

CIVIL-SECURITY RELATIONS

IN TANZANIA

**INVESTIGATING THE RELATIONSHIP BETWEEN THE
STATE, SECURITY SERVICES AND CIVIL SOCIETY**

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FOREWORD

In any democratic society, healthy relations ideally operate in a triangular relationship comprising security services, civil authority and civil society, which contributes to the enhancement of peace and security. This model ensures greater transparency and accountability, as well as more effective civil control. Furthermore, under such democratic relations, conduct is more aligned with the loftier goals of national interests and objectives. In the management of healthy civil-security relations, one of the fundamental requirements is that of parliamentary monitoring of the security services. This means that Parliament, parliamentary defence and security committees have to play an active and dynamic role in developing and approving security policy and legislation. These bodies also have to approve the strategic plans, programmes and budgets of the security service. This includes monitoring adherence to policy, the execution of plans and programmes and expenditure control. But healthy civil-security relations go further than mere monitoring and control. They demand a partnership between the security services, civil authority and civil society, based on shared responsibility, mutual respect and knowledge. While the security services should accept and respect civil authority, civil authorities should ensure in return that they are knowledgeable on security matters, that they listen to the advice and recommendations of the services and that they accept responsibility for their decisions and actions. Further, if civil society wishes to participate in the security debate, it should do so in a responsible, knowledgeable manner.

The security sector consists essentially of the intelligence community, the police, the military, and the judicial and prison services. This sector can make a positive contribution to development in Africa by providing a secure environment in which institutions conform to democratic guidelines and in which they remain under democratic control, while adhering to the principles of 'security in a democracy'. The alternative has been the unfortunate history of coups and counter-coups in post-colonial Africa, in which the security sector has been found to play a prominent but negative role. The fact that, between 1961 and 2004, there were 80 successful coups as opposed to 181 that failed suggests that the military, in particular, remains a threat to democracy in much of Africa. Command and control of

this element of the security sector is often not transparent, but is, instead, unaccountable and given to consuming a large component of the state budget, while contributing little to individual security other than serving as an elite protection force. Security services not under democratic control tend to be generally highly inefficient, exclusive organisations supporting their own personal ambitions.

Beyond the national and domestic arena, both democratic control of the security forces and healthy civil-security relations contribute to regional confidence-building through transparency, and enhance governmental ability to prioritise when considering developmental and security needs. The process also brings greater efficiency to security management by ensuring that security activities are aligned with policy. This also makes it possible to see that security expenditure is maintained at the appropriate level, resulting in effective security and the release of scarce resources for developmental and social requirements.

With these considerations in mind, the Defence Sector Programme at the Institute for Security Studies, in cooperation with the Bunge Foundation for Democracy in Tanzania and the Department of History at the University of Dar es Salaam, organized, in 2005, a three-day workshop from May 19 – 21. This was at the joint invitation of the Speaker of the National Assembly and the Chairperson of the Parliamentary Committee for Defence and Security of the Tanzanian Parliament to share experiences, exchange views, and deliberate on matters pertaining to civil-security relationships in Tanzania.

This monograph contains five of the papers delivered at a workshop during 2005, that investigated the relationship between the state, security services and civil society in Tanzania, as well as some comments and conclusions emanating from it.

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CHAPTER 1 INTRODUCTION

Francis Fukuyama's forecast that, in Africa, 'after the defeat of communism and National Socialism, no serious ideological competitor to Western-style liberal-democracy was likely to emerge in the future', quickly became a reality, conveniently propelled by the World Bank and the International Monetary Fund.¹ Before this era, also known as the 'End of History', Africa's political terrain had been replete with numerous experiments barely following examples from either of the two competing global social systems. As a result, once Communism had shown signs of imminent collapse in late 1986, changes to existing African political systems, under the tutelage of western liberal-democracy, seemed imminent, and were unleashed on the continent after the 1990s. Encouraged by this change in the international system, 41 sub-Saharan countries conducted over 30 democratic elections in the short five-year period between 1988 and 1993. This represented fundamental political changes in 73.1% of the African polities.² Until then, Africa's political landscape had been characterized by one-party-state systems, military dictatorships, and regimes headed by long-reigning leaders who had been in power since the 1960s. The changes affected regimes in the former Francophone, Lusophone and Anglophone states, although, significantly, most African countries in the Arab north were not included.

Implementation of the fundamental political changes throughout sub-Saharan Africa followed virtually similar patterns with slight variations. In the Francophone regions, the popular model was that of launching a National Conference to eventually serve as a Constitutional Convention charged with selecting reputable citizens who would draft the new constitution before a referendum took place. In the Anglophone states, the trend was a preference for referendums linked with constitutional amendments leading to early elections. Incumbent regimes were forced to reconsider their *status quo*, owing to internal and external pressures, such as:

- severe economic stagnation, if not regression;
- emerging local political opposition to the establishment;
- diminishing central government capacity to deliver services;

- an acute shortage of basic commodities and foreign exchange;
- a lack of Foreign Direct Investment (FDI);
- the inability to produce staples and foodstuffs at the national level; and
- willingness to undertake Structural Adjustment Programmes (SAPs)

Combined, the above factors compelled many African states to embrace political change, which was soon followed by economic and social restructuring. Given the fact that the motivation for change came largely from the coalescence of external and internal factors, it poses the question of whether or not this change could be sustained. This is important if we are to respond comprehensively to the claim that certain of the changes were motivated by astute benevolent incumbent political elites. We also have to determine exactly what has happened during the rushed reform and restructuring of the three pillars: politics, the economy and the related social engineering, and to assess whether the changes have been beneficial to African societies.

