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# The Shrinking space of democracy in Africa: comparative reflections from 2005-2020 presidential terms in Tanzania

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## Abstract

African countries mostly hatched from the claws of colonialism in the 1960s. During the independence ages, most of these countries were subjected to state-political parties where single-party supremacy controlled the state trajectories. The dominance of a single-party system aimed at the so-called strengthening of national unity among the citizens. However, the calling for global changes from the 1980s to 1990s influenced the political transformations of post-independence Africa which finally welcomed the democratization process. Tanzania danced the tune and from 1990 the country shifted to multiparty democracy. Since then, opposition political parties have bemoaned the country's political exercise because of its political partiality. Theoretically, multiparty politics is supposed to create neutral political grounds for all competing political groups when it comes to power contestations. Political reports from different stakeholders provide contrasting political space for competing political parties from 2005-2020 in Tanzania. This paper has, therefore, analyzed various political-related works of literature to assess the state of political activities within two presidential terms. Findings depicted that, the 2005-2015's presidential term provided somehow neutral political ground compared to the 2015-2020's presidential reign. Therefore, it is high time for Africa and Tanzania to accommodate all political actors for the well-being of the people, since shrinking of the political space under multiparty democracy has always been the sole key to causalities, immigration, economic downfall, hostilities, political hectic and other malpractices within the state.

**Key words:** shrinking space, democracy, comparative, presidential terms, Tanzania.

## Introduction

Since its inception multiparty democracy has failed to realize its full potential within the least developed African states (Fukuyama, 2013). Allegations attached to the shrinking of spaces on democratic practices are commonly heard by the opposition political parties and other political stakeholders in Africa. Similar limited space for democratic operation was experienced during the 2015-2020's John Pombe Magufuli presidential term in Tanzania. Different political actors such as opposition political parties, civil society organizations, and international organizations were all criticizing and complaining about unfair political grounds offered by the Magufuli's reign. However, different political analysts and stakeholders provide contrasting claims regarding equal democratic space between Magufuli's political leadership with his Kikwete predecessor. As such, this paper was therefore crafted to assess the extent to which opposition political parties and other stakeholders enjoyed contradictory political space under two presidential reigns in Tanzania between 2005 and 2020.

### Historical Underpinnings of African Political Systems

Long before colonial domination, Africans had their traditional political leadership which was used to govern and decide their socioeconomic trajectories (Rodney, 1973). Communities were mainly organized in terms of age political, clan, and state organizations depending on the needs and the structures of their communities (Kisangani, 2016). The Baganda, Bachwezi, and Bahaya states for example were structured on kinship systems where kings decided all matters related to their communal well-being (Ogot, 2009). As such, in most cases, the pre-colonial African traditional political system was dominated by a single powerful political figure (Skalník, 2018). Colonial encroachment affected the pre-colonial political setups in many cases through either collaborations or distortion to meet colonial interests (Heldring et.al, 2012). The attainment of political independence by African states was associated with various changes aimed at realizing development (Nyerere, 1967). This finally led to the change of African political structures to accommodate multiparty democracy from the 1990s. This aimed at providing wider room for people's participation in the development issues of their states (Nyerere, 1967; Akwenye, 1975). Tanzania like other African countries has had its political history from the 1960s to the 2020s when various political developments were realized.

### **The Evolution of Political Practices in Tanzania**

Tanzania is an ideal study subject because its leader, Mwalimu Julius K. Nyerere. In 1954, he and other prominent nationalists in Tanganyika created the Tanganyika African National Union (TANU), the first nationalist political party to support Tanganyika's independence movement. Following the unification of the two nations in 1964, Nyerere and Abeid Karume, the first president of Zanzibar, are regarded as the founding fathers of contemporary Tanzania. During the 1960s, they were among the continent's most vocal proponents of one-party rule. The TANU, led by Julius Nyerere, decisively defeated Zuberi Mtemvu of the African National Congress (ANC) in the 1962 presidential elections in mainland Tanzania before the fire of multiparty politics in 1965, when one party state constitution was first introduced, and it maintained its dominance until 1975. The ANC split apart from the TANU in 1958 and was eventually outlawed following the 1962 elections (Baffour, 2021). Nyerere steered the legislation that established Tanzania's one-party government, making impassioned arguments in favor of it (Temwende, 2002). As chair of TANU, Julius Nyerere contended that the public's lack of understanding of an opposition party was demonstrated by TANU's overwhelming election support (Quigley, 1992). Nyerere also questioned if a multiparty system was more democratic than a one-party philosophy. He pointed out that, under a multi-party system, legislative representatives are under pressure to support their parties and hence are unable to vote their hearts out. He claims that when there is just one party, and that party is "associated with the nation as a whole", the roots of democracy are "firmer than they can ever be when there are two or more parties, each representing merely a segment of the community" (Nyerere, 1965).

Another cause for one-party control was economic issues as African leaders emphasized the importance of economic independence alongside political independence. African economies continued to be dominated by investment from former metropolitan businesses. Concerns that Europe would remain in charge led to calls for tighter central control as a counterbalance to these corporations' clout. TANU argued for a powerful executive administration led by a powerful political party (Quigley, 1992). Economic development takes precedence over political development, according to its leaders. "A two-party system can be justified only when the parties are separated over some fundamental issue", Nyerere said. "You quickly lower politics to the level of a football match" when there are two parties but no fundamental disagreements. He stated that if everyone agrees on the major needs of society, all representatives should work together to meet them than jockeying for political benefits (Nyerere, 1965).

