An Independent Commission of Inquiry report commissioned by the government released on November 2002. The police officer was PC Haji, E.8510.

39   Mmuya, op cit.

40   The demonstrations were banned by the police who believed they were not going to be peaceful and would lead to a breach of the then existing order and peace.

41   Mmuya, op cit, p 24.

42   M Bratton & D N Posner, A first look at second elections in Africa, with illustrations from Zambia, in R Joseph (ed) *State, Conflict and Democracy in Africa*, Lynne Rienner, 1999.

43   Ibid.

44   Ibid.

45   E Gyimah-Boadi, Ghana: The challenges of consolidating democracy, in R Joseph (ed), op cit.

46   The international community also concluded, given the narrow margin between the presidential candidates, that the results may have been inaccurate.

47   Chama Cha Mapidunzi letter, quoted in P J Kaiser, op cit.

48 Local and international observer groups represent the non-official sources.

49 R Sankore, Zanzibar: Democracy on shaky foundations, *Journal of Democracy,* April 2000.

50 United Nations Election Observation Team, quoted in Kaiser, op cit.

51 There was a four-day delay in announcing the presidential results.

52 Mmuya, op cit.

53 Ahluwalia & Zegeye, op cit.

54 M Ottaway, Ethnic politics in Africa: Change and continuity, in R Joseph (ed), op cit.

55 Maliyamkono & Kanyongolo, op cit; S S Mushi, R S Mukandala and M L Baregu, *Tanzania's Political Culture; A Baseline Survey,* 2001.

56 T L Maliyamkono, Inter-party conflict: CCM and CUF, in Maliyamkono & Kanyongolo (eds), op cit.

57 Ibid.

58 E Kanyongolo, Inter-party conflict in Malawi, in Maliyamkono & Kanyongolo (eds), op cit.

59 Ibid

60 ESAURP book, The Road to Democracy, 1998 as quoted in Maliyamkono, The two in one state, in Maliyamkono & Kanyongolo (eds), op cit.

61 T L Maliyamkono, Inter-party conflict: CCM and CUF, L Maliyamkono & Kanyongolo (eds), op cit.

62 T L Maliyamkono, *Tanzania on the Move,* TEMA Publishers Company Ltd, Dar es Salaam, Tanzania, 1997.

63 Ibid.

64 Maliyamkon, The two in one state, in Maliyamkono & Kanyongolo (eds), op cit.

65 The CUF is also protesting that the union as it stands is not equal; it is not a union between two states but rather a union for Tanganyika because it is the United Republic of Tanzania that deals with all union matters together with non union matters for Mainland Tanzania, whereas the government of Zanzibar deals with non union matters relating to Zanzibar isles only. This has created a situation which according to the CUF quite clearly benefits Tanzania Mainland more than Zanzibar, specifically over issues such as foreign affairs, defence, communications, foreign exchange, and higher education, which the union government has control of. Consequently, they are calling for a three-tier government which would create separate governments for Tanganyika and Zanzibar, including a federal government for the union.

66 President Abeid Karume after the revolution of Zanzibar in 1964 redistributed land from the Arabs (pre-revolution owners) to the indigenous Africans. Before the revolution there were about 72 Arab land owners with 743 plantations. Between 1964 after the revolution and 1974 land was expropriated and distributed on the basis of three acres per person. The majority of those who received three-acre plots in Unguja and Pemba Island were mainly indigenous Africans and Shirazis. Most recently, however, there have been calls made by the CUF to return the land to those who had it before it was distributed, who were mostly Arab landowners. The calls for reversing land expropriation, however, are not something that will ever be politically entertained by the CCM. Land to date has been the most visible and palpable fruit of the revolution, hence the CCM's hard-line position on this issue.

67 The CCM Elections Manifesto 1995 issued by the National Executive Committee of the CCM, Dodoma, 22 August 1995, item 40, pp 70-71. Quoted in Mmuya, op cit.