Following independence in 1961, Tanzania was one of those leading African states trying to introduce a locally-grounded philosophy, before being caught up in the whirlwind of change that characterized the late 1980s and early 1990s. A brief examination of the country's socio-political history shows that, from 1962 onwards, the country had 'effectively operated under a de-facto one-party-state system', although this was later proclaimed in 1965 and formally adopted in 1967 as part of the Arusha Declaration.³ The philosophy informing the Tanzanian experience was Ujamaa, a concept of self-reliance that theoretically offered an equitable distribution of national resources.⁴ By 1980, as the result, first of voluntarism and then, later, enforced villagisation according to the Ujamaa Vijijini policy, over 91% of the rural population were living in Ujamaa villages.⁵ Because of the twin developments of the abortive military mutiny of January 1964 and the need to 'enforce' aspects of Ujamaa, the ruling party, Chama Cha Mapinduzi, popularly known as the CCM, had also restructured and reformed the army that replaced the inherited, now disgraced, former colonial structure. The new institution represented elements drawn from the political union between mainland Tanganyika and the islands of Zanzibar, Pemba and Ugunja. These elements had been amalgamated in the April 1964 Union between the islands and the mainland to constitute Tanzania. The arrangement was later formalized in the Arusha Declaration of 1967.

By the mid-1980s, the Tanzanian experiment was experiencing severe economic stress, manifest in both the inflation that was breaching 30% and the shortages of hard currency and basic commodities.⁶ In this environment,

two constituencies emerged, pressing for political change as a precondition for balance of payment support. On the one hand, the Western donors were working closely with the international financial institutions, that is, the Bretton Woods institutions, exerting external pressure for the abandonment of the one-party system and introduction of multiparty politics.⁷ On the other hand, within Tanzania itself, a second group emerged, resonating with the external message, and calling for the political space to be opened up. In 1985, President Julius Nyerere stood down from the presidency and was succeeded by Ali Hassan Mwinyi, although Nyerere continued in his capacity as chairman of the ruling party, the CCM. Reacting to the triple pressures of the collapse of the cold war, urgings by the international financial institutions and the agitations of the local political opposition, the Tanzanian government appointed Justice Francis Nyalali (referred to here as the Nyalali Commission) to head a commission to investigate which political direction the country was to take. The Nyalali Commission was requested to report back to the presidency by December 1991.

This option was an alternative to undertaking either a national convention conference or a referendum. The latter options allow for a more consultative process, without offering advantages to the incumbent party in the subsequent political deregulation. Because of these considerations and perceptions, the political opposition in Tanzania argued for holding a national convention that would lead to a referendum. The opposition also came together in an umbrella organisation, the National Committee for Constitutional Reforms (NCCR). A prominent opposition leader, Chief Abdallah Fundikira, chaired this interim structure, in opposition to the perceived entrenched position of Chama Cha Mapinduzi (CCM).

The Report and Recommendations of the Commission on the Democratic System in Tanzania at the end of 1991 made several important points.⁸ For instance, 40 pieces of repressive legislation were identified and recommended for repeal to facilitate multi-party democracy. A timetable for the transition was also recommended, together with the suggestion of establishing an independent body to oversee the transition, including the redrafting of the constitution and the political re-education of the society.⁹ Significantly, one of the important recommendations related to the restructuring of civil-military relations, which led to the severance of the close links forged by the ruling party with the security-sector institutions established after April 1964. Consequently, the aim of examining the model represented by Tanzania was to determine the extent to which civil-military relations had been aligned with the democratic notions of multi-party politics.

The route to post-cold war political de-regulation adopted in Tanzania in responding to the external and internal political dynamics is unique, and worth noting. However, whether or not this example can be extrapolated and applied to other African countries or beyond remains a moot point, although it is important to attempt an understanding of what happened.

This background and the fluid political transition challenges gave rise to the decision by the Project on African Civil Military Relations (ACMR) to hold a workshop in Tanzania, to be attended by parliamentarians, serving and retired members of the security sector, academics, the media and civil society. The purpose of the workshop was to examine the nature of the transition that had taken place in that country since February 1992, when some of the Nyalali recommendations were accepted by the ruling party and government. Furthermore, at least two elections had been held since 1995, when the actual transition to multi-party politics and elections had been launched. In the interim, we were preparing to host the workshop. The new era of legalised multiparty politics had witnessed the registration of 13 different political parties to contest the 1995 elections, providing channels of information for the country's political arena.

The second multi-party elections occurred in 2000, against the backdrop of the death in October of the same year of the 'founding father', Julius Kambarage Nyerere. However, even during these 'second multi-party elections', there were a number of complaints about the CCM:

- It was continuing to move too slowly in de-regulating the political terrain;
- It had placed restrictions on opposition fund-raising;
- Its chairperson for the National Electoral Commission, Lewis Makame, was perceived to be biased; and
- It was also delaying the creation of distance between the ruling party, government and the security sector institutions.

Following political opposition and widespread disaffection with the preparations for the 2000 poll, opposition representatives resolved to repeat their cooperative efforts of 1990, this time as a loose umbrella organization known as the National Convention for Construction and Reform-Change. Political tension, particularly among parties on the islands, became overtly strained, resulting in open clashes between supporters as well as islanders

and members of the security sector.¹⁰ The situation was serious enough to warrant Commonwealth intervention from its headquarters in London. Two agreements were subsequently reached between the CCM and the party with the strongest links with Zanzibar, the Civic United Front (CUF), led by Shariff Hamid. These were Muafaka I, meaning 'reconciliation', and Muafaka II. Against this backdrop, Tanzania's hitherto stable and peaceful political interaction was threatened.