Furthermore, TANU officials said that the opposition had little chance of winning because TANU candidates received massive majorities. As a result, voters had few effective choices, if TANU

were the only party, they would have more options because they could choose from among TANU candidates. Party members must be available to all, and freedom of expression must be guaranteed, Nyerere stated, for democracy to thrive in a one-party system (Msekwa, 1978). In the African environment, a one-party system might be more democratic than a multiparty system. During Nyerere's time, the one-party system allowed for the expression of popular opinion on public problems, but it severely limited opposition. Even after the emergence of Chama cha Mapinduzi or Party of the Revolution founded on 5 February 1977 as a merger party between the Tanganyika's ruling TANU and the ASP of Zanzibar at the union of the Tanganyika and Zanzibar to form present-day Tanzania (Croke, 2017), CCM remained as a monolithic organization with only one voice. Since the merger into CCM, the party dominated the politics in Tanzania between 1980 and 1990 with a 'one-party' system and elections were therefore effectively a Yes/No vote (Baffour, 2021).

### **The Change of the Global Politics: The Battle between Single and Multiparty Discourses in Tanzania**

The collapse of socialist political ideology in the 1980s had a considerable impact on Tanzania's governing practices (Rasby, 2017). Under the transitional administration of Mwalimu Nyerere to President Ally Hassan Mwinyi, Tanzania did not lag behind global trends on political and economic liberalizations championed by the US. The country has effectively adopted the capitalist countries' suddenly evident political and economic ambitions, led by the United States. Nyerere, as an elder statesman, argued in 1990 that the matter should be reexamined, sparking a national debate. As a result of these efforts, the state formally accepted multiparty democracy in the 1990s (Temwende, 2002).

#### **Political Situation during Mwinyi and Mkapa Presidential Terms (1985-2005)**

President Ali Hassan Mwinyi led the country's second phase of government (1985–1995), which was defined by the adoption of major economic and political reforms deemed required to return the country to a forward-thinking course. In the economic arena, a method for privatizing most of the hundreds of parastatal firms and public institutions, as well as a gradual relaxation of state supervision, was implemented. Improved relations with the major financial institutions (IMF and World Bank) as well as most bilateral donor countries led to a significant rise in aid inflows. The major political reform was to come in 1992 when the constitutional revisions were enacted, and the era of the one-party state came to an end as well, ushering in a return to a multi-party system (Maiyo, 2008). Tanzania's President established a 22-member commission in February 1991 to gather Tanzanians' opinions on which political system suited the country. This Presidential Commission's report delved into the country's political history before and after independence. It examined political parties and civil groups, particularly cooperatives and trade unions, which worked together to create a vibrant political atmosphere in both Zanzibar and Tanganyika, albeit one marred by glaring flaws, inequalities, and constraints (Maiyo, 2008). In 1995, the first government election was held, with a multi-party system in place (Babeiya, 2011; Ewald, 2014). CCM was able to win the first multi-party election because it had better access to information and more expertise. There had been a struggle to take place inside the political arena among the opposition, where new parties had begun to grow, due to a lack of experience. All criticisms and resistance to power were viewed as threats to the state. Despite the launching of multiparty practices, electoral rivalries remained among individuals within a party, not between parties.

As a result, before the election in 2000, the opposition made an effort to enhance its strategies, programs, and parties, resulting in the formation of four new parties that were regarded as fully matured (Babeiya, 2011; Ewald, 2014). When it came to promoting new political parties in Tanzania, it became evident that all of them, including CCM, were founded on narrow social bases and charismatic individuals rather than tactics (Ewald, 2014). Due to these qualities, two parties, Civic United Front (CUF) and Chama cha Demokrasia na Maendeleo (Democracy and Development

Party or CHADEMA), were able to create more institutionalized traits that could be tested with CCM. Within the multiparty system, these two newly formed parties had the same financial resources, resources, and structure as CCMs. They also expanded election procedures and structures, allowing them to reach out to various branches across the country while also establishing themselves as a distinct political party. Despite the development of other parties throughout the formation of Tanzania's democratic system, CCM has won every election since the multi-party system was implemented, and they continue to control the legislature (Babeiya, 2011; Ewald, 2014).

Mkapa, on the other hand, was able to preserve Nyerere's and Mwinzi's legacies on peace and political stability, but the first multiparty elections and government, especially the election of Zanzibar, faced significant obstacles. Tanzania's official opposition in parliament ceased to exist on February 1, 2002, after failing to meet the required number of votes under parliamentary rules, prompting one observer to declare that the country had returned to single-party control (Nzirabu, 2002). Up until November 2001, the official opposition in the National Assembly had 21 members of parliament, which was more than the required 20 under Section 11 (4) of the Parliamentary rules. Opposition leaders have expressed concern over Tanzania's multiparty system in the aftermath of this incident. "Now we have a one-party parliament, thereby eliminating all the spirit of creating democracy in Tanzania, and CCM is jubilant", Augustine Mrema, the chairperson of the Tanzania Labour Party, said (Nzirabu 2002).