68   Mmuya, op cit, p 27.
69   Ibid.
70   Ibid.
71   These included the CUF deputy secretary general and CUF director for Human Rights.
72   Sankore, op cit.
73   Ibid.
74   Kaiser, op cit.
75   Marina Ottaway, Ethnic politics in Africa: Change and continuity, in R Joseph (ed), op cit.
76   Ibid.
77   Ibid.
78   Ibid
79   H S Newman cited in Mbwiliza, The birth of a political dilemma and the challenges of the quest for new politics in Zanzibar, in Maliyamkono (ed), *The Political Plight of Zanzibar*, op cit.
80   Ibid.
81   Cited in K I Tambila, Aspects of the political economy of Unguja and Pemba, in T L Maliyamkono (ed), op cit.
82   Ibid.
83   Ibid.
84   M Mamdani, op cit; M Ottaway, Ethnic politics in Africa: Change and continuity, in R Joseph (ed), op cit; Mbwiliza, The birth of a political dilemma and the challenges of the quest for new politics in Zanzibar, in Maliyamkono (ed), *The Political Plight of Zanzibar*, op cit.
85   Mbwiliza, The birth of a political dilemma and the challenges of the quest for new politics in Zanzibar, in Maliyamkono (ed), *The Political Plight of Zanzibar,* op cit.
86   Ibid
87   D Mukangara, Race, ethnicity, religion, and politics in Zanzibar, in Maliyamkono (ed), *The Political Plight of Zanzibar*, op cit.
88   M Lofchie, Party conflict in Zanzibar, *Journal of Modern African Studies* 1(2), June 1963, pp 185-207.
89   Marina Ottaway, Ethnic politics in Africa: Change and continuity, in R Joseph (ed), op cit.
90   Ibid.
91   Zanzibar became a British Protectorate in the late 19th century. The British hence established political administrative centres beginning with offices of the High Commissioner, and a Zanzibar Protectorate Council (ZPC). The main function of the ZPC was to act as an advisory board. Other councils were also later on established. These included the 1926 Executive Council (Exco) and Legislative Council (Legco). The Exco consisted of the sultan as the president and the British resident as vice-president with the chief secretary.
92   See Tambila, and Mbwiliza, in Maliyamkono (ed), T L. 2000. *The Political Plight of Zanzibar*, Eastern and Southern African Universities Research Programme (ESAURP), TEMA Publishers Ltd, Dar es Salaam, Tanzania.
93   Mbwiliza, The birth of a political dilemma and the challenges of the quest for new politics in Zanzibar, in Maliyamkono (ed), op cit.
94   Lofchie, op cit.

95   The Legislative Council (LEGCO) was a government body established in 1926 to replace the Protectorate Council. It was led by the British resident and consisted of 11 British official members and six unofficial members appointed by the sultan; three Arabs, two Indians and a European.

96   Lofchie, op cit, p 188.

97   The Nationalist Party of the Subjects of His Highness the Sultan of Zanzibar was formed in 1955 by a small group of peasants in the village of Kiembe Samaki. This party was at first isolated from the mainstream of Zanzibar political life but managed to gain some public support and awareness after it formed a cooperation with the Arab association and changed the party's name to Zanzibar Nationalist Party (ZNP) in 1956

98   Maliyamkono & Kanyongolo, op cit, p 134.

99   J Campbell, Multiracialism and politics in Zanzibar, *Political Science Quarterly* 77(1), March 1962, pp 72-87

100 Ibid, p 73, cited from Sir Hilary Blood's Report of the Constitutional Commissioner, Zanzibar 1961, p 37.

101   Lofchie, op cit, p 196.

102   Ibid, p 200.

103 Ibid, p 207.

104 D Mukangara, Race, ethnicity, religion, and politics in Zanzibar, in Maliyamkono (ed), *The Political Plight of Zanzibar,* op cit, p 43.

105 See A Ramadhan in Maliyamkono (ed), T L. 2000. *The Political Plight of Zanzibar,* Eastern and Southern African Universities Research Programme (ESAURP), TEMA Publishers Ltd, Dar es Salaam, Tanzania.

106 Maliyamkono & Kanyongolo, op cit.

107 Sir Hilary Blood was the second constitutional commissioner.

108 Maliyamkono & Kanyongolo, op cit.

109 D Mukangara, Race, ethnicity, religion, and politics in Zanzibar, in Maliyamkono (ed), *The Political Plight of Zanzibar*, op cit.

110 Ibid.

111   Ibid.

112 Swahili word literally meaning consensus.

113 D Bloomfield and B Reilly, The changing nature of conflict and conflict management, in Harris & Reilly (eds) *Democracy and Deep-rooted Conflict: Options for Negotiations*, IDEA, Handbook Series, 1998.

114   Sankore, op cit.

115 Ibid.

116 This may have been considered by the Commonwealth as the most appropriate negotiation approach at that time given the intensity of the conflict. Shuttle mediation works best when negotiations are based on very divisive issues, as was the case in Zanzibar. It allows for a process of clarifying a given party's stance on the subject, communicating other positions more clearly and defining each party's needs around a contentious issue.