Given the difficulties of the route for political transition chosen by Tanzania, and the continuing search for a suitable democratic transition model, it was felt that the experience gained in civil-security relations offered significant lessons. Several African countries have still to complete the 'third-wave transition', so examination of some of the challenges posed by parliamentary policy-makers and other practitioners and deliberate best practice was considered imperative. Perhaps some of the pitfalls to be avoided in the democratization process may emerge from this case study to become recognized in the process ultimately leading to the strengthening and consolidation of democracy.

Notes

- 1 *The End of History and the Last Man*, (Penguin, New York), 1992, introduction at <<http://www.marxists.org/reference/subject/philosophy/works/us/fukuyama.htm>> on 26 August 2005; see also John Fonte, *Liberal Democracy vs. Transnational Progressivism: The Future of the Ideological Civil War Within the West*, Orbis/Summer, 2002, 26 October 2001 at <<http://www.realdemocracy.com/ldvstp.htm>>, pp. 2–3, accessed 26 October 2005.
- 2 William Reno, Markets, War & Reconstruction of Political Authority in Sierra Leone, in *Canadian Journal of African Studies*, Vol.29, 1995; see also Mark Duffield, *The Symphony of the Damned: New Discourses, Complex Political Emergencies & Humanitarian Aid*, Occasional Paper, 1996.
- 3 Ahluwalia, P. & Zegeye, A., Multiparty Democracy in Tanzania, in *African Security Review (ASR)*, Vol.10, No 3, 2001, p. 3, <<http://www.iss.co.za/pubs.ASR/10No3/AlhluwaliaAndZegeya.html>>, accessed 30 August 2005.
- 4 Ahluwalia, P. & Zegeye, A., *ibid*, p. 4; see also Chris Maina Peter, *Constitutional Making Process in Tanzania: The Role of Civil Organisations*, a case study prepared for the civil society and governance project in East Africa, December, 1999, p. 6.
- 5 Ahluwalia, P. & Abebe Zegeye, *op cit*, p. 4.
- 6 *Ibid*, p. 5.

- 7 See *Sub-Sahara Africa: From Crisis to Sustainable Growth*, World Bank, Washington, 1989, p. 60.
- 8 See the *Presidential Commission on Single Party Or Multiparty System in Tanzania, 1991, Report and Recommendations*, Vols. 1, 2 & 3, 17 February 1992.
- 9 See the 3 Volumes making up the *Nyalali Commission Report* (Dar es Salaam: Government Printers, 1992)
- 10 See Julius Nyang'oro, *The 2005 General Elections in Tanzania: Implications for Peace and Security in Southern Africa*, Institute for Security Studies (ISS), Occasional Paper 122, February 2006, pp. 2–3, at <<http://www.issafrika.org/pubs/papers/122/Paper122.htm>>, accessed 19 July 2006.

CHAPTER 2

MONITORING OF SECURITY ORGANS: THE ROLE OF PARLIAMENT, AND ITS CHALLENGES

Milton Makongoro Mahanga

Introduction: Parliament's role as monitor

Parliamentarians are essentially the embodiment of the bond connecting the public, civic and private domains of society. They are the interlocutors for these three sectors, nurturing their unity of purpose while articulating and reconciling their interests. Inclusiveness, the underlying principle of good governance, is the very mission of parliamentarians. They are best placed to lead the process of engagement by mobilizing the energies of their constituents around the vision and principles of good governance, accountability and democracy.

The Parliamentarian's role of supervising and monitoring the work of the Executive nurtures the key prerequisites for good governance and accountability. As representatives of the people, parliamentarians should ensure that political, economic and social reforms and programmes lead to their improved well-being. In fact, the existence of Parliament is based on the popular maxim of 'No taxation without representation'. Parliament is there to ensure that tax and other state resources are employed in programmes that benefit the citizens. In general, Parliament is mandated to:

- legislate
- appropriate resources through national budgets
- monitor the functions of the executive in general
- monitor all expenditure of public funds.

The approval and monitoring of government expenditure are therefore among the most important tasks performed by the legislature. In conducting this process, a parliament is able to influence, criticize and scrutinize public spending and ensure its transparency. Parliament, on behalf of the people, therefore holds Government to account for its use of public funds.

In its budget monitoring role, Parliament is responsible for supervising and overseeing the actions of the following institutions:

- the executive branch, which is under the President, but is comprised of cabinet ministers;
- the bureaucracy, comprising government ministries, departments and agencies (MDAs);
- public organizations established by Acts of Parliament;
- local government, established by the Constitution.

The role of Parliament in maintaining peace and security

As far as peace and security in Africa are concerned, experience indicates that many high-intensity internal and regional conflicts have been taking place in countries with a weak legislative. Using defence and security organs, one country may unilaterally enter into an internal civil war or war with a neighbouring country. Such decisions are taken by the people, either in a referendum or by the agency of their representatives. Parliamentarians are not consulted in such decisions.

However, it must be appreciated that conflicts, which sometimes escalate into fighting and wars, are inherent in social relations. They inevitably arise in the competition over scarce resources, and in the clash of interests involving various values, needs and social groups. Creating national, regional and continental consensus around commonly-held values and goals by means of policy dialogue is therefore vital to the process of peace-building and conflict resolution.

This is when Parliament plays an important role. But, if Parliament is to conduct dialogue and diplomacy effectively, the legislature must be representative of the people and accountable to them. A properly-functioning Parliament, apart from fulfilling its legislative role, must oversee the functions of the state generally. This includes maintaining political order, the rule of law and monitoring the executive on matters related to peace and security and the use of security organs for resolving conflicts.