At this age, Tanzania had a multiparty system in place, although the norms controlling political rivalry were very similar to those of a one-party system. Although the country has 14 fully recognized political parties, only five are represented in the Union Parliament. To be sure, when opposition parties first appeared in 1992, they were quite vociferous and engaged in their calls for expanded democracy. Indeed, certain parties did well in the first multiparty elections in 1995. For example, the National Convention for Construction and Reform (NCCR Mageuzi) on the mainland and others did poorly (for example CUF did not significantly gain in Zanzibar) (Nzirabu, 2002). However, all opposition parties had internal problems following the elections, with the possible exception of CCM. As a result of these problems, the parties have become weak, resulting in a bad election performance in 2000. As a result, the dominant party wields unrestricted power and controls politics, much as the one-party system did. The paradox of the multi-party transition is that CCM's legitimacy as the dominant force has been assured (Maiyo, 2008).

The second feature of Tanzanian political parties is that they have evolved into platforms for founding leaders who have built institutions whose rules become null and void if and when they contradict the founder's beliefs (Therkildsen et.al, 2012). Founders of opposition parties, on the other hand, are individuals who were disgruntled members of a single political party and brought personal rivalries with them into opposition parties. Indeed, one could argue that a political party's longevity and prospects are linked to the fate of its founder. As a result, independent candidates must be permitted to run for office. Restricting political participation, such as running for office, to those who are sponsored by a fully registered political party, is repressing democracy (Reith, 2011).

The lack of intra-party democracy, particularly during elections, is perhaps the most frightening aspect of the opposition parties. Most parties' founders wield disproportionately broad powers, allowing them to virtually handpick candidates. A comprehensive examination of the registered political parties that ran in the two multiparty elections reveals that, while not without flaws, CCM was more democratic internally and offered a more competitive internal candidate nominating procedure. This kind of activity, without a doubt, has ramifications for the opposition. Their acts, for starters, are detrimental to the democratic process. Second, it makes it harder to hold the ruling party responsible for the democratization process's anti-democratic elements. To put it another way, their legitimacy as proponents of democratic change does not bode well for their actions (Reith, 2011).

Generally, the escalation of election violence in Zanzibar, which has occurred regularly, has damaged President Mkapa's government. The conflict in Zanzibar over the 1995 elections between the ruling CCM and the opposition CUF was never resolved satisfactorily. Reconciliation one (alternatively known as Muafaka I), a deal reached by the Commonwealth in June 1999 between the two parties to alter all areas of the election system, was never executed (Oloka-Onyango & Nassali, 2003). As a result, the 2000 elections took place in a highly politicized and stressful environment rife with suspicion (Karume, 2005). In Pemba, there were violent clashes between supporters of the CCM and security personnel. The government-appointed Mbita Commission found, according to Oloka-Onyango & Nassali (2003) that "A total of 31 persons were killed, 48 were permanently disabled, and 243 were injured. Pemba was home to more than two-thirds of the victims. Several women were subjected to rape and sexual harassment, including being forced to undress. Indeed, over 2000 Tanzanians have sought asylum in Kenya".

#### **Political and Democratic Trajectories during the two Presidential Reigns in Tanzania**

Significant democratic changes have occurred in Tanzania's history over the last 15 years. Tanzania has seen tremendous shifts in democratic practice, from President Jakaya Mrisho Kikwete's ten-year presidency to President John Pombe Magufuli's five-year-and-three-month reign. This part of the article features an analysis of these historic presidential moments in the country's history.

### **Results and Discussion**

#### **Kikwete's Era 2005-2015: Baptized Father of Democratic Cooperation in Tanzania.**

During Kikwete's first term as president, democracy grew in strength, with CCM as the ruling party and in opposition politics. Hundreds of non-governmental organizations (NGOs) and civil society organizations (CSOs) that oppose the government were registered and allowed to function freely. Opposition politics appear to be free to operate, but they are weak and unaffected by the ruling party. According to presidential election results, for example, Mr. Kikwete was declared the winner by the National Electoral Commission (NEC) in 2005, after receiving a large proportion of the vote against his opponents. He was proclaimed the winner after receiving 9.1 million votes, or 80.28% of all valid votes cast. Prof Ibrahim Lipumba, the presidential candidate of the CUF party, came in second with 1,327,125 votes (11.7 percent), while Freeman Mbowe, the presidential candidate of CHADEMA, came in third with 668,756 votes (5.9%). There were no objections from the opposition even after the election (The Citizen, October 30, 2005).

Because of the legacy of his predecessors, President Jakaya Kikwete had numerous political obstacles throughout his first term. The state continues to benefit CCM in terms of platforms and political grounds on which to execute its politics. Because of the value infusion between the party and its members and supporters in connection to their program emphasis, the opposition was quite weak (Therkildsen, et.al. 2012). However, there appeared to be some disparities in the social composition of each party's supporters. For example, data from the occupations of founding members of several of the most significant opposition groups reveals that CHADEMA's rank and file are dominated by businesspeople and women. In terms of party institutionalization, a lack of grassroots penetration hinders these parties' ability to develop their links with local party members and decreases their ability to communicate with the electorate, reducing their value infusion and reification potential. Due to a lack of proper funds and poorly defined procedural frameworks, considerable redefinitions of who and which organs conduct party decision-making have occurred (Therkildsen et.al, 2012).