117   Mmuya, op cit, p 32.

118 Maliyamkono & Kanyongolo, op cit.

119 C Santiso, P Harris & D Bloomfield, Sustaining the democratic settlement, in Harris & Reilly (eds), op cit.

120   Maliyamkono & Kanyongolo, op cit.

121   D Bloomfield, C Nupen & P Harris, in Harris & Reilly (eds), op cit.

122   D Nohlen, *Elections and Electoral Systems*, Frieddrich Ebert-Stiftung, Bonn, 1985, p 19.

123   J Barkan, Elections in agrarian societies, *Journal of Democracy* 6, 1995, p 108.

124   2000 TEMCO Election Observation Report.

125   See Rugalabamu 2000 in Maliyamkono (ed), T L. 2000. *The Political Plight of Zanzibar,* Eastern and Southern African Universities Research Programme (ESAURP), TEMA Publishers Ltd, Dar es Salaam, Tanzania.

126   A E Chaligha, Electoral systems in democracies, in civics: A Tanzania reader, REDET, Dar es Salaam, Tanzania, 2001.

127   Quoted in Chaligha, ibid.

128   Interviews were conducted with members of the NEC and ZEC commissions on 23 and 26 September 2003 respectively.

129   Handbook of Tanzania Electoral Laws and Regulations, 2000.

130   Article 74(3) of the Republic of Tanzania Constitution.

131   There is no stipulation within the act that the chairperson must be a judge as compared to the NEC in Mainland Tanzania.

132   A view expressed by members of the NEC in an interview with the EISA research team on 23 September 2003

133   Seif Shariff Hamad, Secretary General of the CUF and former Chief Minister of Zanzibar in an interview with the EISA research on 26 September 2003.

134   The 2000 Tanzania Election Monitoring Committee (TEMCO) Election Observation Report.

135   Seif Shariff Hamad, interview, op cit.

136   The 2000 Tanzania Election Monitoring Committee (TEMCO) Election Observation Report.

137   National Electoral Commission: The 2000 Presidential and Parliamentary and Councillors' Elections.

138   Ibid.

139   Following the 2002 general election, the Tanzanian NEC released a five-year report in which it recommended that voter education should be made a specific statutory function of the commission.. National Electoral Commission. 2003. The five year report of the National Electoral Commission for the period from 14th January, 1998 to 13th January 2003, United Republic of Tanzania.

140   The 2000 Tanzania Election Monitoring Committee (TEMCO) Election Observation Report.

141   T Lodge, et al, Tanzania, in *Compendium of Elections in Southern Africa*, EISA, Johannesburg, South Africa, 2002.

142   The 2000 Tanzania Election Monitoring Committee (TEMCO) Election Observation Report.

143   Ibid.

144   Ibid.

145   Ibid.

146   Principles for Election Management, Monitoring and Observation in the SADC Region, EISA, 2003.

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148   Observers included: the SADC Parliamentary Forum, the Commonwealth, TEMCO and the OAU.

149   The 2000 Tanzania Election Monitoring Committee (TEMCO) Election Observation Report.

150   L Ndumbaro & B Heilman, International politics and democratic transitions of East Africa, University of Dar es Salaam.

151   Ibid.

152   Ibid.

153   J I Vener, Prompting democratic transitions from abroad: International donors and multipartyism in Tanzania, *Democratization*.7(4), Winter 2000.

154   Ibid.

155   Taken from Vener, op cit.

156   Ibid.

157   Swahili proverb – L Ndumbaro & Bruce Heilman, op cit.

158   EISA research interviews in Tanzania, October 2003.

159   Vener, op cit.

160   The Economist Intelligent Unit, *Country Profile 2000; Tanzania and Comoros*, 2000.

161   Tanzania Assistance Strategy, A Medium Term Framework for Promoting Local Ownership and Development Partnerships, UNDP paper, October 2000. Aid dependency according to the World Bank 2002 development indicators is showing some sign of reduction

162   In fact external assistance to Tanzania between 1994-1997 averaged US $900 million.

163   Norad website; www.norway.go.tz/development

164   EISA research interviews in Tanzania, October 2003.

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167   Ndumbaro & Heilman, op cit; S Brown. Authoritarian leaders and multiparty elections in Africa: How foreign donors help keep Kenya's Daniel Arap Moi in power, *Third World Quarterly*, 22(5), October.

168   L Ndumbaro, Tanzania: Donors, democracy and development, published in R Mukandala and C Gasarasi (eds), *Governance and Development at the Grassroots in Tanzania*, 2000.