However, in Africa, there is little evidence pointing to the close involvement of parliaments and parliamentarians in peace and security policies and decisions reached by the executive wings of the state. For example, the second extraordinary session of the Assembly of the African Union in Sirte, Libya, on 28 February 2004, adopted the Common African Defence and

Security Policy (CADSP). This policy has great bearing on the political, cultural, social and economic imperatives of the African people, yet their representative parliamentarians were not fully involved in its preparation. Worse, though, most of them are unaware of its contents or of its implications for the people they represent.

Parliamentarians should, therefore, be aware of the Common African Defence and Security Policy, and exercise advocacy and parliamentary diplomacy accordingly. On the matter of defence, the policy document notes that:

[e]nsuring the common defence of Africa involves working on the basis of a definition of defence which encompasses both the traditional, military and state-centric notion of the use of the armed forces of the state to protect its national sovereignty and territorial integrity, as well as the less traditional, non-military aspects which relate to the protection of the people's political, cultural, social and economic values.¹

In terms of the defence connection between the national, regional and continental levels, it is also understood that 'each African country's defence is inextricably linked to that of other African countries, as well as that of other regions and, by the same token, that of the African continent as a whole'.²

On security, the CADSP states:

Ensuring the common security of Africa involves working on the basis of a definition which encompasses both the traditional state-centric notion of the survival of the state and its protection by military means from external aggression, as well as the non-military notion which is informed by the new international environment and the high incidence of intra-state conflict.³

The causes of infra-state conflict necessitate a new emphasis on human security based not only on political value but also on social and economic imperatives. This newer, multi-dimensional notion of security thus embraces such issues as a wide range of rights, like: human rights; full participation in the process of governance; equal development; access to resources and the basic necessities of life; protection against poverty; conducive education and health conditions; protection against marginalization on the basis of gender; and protection against natural disasters and ecological and environmental degradation.

At the national level, the aim would be to safeguard the security of individuals, families, communities and the state, or national life, in their economic, political and social dimensions. This applies also to the regional level. Regarding the continental level, the principle would be underscored that the security of each African country is inseparably linked to that of other African countries and to that of the continent as a whole.

Understanding such defence and security policies and their budgetary implications for defence and security organs would also guide parliamentarians in scrutinizing and approving the budgets and expenditure of these organs.

Parliamentary monitoring of security organs in Tanzania

In Tanzania, the term 'Defence and National Security Organs' comprises the People's Defence Forces, the Tanzanian National Service, the Tanzanian Police Force, the Tanzanian Prisons Service, the Tanzanian Intelligence and Security Services, the National Security Council and the Prevention of Corruption Bureau. Parliamentary monitoring of security organs is initially exercised through the Parliamentary Committee on Defence and Security (CDS) and the Parliamentary Public Accounts Committee (PAC). According to the responsibilities of Standing Committees of Parliament, as mandated in the Parliamentary Standing Orders, the Committee on Defence and Security scrutinizes and discusses the annual budget proposals of the Ministries of Defence and National Service, as well as Internal Affairs, before they are submitted to Parliament for authorization. Most of the security organs mentioned above fall under these ministries. The CDS is further mandated to deal with all bills and protocols originating in the ministries and requiring Parliament's enactment, approval or ratification. The Committee also oversees the activities and the operational and financial performances of public institutions falling under those ministries.

On the other hand, parliamentary monitoring of the use of public funds approved and allocated to defence and security organs by Parliament, like that of all the other government ministries and departments, is exercised by the public Accounts Committee (PAC). The PAC bases its own monitoring activities on the report of the Controller and Auditor General (CAG). On behalf of Parliament, the PAC is charged with the duty of ensuring that all monies appropriated according to the Act of Parliament and disbursed to government ministries, departments and agencies, including the security agency, have been used for the purpose for which they were appropriated. The expenditure must also conform to the authority that governs it. As

provided for under section 30(2) of the Public Finance Act No. 6 of 2001, the Controller and Auditor General must submit all the audit reports issued by him to the Minister for Finance. The Minister, in turn, must promptly submit them to the National Assembly, after which they are made public. The PAC then scrutinizes the reports and submits its findings and recommendations to Parliament for endorsement. The two committees may also exercise their monitoring powers by inspecting specific or selected projects, activities and programmes organized or handled by the defence and security organs, in order to check the accountable, proper use of public resources.

Conclusion

Since the mid-1980s, when economic reforms instigated by structural adjustment programmes, the World Bank and the International Monetary Fund were introduced in many African countries, the government of Tanzania, like the governments of many other African countries, has systematically withdrawn from the direct provision of basic social services. Economic policy-making and monitoring have gradually but steadily shifted away from domestic institutions like Parliament to multilateral and bilateral institutions, with the World Bank and the IMF playing increasingly decisive roles. As a result, and exacerbated by the apparent apathy of the executive wing of the Government, the important parliamentary role of monitoring has been considerably downplayed in many African countries. General consensus is emerging that, even after the demise of authoritarian and dictatorial rule in Africa and the emergence of democratic governance, parliaments on the continent have not performed very well. They are, in fact, seen as a 'nuisance at worst or a mere extension of the presidential palace at best'. However, if a necessary condition for development is a capable and democratic state, then it must be accepted that the legislature, as an arm of the state, is a key element in the design and monitoring of development, especially when public resources mobilization and use are concerned.

Notes

- 1 AU Web site, Solemn Declaration on a Common African Defence and Security Policy, p. 2, paragraph 5.
- 2 Ibid.
- 3 Ibid, p. 3, para. 6.