However, as time passed, freedom of expression expanded from the legislature to the media. There is little doubt that opposition political knowledge has risen dramatically since 1994, as has opposed parties' capacity to project a positive public image. Many people from various social

categories were now able to distinguish between the arguments advanced by the opposition and those advanced by the ruling party. This was due to increase democratic engagement in the legislature, where debates were open and lively.

President Kikwete of CCM won 63 percent of the vote in the 2010 presidential elections. The CCM won 186 of the 239 seats in parliament. Willbrod Slaa of the opposition CHADEMA received 26% of the vote nationwide, up from 5.9% in 2005, and Ibrahim Lipumba of the Islamic-leaning CUF came in third with 8%, down from 11.6 percent in 2005. (Reith, 2011). The two main opposition parties were able to steal control of several constituencies from the CCM, reducing its parliamentary influence. CCM, which has dominated without interruption since the country's founding in 1964, has suffered severe losses for the first time since the return of the multiparty system in 1992. Only CHADEMA and CUF have grown into genuine political entities among the 18 official opposition parties (Ng'wanakilala, 2010).

Tanzania's position as a sanctuary of stability in an uncertain region was cemented by the elections, which took place in a peaceful and orderly manner. The fact that the elections in Zanzibar went off without incident is considered particularly encouraging, as in previous elections, the strong competition between CCM and CUF, as well as some extremely close election results, have resulted in bloodshed and chaos. Now that the elections are done, Tanzania's political situation can be deemed stable. However, whether the door to a properly functional multiparty democracy has truly been opened remains to be seen. It could lead to the strengthening of parliament's position in Tanzania's executive-driven government. This would be a significant contribution to the growth of a multiparty democracy (Reith, 2011).

**Table 1 – Results of the parliamentary elections – comparison 2005/2010**

Party	Directly Elected Seats 2010	Directly Elected Seats 2005	Special Female Quota 2010	Special Female Quota 2005	TOTAL 2010	TOTAL 2005
CCM	187	206	67	58	254	264
CHADEMA	22	05	25	6	47	11
CUF	24	19	10	11	34	30
NCCR-Mageuzi	4	0	0	0	0	0
TLP	1	1	0	0	1	1
UDP	1	1	0	0	1	1
<b>TOTAL</b>	<b>239</b>	<b>232</b>	<b>102</b>	<b>75</b>	<b>342</b>	<b>307</b>

Source: NEC (Tanzania Electoral Commission, 2005)

After the victory of the 2010 election, president Kikwete began the process of creating a new constitution caught everyone off guard. This aimed at creating democratic spaces for all democratic stakeholders in and out of the country. Indeed, CHADEMA one of the opposition parties ran on a program of constitutional reforms, which appeared to appeal to a large portion of the population. As a result, CHADEMA's presidential candidate Willibrod Slaa earned 27% of the vote, compared to 63 percent for Kikwete, the highest share of the vote for an opposition candidate since the country's first multiparty elections in 1995. Others saw it as Kikwete's attempt to cement his legacy following two stints in office. The fact that there was strong internal opposition to writing a new constitution

lends support to this interpretation, as Kikwete appeared to ignore party preferences while making the news. However, the Proposed Constitution sparked intense debate concerning the parameters of the assembly's authority and the format of its meetings (Bamwenda, 2018). The Constituent Assembly's decision to significantly change the Second Draft Constitution that the Constitutional Review had submitted to it was at issue. This action was found to be in violation of Section 25 of the Constitution, which is where the Constituent Assembly derived its authority. Even though the Constituent Assembly submitted its report to the President on October 2, 2014, the proposed Constitution was drafted without the participation of those 130 delegates. These individuals, primarily from the major opposition parties, comprised the Coalition of Defenders of the Constitution (UKAWA), that by revising the draft Constitution, which was the creation of people through the CRC, the ruling party used its majority membership in the incorrect direction (Jingi, 2015). The proposed constitution was still inoperative when Tanzania held general elections in 2015, hence the previous constitution was used.

According to the Legal and Human Rights Center on Tanzania Human rights report 2015 states that; throughout his second term, freedom of the press, assembly, and expression was guaranteed, particularly during the final two years of his presidential tenure. In Zanzibar, for instance, the political opposition continued to have more access even though the media was ostensibly under government control after the two political parties' 2009 reconciliation process. Political rivals were given unrestricted access to the media by the mainland government, but the ruling party had access to much more funds to buy airtime. Additionally, the number of civil societies operating in rural areas increased and have a significant impact on how people live and think. For instance, in 2013, the Foundation for Civil Society financed 822 organizations, 90% of which are located in rural areas and barely 10% in urban ones (Legal Human Right Center, 2012). As a result, there were more CSOs and NGOs and a stronger civil society. These organizations then began to watch the government and call for accountability. However, during the general elections of 2015, the police broke into the Kawe beach area observation center and detained 36 poll observers. The 36 CSO employees and volunteers were accused of gathering and disseminating false information in violation of section 16 of the Cyber Act of 2015.