169   Ndumbaro & Heilman, op cit.

170   Ibid.

171   EISA Research Interview; Prof Mukandala Chairman of REDET, Department of Political Science and Public Administration, University of Dar es Salaam

172   G Hyden & R Mukandala (eds), *Agencies in Foreign Aid*, St Martins Press Inc, 1999.

173   EISA research interviews in Tanzania, October 2003.

174   OECD, Development Assistance Committee (DAC) Peer Review for Tanzania, 2003.

175   Ibid.

176   Tanzania Assistance Strategy, op cit.

177   Hyden & Mukandala (eds), op cit.

177   EISA research interviews in Tanzania, October 2003.

178   OECD, op cit.

179   Hyden & Mukandala (eds), op cit.

180   National Electoral Commission, The five year report, op cit.

181   Lodge et al, op cit.

182   The Report of the National Electoral Commission on the 1995 Presidential and

Parliamentary Elections, National Electoral Commission.

183   Ibid.

184   Lodge et al, op cit.

185   The Report of the National Electoral Commission on the 1995 Presidential and Parliamentary Elections, National Electoral Commission, 2001.

186   C A Rugalabamu, Electoral administration during the 1995 General Elections in Zanzibar, in Maliyamkono (ed), *The Political Plight of Zanzibar.*

187   Ibid.

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199   E Gyimah-Boadi, Civil society in Africa, *Journal of Democracy,* 1996, p 118.

200   Sachikonye, op cit, p 402.

201   See A Kiondo, in Lange, S, Wallevik, H & Kiondo, A. 2000. Civil society in Tanzania, Research Report No. 6, Christian Michelsen Institute, Oslo, Norway.

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204   Wagle, op cit, p 534.

205   Lange et al, op cit, p 2.

206   Ibid, p 3.

207   Ibid, p 6.

208   Ngware, op cit, p 241.

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211   A Kiondo, Political parties and party system, 2001.

212   Ibid.

213   J D Barkan, Legislators, elections and political linkages, J D Barkan (ed), *Politics and Public Policy in Tanzania*, Praeger, New York, 1984.

214   Kiondo 2001

215   The United republic of Tanzania comprises Mainland Tanzania (Tanganyika) and Tanzania Zanzibar. The Mainland received independence on 9 December 1961 under the Tanganyika Africa National Union (TANU). On 12 January 1964, Afro-Shirazi Party (ASP) mounted a revolution in Zanzibar. The Union of Tanzania was formed on 26 April 1964. TANU in 1965 became the only political party on the Mainland and the ASP the only political party in Zanzibar. TANU and the ASP merged on 5 February 1977 to form Chama cha Mapinduzi (CCM) and the two governments came under a single political party – CCM (The Report of the National Electoral Commission on the 1995 Presidential and Parliamentary Elections [1997]).

216   Ibid.

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218   SADC's 14 member states are Angola, Botswana, the Democratic Republic of Congo, Lesotho, Malawi, Mozambique, Namibia, Seychelles (has indicated its decision to withdrawal from the community in July 2004), South Africa, Swaziland, Tanzania, Zambia and Zimbabwe.

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231   In an interview with the EISA researcher team on 26 September 20003.

232 A view expressed by a representative of the Swedish Embassy in Dar es Salaam in an interview with the EISA research team on 23 September 2003.

233   A view expressed by members of the Tanzania National Electoral Commission in an interview with the EISA research team on 23 September 2003.

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ABOUT THE EDITOR

Shumbana Karume joined EISA's Research Unit in January 2003, with research interests in electoral democracy, regional integration and other issues that cover governance and democracy in the SADC region. She had previously been working in this area at the Southern Africa Research and Documentation Centre (SARDC) in Zimbabwe and at the United Nations. While at the SARDC, Shumbana worked as a senior researcher in the Sustainable Democracy Department. Thereafter she worked at the United Nations Department of Economic and Social Affairs (UNDESA) in New York and at the United Nations Economic Commission for Africa (UNECA) in Addis Ababa, where she assisted with research on a public service ethics project and on governance issues. She also worked for the Government of Zanzibar at the Ministry of Finance as an investment policy officer from 1997-1999. Shumbana has observed elections in the region and beyond, including Swaziland, South Africa and Kenya, where she was a member of the Carter Centre Election Observation delegation. She has contributed several chapters in the forthcoming EISA research reports examining electoral democracy issues in Lesotho, Swaziland, Zambia, Zimbabwe, Tanzania and Angola. Her other publications include articles in journals and quarterly newsletters. Shumbana holds a BA Hons in Economic Development from the School of Oriental and African Studies (SOAS), University of London, and a Master's in Economic and Political Development from Columbia University's School of Public and International Affairs.