CHAPTER 3
**A HISTORICAL PERSPECTIVE ON CIVIL-
MILITARY RELATIONS: 1964-1990s**

Nestor Luanda

Introduction

This paper examines the political direction informing civil-military relations in Tanzania during 1964 and the 1990s. In September 1964, Jeshi la Wananchi la Tanzania, JWTZ or the Tanzanian People's Defence Force, (TPDF) was established. A patched-together interim force, the Tanganyika Military Force (TMF) had existed for only a few months when the JWTZ came into being. This discussion considers the topic in three broad sections. First is a general picture of civil-military relations in Africa. Second is an examination of the promulgation of the Arusha Declaration in 1967, causing the military in Tanzania to be placed firmly under the control of the then sole ruling party, Tanu Anu/Afro-Shirazil, later Chama cha Mapinduzi (CCM). The third section shows that during this period the TPDF documented the best chapter in this history of the liberation of southern Africa.

The signs of political control of the military include recruitment into the military by means of national service, the posting of Party cadres into the military and, significantly, in 1987, the creation of the Party's Mkoa wa Majeshi within the armed forces. Mkoa wa Majeshi represented the high watermark of the politicization of the military. The post-1991 period, characterized by liberalization, globalization and multi-party politics, witnessed the loosening up of political control of the military. The Nyalali Commission Report's recommendations on multi-partyism, and especially on the military, represented a major policy shift regarding civil-military relations.

Background

Sub-Saharan Africa suffered many acts of political violence during the 1950s and 1960s,¹ while during the 1990s it was engulfed by liberalization and globalization. The interim period witnessed the whole of Africa achieving independence and freedom from colonialism, racism and apartheid. Tragically, there was a plethora of violent changes in government throughout

the continent.² Africa's track record of border disputes, ethnic divisions, religious strife, military dictatorship, civil war and a general absence of democratic political culture has been the cause of endemic instability on the continent. Africa has become, in fact, a continent perpetually at war with itself.

A quick audit of the continent's democratic balance sheet shows that many countries are quite literally in the red. A considerable number of them are embroiled in armed conflict or civil strife. Many are enduring prolonged political crises and turbulence.³ Some have gone from conflict to peace, only to regress, while others suffer the structural problems associated with conflict and brutalization.

Violent conflict is the major impediment to development in Africa. It inflicts suffering through death, the destruction of homes and livelihood, the constant displacement of people, and insecurity. The overwhelming ethnic conflict is cataclysmic, its dimensions almost impossible to grasp. The unparalleled tide of human misery washing across countries like Rwanda, Sierra Leone and, as we write, Sudan is beyond imagining. Violent conflict disrupts the process of production, while creating conditions for the pillage of countries' resources and diverting their application from the development process to serving Armageddon.⁴

There is incontrovertible evidence that violent conflict and bad governance are inextricably connected. Most conflicts in Africa result from the paucity of tradition and structures of good governance, thanks to colonialism. In the light of the steep rise in the number of countries experiencing intense armed conflict, one can only conclude that the African State has failed. The fragility of the state in Africa signifies the abortion of the democratization process. Civil war and strife are but the violent reactions to many conditions: a pervasive lack of democracy; the denial of human rights; complete disregard for the people's right to sovereignty; general disempowerment; the complete lack of accountability; and generally bad government.

The daunting question is: How can civil-military relations in Africa be characterized and explained? The suppression, coercion and brutalization of citizens are significant factors in violent conflicts. Many an African country has strengthened and sustained colonial authoritarianism, despotism, bureaucratic centralization and top-down forms of governance. Typically, countries undergoing violent conflict are military, so it is fallacious to view the military and politics in Africa as separate.

The nature and character of the military in Africa

The military has long occupied the centre-stage in Africa. Generally, the trend has been towards increased authoritarian rule and governments dominated by the military. As far as political affairs are concerned, the increasing numbers of incidents involving the military is astounding. This has robbed African states of their political stability and economic development. The incursive actions of armed forces, especially the army, means that they have surrendered their legal labels of 'watch dog' of nations, defenders against external aggression and guardians of society. When military leaders overthrow political power, they breach the constitution.

Few states in Africa have been spared the spectre of the military coup. The proliferation of ambitious, opportunistic military men reduces politics in so many African countries to little more than an endless process of dissension, intrigue and counter-revolutionary turmoil. The perpetrators of coups, civil wars and conflicts have juxtaposed the military with allegedly corrupt and vile civilian politicians. Coup-makers and leaders have sought to rationalize their actions by adopting a blameless front. In fact, the military has been largely responsible for the cataclysm that has overtaken Africa. The extent of the anguish and human suffering inflicted upon millions of innocent and unarmed illiterate peasants is execrable.

The military in most African countries is indisputably a remnant of colonialism.⁵ Adaptation of the military to the facts of independence has enjoyed low priority, even in the minds of the politicians who have to rely on them. The armies of independent Africa have tended to retain their colonial flavour, their foreign advisors and their affinity with Europe. Colonial armies stood for punitive expeditions and brutal, licentious soldiery. They were armies of occupation intended to pacify the hinterland, suppress nascent nationalist struggles and protect European property. Mwalimu Julius Nyerere aptly captures the nature and character of the colonial military:

For instance, the British did not keep their Regular Army in Zanzibar, Tanganyika or Kenya. The British Regular Army did not recruit from the colonies. However, the British kept a colonial army. It was an army of the conqueror. It was an army of occupation whose task was to keep down the natives. The colonial army was raised and kept as a minion of the colonial state. It was meant to protect the colonial state from an internal enemy, the natives. It is not surprising that the colonial army was kept apart from the natives.⁶

Conventional wisdom holds that a good military knows its place and obeys a higher civilian authority. A bad military, on the other hand, seeks to inflate both its own importance and its share in the material rewards of society. A compromise between the first and second types is the neutral army. The neutral army is particularly in vogue among societies in which the military has resisted profound political entanglement. This is an image of a military that is professionalized, well-trained, honest and efficient. Bravery, discipline, obedience, self-abnegation, patriotism, valour and fidelity are some of the accolades attributed to a professional army. In this context, the rightful place for the military is the barracks. Its chief role is to protect the state from external invasion and it is expected to remain outside of politics.