Although there were no reports of political prisoners or detainees in Tanzania, there have been instances of the government repressing freedom. For instance, according to Omari (2013), the government banned the publication of the Mwananchi and Mtanzania newspapers for a period of 14 days and 90 days, respectively, on September 27, 2013. At year's end, the weekly MwanaHalisi publication was still subject to the government's July 2012 ban due to alleged sedition (Beiser, 2012). The government did not censor websites, but it did keep an eye on those that were critical of them. On March 1, steps were made to shut down Jamii Forums, an online political forum, purportedly over posts criticizing the administration. Police kept an eye on the web to stop the unlawful activity. Mhegera (2013) notes that on March 5, 2013, the Managing Editor of the media organization New Habari Corporation and head of the Tanzania Editors' Forum, Absalom Kibanda was ambushed, attacked, and tortured, by an unidentified assailant. The group used a rifle and other dangerous weapons to attack Kibanda. At the end of the year, the incident was still being investigated (Beyer, 2017). A second incident involved Daudi Mwangosi, the head of the press club in the southern city of Iringa, who was allegedly photographing an opposition party CHADEMA rally outside the city. Despite a police-imposed prohibition on political demonstrations, the protesters congregated in Nyololo village (Committee to Protect Journalist, 2012).

#### **Magufuli Presidential Term 2015-2020 and the Backslide of Democracy in Tanzania**

Despite being a prominent minister in the administration led by the long-serving political party CCM, Magufuli lacks a significant political base and influence in Tanzania's presidential election. CCM, as the reigning party, had a slew of strong politicians, such as Edward Ngoyai Lowassa

and Bernard Membe, who had strong ties to run for the country's highest and most prestigious positions. After sorting through the political squabbles that arose during the candidate nomination process for flag bearer, President Magufuli was chosen as CCM's presidential candidate flag bearer. As a result, the party nominated him as a neutral figure to reorganize the CCM members who were fighting with their allies for the same position. Magufuli was thus a political solution to the party's divisions, with each camp supporting its presidential candidate.

President John Pombe Magufuli, 'The Bulldozer' as known in the west was not a favorite of the CCM ruling elite and portrayed himself as an African nationalist and devout Catholic against international powers aiming to exploit the East African nation, got off to a solid start. In January 2016, only two months into his presidency, his administration announced that state television will no longer broadcast live parliamentary sessions, presumably to save money (Shigela, 2016). The opposition saw this as censorship because it was one of the few ways to hold the administration responsible. In response to the prohibition, it organized rallies, but the government responded by forbidding any demonstrations. President Magufuli made it clear as soon as he assumed office that he did not want to see political figures crisscrossing the country raising support. He suggested that people should be left alone so they can focus on "building the country", and that political leaders should organize rallies until the 2020 election (Mtulya, 2019). Opposition parties, on the other hand, have been harmed by the move, as these gatherings are often used to organize grassroots support. In 2016, the main opposition CHADEMA party declared a defiance campaign, calling for statewide protests, but quickly backtracked. Since then, police have cracked down on many opposition lawmakers accused of disobeying the order, the majority of whom were on trial.

According to Africa Center for Strategic Studies (2020), during President Magufuli's five-year reign, the country has progressed to a full-fledged dictatorship. Since assuming power in 2015 following a rigged election, President Magufuli and his government have relentlessly repressed the country's media, with harassment, intimidation, arrests, and even disappearances becoming all too common. Since gaining government in 2015, President Magufuli, a demagogue, has presided over Tanzania's democratic experiment's swift downfall. Demonstrations have been shut down, the press has been muzzled, independent institutions have been cowed and co-opted, and he has employed overt and covert violence against political opponents and "dissenters" within the ruling CCM party (Africa Center for Strategic Studies, 2020).

Encapsulating the cycle of assassinations, assaults, and disappearances, on September 9, 2017, opposition MP Tundu Lissu was shot 16 times by unknown assailants outside his home Dodoma, the country's administrative capital, and no one has been brought to justice (Shaban, 2017). He was taken to Nairobi hospital, where he was admitted for specialized medical care after the failed attempt on his life. On his deathbed at a hospital in Nairobi, Lissu claimed that he has survived 'to tell the tale'. Tundu Lissu, a trained lawyer and ardent opponent of Magufuli claims that President John Pombe Magufuli's authoritarian administration has steered the country's politics into unsafe territory.

*"Politics, particularly our kind of politics, is dangerous. For 25 years, we were used to peaceful politics, we were used to politics where your argument was answered by counterarguments. Now our arguments are answered not by counterarguments, but by a hail of gunfire. It has become a place where a journalist is abducted, and then disappears. It has become a place where people are murdered, they are shot dead, their hands and feet tied, and they are dumped into the sea and washed onto the beaches. We have become no different from those odious military dictatorships of the 1970s and 80s." Lissu said (Shaban, 2017)*

Magufuli's response to a 2017 song by prominent Tanzanian rapper Nay wa Mitego was another example of censorship. Mitego was arrested less than a day after the film was released. For

his song, which included the prophetic lines “Is there still freedom of expression in our country?” the raspy-voiced singer, whose real name is Emmanuel Elibariki, was accused of insulting the president and maligning the government. “What if I say something and then end up at Central [Police Station]?” “Is it true that some leaders make poor decisions? Yes, there are!” The fear he sang about had come true: he had been detained at Dar es Salaam’s Central Police Station (BBC, 2017).