ABOUT EISA

EISA is a not-for-profit and non-partisan non-governmental organisation which was established in 1996. Its core business is to provide technical assistance for capacity building of relevant government departments, electoral management bodies, political parties and civil society organisations operating in the democracy and governance field throughout the SADC region and beyond. Inspired by the various positive developments towards democratic governance in Africa as a whole and the SADC region in particular since the early 1990s, EISA aims to advance democratic values, practices and enhance the credibility of electoral processes. The ultimate goal is to assist countries in Africa and the SADC region to nurture and consolidate democratic governance. SADC countries have received enormous technical assistance and advice from EISA in building solid institutional foundations for democracy. This includes electoral system reforms; election monitoring and observation; constructive conflict management; strengthening of parliament and other democratic institutions; strengthening of political parties; capacity building for civil society organisations; deepening democratic local governance; and enhancing the institutional capacity of the election management bodies. EISA is currently the secretariat of the Electoral Commissions Forum (ECF) composed of electoral commissions in the SADC region and established in 1998. EISA is also the secretariat of the SADC Election Support Network (ESN) comprising election-related civil society organisations established in 1997.

VISION

Realisation of effective and sustainable democratic governance in Southern Africa and beyond.

MISSION

To strengthen electoral processes, democratic governance, human rights and democratic values through research, capacity building, advocacy and other strategically targeted interventions.

VALUES AND PRINCIPLES

Key values and principles of governance that EISA believes in include:
- Regular free and fair elections
- Promoting democratic values
- Respect for fundamental human rights
- Due process of law / rule of law
- Constructive management of conflict
- Political tolerance
- Inclusive multiparty democracy
- Popular participation
- Transparency
- Gender equality
- Accountability
- Promoting electoral norms and standards

OBJECTIVES

- To nurture and consolidate democratic governance

- To build institutional capacity of regional and local actors through research, education, training, information and technical advice

- To ensure representation and participation of minorities in the governance process

- To strive for gender equality in the governance process

- To strengthen civil society organisations in the interest of sustainable democratic practice, and

- To build collaborative partnerships with relevant stakeholders in the governance process.

CORE ACTIVITIES

- Research
- Conferences, Seminars and workshops
- Publishing

- Conducting elections and ballots
- Technical advice
- Capacity building
- Election observation
- Election evaluation
- Networking
- Voter/Civic education
- Conflict management
- Educator and Learner Resource Packs

PROGRAMMES

EISA's Core Business revolves around three (3) main programmes namely (a) Conflict Management, Democracy and Electoral Education; (b) Electoral and Political Processes; and (c) Balloting and Electoral Services.

CONFLICT MANAGEMENT, DEMOCRACY AND ELECTORAL EDUCATION

This programme comprises various projects including voter education, democracy and human rights education; electoral observation; electoral staff training; electoral conflict management; capacity building; course design; citizen participation.

ELECTORAL AND POLITICAL PROCESSES

This programme addresses areas such as technical assistance for electoral commissions, civil society organisations and political parties; coordination of election observation and monitoring missions; working towards the establishment of electoral norms and standards for the SADC region; providing technical support to both the SADC-ECF and the SADC-ESN.

BALLOTING AND ELECTORAL SERVICES

The programme enhances the credibility and legitimacy of organisational elections by providing independent and impartial electoral administration, management and consultancy services. The key activities include managing elections for political parties, trade unions, pension funds, medical aid societies, etc.

EISA'S SPECIAL PROJECTS INCLUDE:

- Rule of Law, which examines issues related to justice and human rights;
- Local Government, which aims to promote community participation in governance ; and
- Political Parties, which aims to promote party development at strategic, organisational and structural levels through youth empowerment, leadership development and development of party coalitions.

EISA'S SUPPORT SERVICES INCLUDE:

- Research
- Publications
- Library
- Information and Communication Technology (ICT).

EISA PRODUCTS

- Books
- CD-ROMS
- Conference Proceedings
- Election Handbooks
- Occasional Papers
- Election Observer Reports
- Research reports
- Country profiles
- Election updates
- Newsletters
- Voter education manuals
- Journal of African Elections
- Election database

GOVERNANCE STRUCTURE

Patrons
EISA's patrons are His Excellency Sir Ketumile Masire, former President of Botswana and the instrumental broker of the peace negotiations that ushered

peace and reconciliation in the Democratic Republic of Congo in 2002 and Mr. Cyril Ramaphosa, a key negotiator during the political transition to democratic governance and majority rule in South Africa in 1994 and a businessman of standing in the new South Africa.

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