Jeshi la Wananchi la Tanzania (JWTZ), or the Tanzanian People's Defence Force (TPDF): a political army from birth, 1964 to the 1980s

It was noted above that most of the military establishments in Africa have a strong colonial legacy. In Tanzania, the January 1964 mutiny by the Tanganyika Rifles brought about a major change in the conception of defence and foreign policy, and the Rifles were completely reorganized. The mutiny was a turning point in terms of Tanganyika's concept of the military. According to Mwalimu Nyerere, 'Tanganyika has to re-organize and rebuild its army. We cannot afford a large or elaborate military establishment nor does our foreign policy require one. But our army must be efficient'.⁷ When he made this statement, Mwalimu Nyerere's conception of the military was still informed by the idea of the conventional, well-trained, professional and disciplined army. To all intents and purposes, Mwalimu Nyerere was still agonizing over how the military should be viewed:

I request TANU Youth League members wherever they are to go to register. We shall reconstruct our Republic's army from TYL members.⁸

However, Mwalimu Nyerere took strong exception to the idea of a neutral or apolitical army:

It is not that the colonial army was apolitical. Indeed, the military is a political tool. The issue really is whose politics. I am unable to imagine a situation where the army is apolitical. To say that (British) officers commanding Colonel Chacha and cohorts (native troops) did not represent a political ideology is a fallacy. To say

that these officers were just mercenaries is absolutely not true. The (British) officers stood as a political watchdog. They stood for British imperialism. Ours is Jeshi la Wananchi – a people's army. The task of the army has changed. Its task is not to watch over natives wishing to cause trouble. It is a people's army whose task is to make sure that the people do not suffer another colonial disaster. Its task is to make sure that the people do not experience another colonial invasion. This is the Tanzania People's Defence Force. Its task is first and foremost to see to it that we do not suffer from another colonial invasion.⁹

Mwalimu Nyerere was also resolutely opposed to military intervention in the political thicket. 'We will always oppose a system whereby the gun becomes the ballot box,' he said.¹⁰ Self-discipline, leadership, combat skills, determination, dexterity of mind, dedication to soldiering and corporate responsibility are the cornerstones of military professionalism. Soldiers anywhere are technicians in the management and organization of violence. By the very nature of its appointed task of national defence, the military must be imbued with nationalism. Soldiers regard all nations as enemies. After all, military training, by its very nature, presupposes an enemy. However, one's own nation must be the focus of loyalty. Armies should have very special and indeed unique identification with the nation's interests.

National service: the core of military recruitment

From its very inception, the military in Tanzania was to be political. The most important consideration in recruiting the new army was political loyalty to TANU, with whom it was going to be very closely integrated, seeing that membership of that body was compulsory for recruitment. A few days after the mutiny, thousands of TANU Youth League members from all over the country arrived in Dar es Salaam, responding to President J.K. Nyerere's appeal for recruitment into the new army. In May 1964, a few hundred members of the Zanzibar Youth League arrived in Dar es Salaam, also wishing to be recruited. It is important to note that all JWTZ recruits, including former Tanganyika Rifles officers and men, had to pass through Jeshi la Kujenga Taifa, national service, before they could be enlisted. JWTZ was officially inaugurated in September 1964, with about 1000 men. The President, Mwalimu J.K. Nyerere, took the salute while 1000 troops of the new army, Jeshi la Wananchi Tanzania, marched past in the President's parade. In his address to the newly-created army Nyerere emphasized the four requirements of loyalty, obedience, bravery and patriotism.¹¹

Significantly, and this is important here, the government saw a more encompassing concept of national service to be at the core of the new army.

It is Government's intention that everyone shall go through National Service. In future the National Service will serve as the main gate. One will not proceed to any other profession without passing through the National Service. It is necessary that everyone goes through National Service. It is imperative that one passes through here before proceeding to other professions. In future no one can join the Army without going through National Service first. We sent out people to summon you to come here. I presume they put you into two groups. They told you that one group would be recruited directly into Tanganyika Rifles and the other group would join the National Service. We say, absolutely no ... All of you will have to go through National Service first.¹²

Another major step in the politicization of the military in Tanzania was the posting of TANU/ASP cadres into the army. The Party cadres' duties included inculcating the military with the TANU/ASP ideology. The very first party cadres posted to the newly-created army included Kitundu, Simba, Bakonzi and Mwasomola. They were given military ranks.

The emerging picture is one of the deliberate infusion of non-professionals into the military, which brought the army under more effective political control. The long-term consequences of the politicization of the military were profound. Five years after the establishment of TPDF, Major General Sam Sarakikya, then the CDF, pledged political loyalty to the Commander-in-Chief

You Excellency, Mr President, after the mutiny you took the bold step of dismantling the remnants of the colonial army; you ordered for the creation of a new army originating from peasants and workers under the guidance of our parties TANU and AFRO. A lot of effort has been put into this exercise. On 1 September 1964, you received the sapling of the new army, imbued with a new philosophy of our two parties. This is Jeshi la Wananchi la Tanzania, JWTZ. Your Excellency, Mr President, upon receiving the new army, you emphasized three things namely, loyalty, obedience and bravery.... We put emphasis on training in various courses, forming new units as we go along, establishing good governance, obedience and political education. We have attached very special attention to the (teaching of) political education during the past 5 years. Our tasks on defence and our

lives in general are guided by the ideology of our parties TANU and AFRO. Political education provides the guiding principle on all aspects of our military draining. Socialism and self-reliance tells us what to defend. We are pledging that we shall not allow anyone, from within or without to desecrate the (Arusha) Declaration. Just give the command we will crush (sic) them all.¹³