This was preceded by the kidnapping of three musicians, including Ibrahim Musa, aka Roma Mkatoliki, which caused widespread outrage. Unknown intruders are claimed to have attacked a music studio in Masaki on the evening of April 7, 2017, and whisked the three artists away (Machira, 2017). Human rights organizations decried the kidnapping, urging the authorities to find the artists and prevent a repeat of the crime. Some members of Parliament expressed dissatisfaction with the government’s “silence”. Dr. Hellen Kijo-Bisimba, executive director of the Legal and Human Rights Centre (LHRC), called on police to come out and explain why the raiders were suspected of being from the security apparatus. She claimed that parliamentarians have been detained without cause in the country and that civilians are now facing the same fate (The Citizen, 2017). “Who is behind all of this?” questioned Nzega Urban MP Hussein Bashe on his Facebook page. It has to be a gang that has seized control and is sowing seeds of fear and dissension in society to smear CCM’s excellent name. This came from Mr. Bashe who earlier publicly caused a stir in the parliament sessions when he claimed that he was one of the 11 legislators who are being targeted by the so-called security machinery TISS team, the alleged being too tame them or eliminate them (Machira, 2017).

*“We have the responsibility to reject fear. We have the responsibility to reject abuse by security organs. We have the responsibility to fight for the values our founding fathers Karume and Nyerere stood for. We have the responsibility to reject oppression. Bashe wrote on his Facebook account. (The Citizen, 2017)*

Magufuli’s critics were met with similar tragedies, Ben Saanane, a CHADEMA leader’s assistant, vanished in 2016, and his whereabouts are still unknown for questioning about Magufuli’s Ph.D. Perhaps the most concerning instance is that of respected investigative journalist Azory Gwanda, who has been missing since November 2017 after being abducted while investigating mysterious homicides in his community (Campbell, 2019). A few days later, Godfrey Luena, an opposition member who was following a different investigation, was slain outside his home by assailants using machetes. In June 2020, Zitto Kabwe, the opposition Alliance for Change and Transparency (ACT) leader, and 8 key officials were arrested for violating the blanket ban on gatherings. Freeman Mbowe, the leader of the opposition (CHADEMA), was attacked outside his home by gun-wielding thugs who mockingly asked him if he had the confidence to continue his political activities only weeks earlier. That was the latest in a long series of critics who mysteriously died or vanished without a trace (Miriri, 2020). According to CHADEMA, high-profile dissident Mdude Nyagali was kidnapped by four gunmen after leaving work in May and abandoned in a remote two days later, severely battered (Agence France-Presse [AFP], 2019). Others, including bishops, have had their citizenship withdrawn or questioned. While calling on the president to repent, Bishop Zachariah Kakobe of the Full Gospel Bible Fellowship in Dar es Salaam claimed the country appeared to be reversing democratic advances. Even individuals who manage to flee kidnappings stay quiet about what happened for fear of vengeance (APF, 2017). According to the authorities, many of the disappearances are staged. “People are faking kidnappings and disappearances on social media. This has the potential to split the country and instill fear among the populace” Kanga Lugola, a former Interior Minister, remarked (Independent, 2019).

President Magufuli’s contempt for basic democratic principles extends far beyond the realm of the media. The regime has attempted to silence independent voices, especially those of the

political opposition, but also members of civil society, business, and organized religion, by law and often extralegal measures. Critics of the Magufuli regime have almost always been charged with non-bailable economic crimes like money laundering, tax evasion, or corruption. Assets and bank accounts were confiscated or emptied without a court order in a large number of these cases (Campbell, 2019). The government neglected to provide evidence in court in an alarming number of cases, instead of relying on continuous adjournment based on “incomplete investigations”, as in the case of Mr. Kabendera. The strategy of “persecution via the prosecution” is a common feature of modern dictatorships, with Zimbabwe as an example. It frequently fails to attract the international notice and censure that baton-wielding security forces would (Campbell, 2019).

According to Human Rights Watch and Amnesty International assessments, the country's media landscape had deteriorated further ahead of 2020s scheduled elections due to the enactment of severe cybercrime legislation and the effective silencing of critical newspapers and independent bloggers. Tanzanians lived in an increasingly fearful environment during the Magufuli era, hesitant to use their rights for fear of falling foul of a slew of new restrictive legislation or facing physical retaliation. When Magufuli prohibited protests a few months into his administration, he said threateningly, “Do not test me.” (Africa Center for Strategic Studies September 8, 2020). Magufuli's allies have utilized the CCM's supermajority, which it has had since the start of multiparty politics in 1992, to ram through a slew of tough policies that some perceive as part of a plan to revert to the one-party rule:

- The 2015 Statistics Act, as amended, makes it illegal to publish statistics without the permission of the government. Many people, including the World Bank, have opposed this politicization of data, claiming that it will jeopardize the accuracy and dissemination of true information. As a result of reporting on COVID-19, several journalists have been detained, suspended, or fined.
- The Miscellaneous Amendments Act of 2020 gives the government the authority to suspend civil society organizations and political parties and interfere with their internal activities.
- Professional groups cannot file charges on behalf of victims unless they can prove that they, too, are victims, according to the 2020 Basic Rights and Duties of Enforcement Act.

As he faced criticism from his opponents, civil society, and Western countries, who claimed he was suppressing the opposition, curtailing press freedom, and holding foreign firms to ransom, calls for other regional presidents to emulate Magufuli's manner faded. The rate of Tanzania's fall is as alarming as the political violence in a country known for its peaceful people. This had an extremely detrimental economic impact. Tanzania slipped from 70<sup>th</sup> to 124<sup>th</sup> in Reporters' Without Borders' annual press freedom index during Magufuli's administration, more than any other country in the world. Tanzania's economy has suffered as a result of Magufuli's war on democratic liberties. Hundreds of important enterprises have shut down or reduced their activities. Economic growth has slowed, unemployment has risen, and economic woes have intensified, according to all independent reports (Campbell, 2019).

If President Magufuli had not shut down the media, parliament, and civil society, many of the scandals about corruption and misuse of public funds might have been made public. For example, corruption charges were leaked by news outlets and exposes shown live on television rocked the administration of Mr. Magufuli's predecessor, Jakaya Kikwete, for ten years before he took office. Parliamentary deliberations on the “Richmond crisis”, which ended in Prime Minister Edward Lowassa's resignation in 2008 after a contract was unlawfully awarded to a US-based electrical provider. As was the drama surrounding the “Escrow affair” in 2014, which resulted in the resignations of two senior ministers and the attorney general, as well as the involvement of significant businesspeople, politicians, and judges. For many Tanzanians, parliamentary broadcasts become a must-see (Mtulya, 2019). However, Mr. Magufuli's government limited the state-run

Tanzania Broadcasting Corporation (TBC coverage)'s in early 2016, and later expanded this to commercial broadcasters. Only the morning question and answer sessions were available to broadcasters. The live broadcasts of the debates were discontinued. The opposition and civil society organizations were outraged by the decision, which they saw as a deliberate attempt to separate parliament from the public. The time's information minister, Nape Nnauye, defended the decision, claiming that the TBC could not afford to pay 4.2 billion Tanzanian shillings (\$1.8 million, £1.4 million) every month to broadcast parliamentary debates all day. He further claimed that certain Commonwealth countries had followed suit to save money (Mtulya, 2019). In the wake of stories critical of the government, President Magufuli has repeatedly warned about fake news, claiming that press freedom has its limits. "I'd advise media proprietors to be cautious and keep an eye on things. If you believe you have that level of liberty, you don't". In 2017, the president reminded journalists about new rules and a new code of behavior overseen by the Ministry of Information (Mtulya, 2019).

### **Contemporary Democratic State in Tanzania under President Samia Suluhu Hassan**

Despite President Samia Suluhu's early efforts to restore democratic infrastructure in the country following Magufuli's death, this hope appears to be ineffective after one year in office. President Suluhu initially reached out to the opposition, promising to safeguard democracy and basic liberties while also reopening media outlets that had been shut down under Magufuli. Recent trends, however, show that the current regime is a carbon copy of the previous one. Critics point out that, despite much of what appeared to be a fresh start, Tanzania's court has shown no evidence of independence after decades of subservience to the one-party CCM rule, the government, and its security apparatus, and it continues to be influenced by politics. This is because the constitutional provisions for the right to free assembly have been frequently ignored. Even though regulations restrict demonstrations to officially registered political organizations that cannot be formed on religious, ethnic, or regional grounds and cannot oppose Zanzibar's unification with the mainland, the president has publicly declared that political gatherings are prohibited. "When the time comes, we'll deal with the new constitution and eliminate the restriction on political demonstrations", she stated. Right now, we allow political parties to hold meetings with their constituents, as you can see (Kombe, 2021). It was unexpected, nevertheless, that the ruling party's central committee, the CCM under Samia, has agreed to seek to modify the constitution. The ideology and publicity secretary for the CCM, Shaka Hamdu Shaka, had said: "Let's work together and support our president. We require medical facilities, clean water, and sanitization. The opposition's noisemakers don't have any goals. It appears that the CCM is now in agreement with the opposition. The same Shaka Hamdu Shaka stated on June 22 that CCM was adamant that a new constitution was required. The efforts of President Samia for reconciliation are supported by the party. The cause of this shift in priority, however, was not explained in any depth (Ayeni, 2022).

Another issue is that, while print and electronic media are both active, their reach is mostly limited to larger cities. Some private newspapers, like Raia Mwema, were denied licenses three months after Samia took office, citing national interests, peace, and security as justifications. Although the present removal of limitations has benefitted online media and content producers, the government nevertheless maintains control over electronic media. The regulations governing arrests and pretrial custody are frequently disregarded. Prison conditions are harsh, and police abuses are said to be common. In May 2021, president Suluhu ordered the public prosecutor to release 23 political prisoners although according to non-government estimates there are approximately more than political prisoners in the country's prisons. Such overcrowding has caused widespread concern. Questions are being raised regarding the safety and health of prisoners, including minors and women, who have been subjected to sexual harassment and human rights abuses.