The process of integration

Within five years of its establishment, TPDF was slowly but surely moving beyond the conventional basic military requirements of loyalty, obedience, bravery and patriotism. Above all, TPDF was being charged with the task of becoming a higher institution of learning, as well as disseminating information about Ujamaa. On Heroes Day, 1 September 1969, when TPDF was also celebrating its fifth anniversary, Mwalimu Nyerere said:

A soldier of Tanzania must be patriotic. It is imperative that our soldier understands the politics of our country. Our army must accept this fact. Otherwise, I am unable to tell the difference between you and the colonial (army). Our army must accept the principle of equality. Our army must be the highest institution of learning in matters of defence and socialism.¹⁴

Mwalimu Nyerere was serious and very emphatic about integrating the military into the ideological machinery of the sole ruling party, TANU/AFRO.

I tell you that you should feel free to learn (about) socialism. We must be serious about building socialism. You are completely free to learn (about) socialism. Read Marx. There is no way you can be a socialist without learning about Marx(ism). You must strive to be socialists... The army must train the people about socialism. The task of the army must be to build socialism.¹⁵

The Monduli Military Academy, whose precursor was the Kurasini Officer Cadet School, 1969, opened in 1974. The Academy provided a grander opportunity for establishing Mwalimu Nyerere's vision of imbuing the military with the mainstream political ideology of the party. The Monduli Military Academy catered for both military commanders and TANU/AFRO/CCM leaders and cadres. Graduates from the Academy could be posted to the military, the party or the government.

Army officers are (simultaneously) leaders of the party. We want our army officers to understand this. It is true we did not fight a (liberation) war. However, the military belongs to the Party. I do not have to say this to FRELIMO. FRELIMO knows this to be the case. One does not need to tell the Chinese that the military belongs to the Party. It would be like telling them that these are my eyes! My eyes are mine, who else's can they possibly be? The military is an instrument of the party.¹⁶

The novelty of Mwalimu Nyerere's conception of the military is that he wanted a small, well-trained, highly-professional and disciplined regular army, but one that was decidedly political. Furthermore, JWTZ was charged with the task of liberation:

In cooperation with other progressive forces JWTZ will continue to be the bulwark in the struggle for justice and liberation of Africa. Apart from its task of defence, JWTZ is a liberation army. JWTZ must take the lead and set an example in understanding and implementing socialism and self-reliance. Political education must be given equal or even a little more emphasis than military training.¹⁷

It was noted above that the TPDF documented the best chapter in its history in the war of liberation, especially in Southern Africa. Furthermore, in creating a people's Militia, Mwalimu Nyerere vastly expanded the State's potential for mobilization.

The significant point is that, from its very inception, JWTZ was recognized as part of the ruling party, TANU/AFRO and later Chama cha Mapinduzi (CCM). The various processes followed while bringing the military into the fold of the sole ruling party have been noted above. A much more significant step in the politicization of the military was the formal institutionalization in 1987 of the Party (CCM) in the armed forces, JWTZ, the Police Services, the Prisons Services and KMKM. The armed forces formally became 'Mkoa wa Majeshi' of the sole ruling party. 'Mkoa wa Majeshi' was represented in all the CCM organs, on a footing equal to that of the other regions.

Politicization of the military under one-party rule seriously eroded the professional character of the military. Discipline, leadership and corporate responsibility probably suffered the most. The military command structure is founded on discipline and leadership. Political party organs are

premised on debate, argumentation and even disagreement. The levelling of officers and men, and debating or even contesting party issues could undermine command.

Mwalimu Nyerere saw the danger of subverting discipline in the military. However, he firmly believed that he could build an ideologically-oriented, disciplined and professional army. The CCM party invention 'kofia mbili' was hastily imposed. Nyerere told the military commanders at the opening ceremony of a CCM meeting in JWTZ:

In your capacity as leaders of the Party you do not give many orders. As Party leaders you give elaborate explanations and engage in lengthy argumentations. However, you are also army commanders. In that capacity you do give orders and argumentation is restricted. We want a professional army. Military commanders should be professionalized to the highest possible standards. We want professionalism and discipline. The Army is a University for defence and socialism. CCM professes socialism. The Army must be an army of socialism.¹⁸

Civil-military relations

Military professionalism is probably the decisive factor in keeping soldiers out of politics. Soldiers anywhere are technicians for the management and organization of violence. It has been stated above that the role of the military is to provide violence or the threat of violence at the behest of the state. However, the military cannot be run like a democracy. That would be to say that the military should be able to perform its violent tasks in a manner responsible to public opinion and without compromising the political process. However, even a small-scale use or threat of violence could have catastrophic practical and political consequences.

All these issues have significant bearing on civil-military relations. Civil control demands the same obedience that the military owes to the state. In very simple terms, the military is one of a number of instruments of the state, such as the police or the diplomatic service. Like other such instruments, the military owes the duty of loyalty to the state, by which it is employed on behalf of the citizens and the taxpayers. The military, among its other functions, questions and advises on the formulation of defence policy and helps to carry it out. However, it does not create defence policy any more than police officers create policy against crime.

Multi-party politics and the conception of defence in Tanzania

The transformation of the political landscape in Tanzania from a one-party to a multi-party system brought in its wake a reformulation of the conception of defence and security. In 1991, a Presidential Commission, known as the Nyalali Commission, was launched to evaluate the Tanzanian people's opinion on whether they wanted a multi-party system.¹⁹ The Nyalali Commission wisely decided to respect the views of the substantial minority of Tanzanians and recommended that the country should adopt the multi-party system. Consequently, in 1992, Tanzania adopted multi-party democracy.