The need for a new constitution was the ultimate test of Hassan’s determination, and it may define her legacy, according to opposition and civil society groups who claim that Tanzania’s vulnerability to authoritarianism was fully proved during the Magufuli era. The arrest of Freeman Mbowe, the leader of the largest opposition group CHADEMA, in July 2021 sparked fears that she was attempting to muzzle criticism at home and abroad. Mbowe and other senior party officials were detained immediately before a public conference to push for a new constitution, according to CHADEMA, in raids that illustrate Tanzania’s slide into “dictatorship”. Mbowe was released a year later after his charges of terrorism financing and conspiracy, which he claims are politically motivated were dropped by the government (Kombe, 2021).

Despite this, there is still a pressing need for constitutional amendments that will transform the nation's whole administrative and operational structure and enable democracy to thrive. For instance, local experts agree that the government and the ruling party have not yet been separated in Tanzania. The common folks have gone so far as to claim that the ruling party in Tanzania controls the state. They assert that the security forces are biased against the ruling party. It should be noted that in Tanzania, the CCM chairman also serves as the military’s top commander. In this situation, it can be difficult to prevent conflicts of interest. At the regional and district levels, the Regional Commissioners (RCs) and District Commissioners (DCs), who are typically CCM cadres and members of the CCM security committees in their regions, serve as the chairs of the security committees in their respective jurisdictions.

Generally, the paper has clearly shown the differences in the political spaces between the two presidential terms in Tanzania. Kikwete political leadership provided extensive and fair political grounds for free democratic expression among all stakeholders. Conversely, during Magufuli’s reign, the country witnessed a serious shutdown of democratic practices. The most victimized groups are opposition political leaders, open political rallies for opposition political parties, media houses, civil society organizations, and any sort of civilian citizens who pointed fingers at his government. Due to the nature of African politics in which the whole exercise is regarded as a formal employment for survival and not a service to the public, many opposition politicians decided to abandon their political parties and joined CCM due to fear and intimidation to lose their positions. This has finally led the 2020’s general elections to have for example only one Member of Parliament from the opposition political party contrary to Kikwete’s reign where elected oppositions Member of parliaments from constituencies hit more than one hundred.

**Table 2 – Electoral competitiveness in Tanzania from Freedom House and Political Terrorism**

Year of elections	CCM presidential vote share	CCM legislative seat share	Freedom House scores	Political terror scale	Electoral fraud	Amnesty
1995	61.8%	80.2%	(6,6)	2.5	1	3
2000	71.7%	87.5%	(4,4)	3	2	3
2005	87.4%	88.8%	(3,4)	3	2	3
2010	62.8%	77.9%	(3,4)	2.5	2	2
2015	58.5%	73.4%	(3,3)	3	NA	2
2020	84.5%	92.8%	(1,4)	3.5	3	4

The table above indicates a set of data from the Freedom House data set which is commonly used in discussing the trends of democracy and human rights. The set also includes the Political Terrorism Scale data set, which focuses on human rights. As seen, in the Freedom House scores, support the main thesis of this study that the situation under President Magufuli became increasingly more repressive in each year of his presidency, and the scores for President Kikwete were better than those for Magufuli, but not perfect. For instance, the 2020 presidential election

period was marred by reports of widespread fraud and vote-rigging, arrests, threats, and violence against the opposition, the forced dispersal of public gatherings by authorities, the effective prohibition of independent election monitors, and numerous other issues, according to evidence from the aforementioned data set. As a result, the score decreased from 3 to 1 in that year. Once more, due to extensive charges of fraud, the omission of opposition candidates from the ballot, and the incarceration of opposition candidates, the score on political representation dropped from 2 to 1. Finally, the score dropped from 2 to 1 as a result of the ruling party's increased pressure on government employees to follow CCM directions and as a result of the deployment of military and police personnel to Zanzibar in advance of elections, which helped to create an intimidating climate.

According to the data presented above, it is reasonable to assume that CCM's support fell throughout Kikwete's 10-year administration since the percentage of political representatives fell from 88 to 73. In particular in urban and suburban areas, this provided the opposition parties the chance to unite, form a strong base, and broaden their influence across the nation. In 2015, Mr. Kikwete has already received 10 honors from respected organizations throughout the world, including the prestigious Icon of Democracy Award from the Voice Magazine of the Netherlands (Mkumbo, 2015).

## Conclusions

In light of this, there has been a need for a new political order in the country, centered on the creation of a new constitution that can help the development of democratic institutions and culture. Two major points of view have emerged. The 1977 constitution should be replaced by a new one if the people are to be involved in the creation of the constitution. The Nyalali Commission suggested that the United Republic of Tanzania's constitution be revised, which gave birth to this viewpoint. The Warioba Commission did lay out a procedure for drafting such a constitution. The major contention is that Tanzanians have never been consulted or directly involved in the formulation and adoption of their country's constitution since independence. This would allow people to reclaim their independence and manage their fate. The opposing viewpoint is more interested in changing the constitution as needed. This has been CCM's approach and practice, and the country's leadership is adamant that there is nothing wrong with the current constitution and that Tanzanians, through their representatives, have actively participated in the implementation of different revisions.

Generally speaking, it is past time for Tanzania and Africa to accommodate all political actors for the benefit of the populace, as the reduction of the political space under multiparty democracy has always been the only factor in casualties, immigration, economic decline, hostilities, political agitation, and other wrongdoings within the state.

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