Currently Tanzania boasts approximately 16 registered political parties. Liberalized political systems require the military to refrain from active politics. Accordingly, the Nyalali Commission recommended that soldiers be permitted to enjoy their citizen right of association, which means that, as individual citizens, they may join a political party. However, they are not to actively demonstrate allegiance to that party. Similarly, soldiers are not permitted to aspire to leadership posts in a political party. Generally, though, members of the TPDF enjoy the same fundamental rights as other citizens.

Because of the unique nature of the armed forces and military service, it has been necessary to make certain exceptions to these principles. The exceptions are limited and specific. With reference to political participation, military personnel are entitled to vote in national and civic elections, but may not be members of any political party. They may not attend political rallies in uniform unless they are on official duty.

During the single-party political regime, the armed forces constituting Mkoa wa Majeshi comprised the four districts of the Tanzanian People's Defence Force, the Police, the Prisons Services and the armed units of the Revolutionary Government of Zanzibar (Chuo Cha Mafunzo, JKU and KMKM). Mkoa wa Majeshi and the four constituent districts had political commissars. The Nyalali Commission recommended the dissolution of Mkoa wa Majeshi. Participation in active politics by members of the armed forces was disallowed. Political commissars were required either to remain in the military establishment or return to their former posts.

However, the Nyalali Commission recommended that soldiers be given instruction on the Constitutions of the United Republic of Tanzania, the Zanzibar Revolutionary Government and nationalism. The implication is that, in a liberal democracy, the military should provide

training in national interests and core values, a principle that should normally lead to responsible nationalism and nation-building on the part of the military.

Perspectives on national defence in the multi-party system

Peace, tranquillity and national unity form the cornerstones of the new vision and direction for defence. This new concept of defence prioritizes the protection of Tanzania's national interests and core values, which include: the preservation of national independence; sovereignty; territorial integrity; the protection of natural resources; the preservation of the Union; peace and tranquillity; democracy; economic prosperity and socio-economic development; regional peace, stability and social justice.

Tanzania is a secular democratic state with a pluralist political system and a liberalized market economy. According to the Constitution, every citizen has the duty to protect, preserve and maintain the independence, sovereignty, territory and unity of the nation. Thus defence, as part of national security, tries to meet the political, economic, social and cultural rights and needs of the Tanzanian people. This means ultimately the promotion and maintenance of domestic security. In this regard, too, the Defence Forces, which include the Regular Force, the Regular Reserve, the Volunteer Reserve and the Disciplined Forces-Police, the Prisons Services and national service, should operate strictly according to the Constitution, domestic legislation and international humanitarian law. The TPDF should respect human rights and the democratic process. Also, it should not further or prejudice political interests. Much more significantly though, the Defence Forces should be subordinate and fully accountable to civilian authority.

Democratic civilian authority over the Defence Force

Civil-military relations refer to the hierarchy among the Executive, Parliament, and the Armed Forces, as well as to civil control over the Armed Forces. Stable civil-military relations depend to a great extent on the professionalism of the Armed Forces. They should maintain the highest level of military professionalism, which includes self-discipline, leadership, combat skills, determination, aggressiveness, dexterity of mind, dedication to soldiering and unity of purpose. This is consistent with democracy, the constitution and international standards. Stable civil-military relations are subject to control of the military by the democratically- elected authority.

In most developing countries, democracy is understood to be and limited to the physical act by the electorate of casting votes in general or civic elections. Admittedly, democracies that sprang up during the last quarter of the twentieth century, the greatest period of democratic ferment in the history of modern civilization. The reverberations of such democratic ferment might have been demonstrated powerfully in sub-Saharan Africa, but they have more often than not given rise to distortions of democracy. There are certain defining components whose inclusion is indispensable to modern political democracy:

- Control over government decisions on policy is constitutionally vested in elected officials;
- Elected officials are chosen in frequent and fairly-conducted elections, during which coercion is uncommon;
- Practically all adults have the right to vote in the election of officials;
- Practically all adults have the right to run for elective offices in the government;
- Citizens have a right to express themselves on political matters broadly defined without the danger of severe punishment;
- Citizens have the right to seek out alternative sources of information. Moreover, alternative sources of information exist and are protected by law;
- Citizens also have the right to form relatively independent associations or organizations, including independent political parties and interest groups;
- Popularly-elected officials must be able to exercise their constitutional powers without being subjected to overriding opposition from unselected officials. Democracy is in jeopardy if military officers, entrenched civil servants, or state managers retain the capacity to act independently of elected civilians or even veto decisions made by the people's representatives; (emphasis added).
- The polity must be self-governing; it must be able to act independently of constraints imposed by some other overriding political system.²⁰

A perusal of the defining components of modern political democracy reveals that democracy could be inconsistent with defence policy. However, liberal

democracy and its practice are essential to defence policy. This amounts to the recognition that democratic control of defence and security forces is the cardinal principle in a liberal democratic constitution. Defence and security establishments should adhere strictly to the principle of subservience to civil authority and institutions. There are two mechanisms for democratic control of the military. The first involves public relations exercises. The civil elite must demonstrate by work and deed that they are in control. Similarly, the defence forces themselves have a role to play. They should consciously and deliberately increase public relations exercises by conducting lectures in schools, opening up museums, and producing publications, leaflets and flyers. The public relations exercises are significant because they situate the civil elite, the general population and the military at the grassroots level. This in turn enhances democracy. The second cornerstone of civilian control of the military is parliamentary monitoring. This is a legalizing mechanism dealing with whatever should transpire in the armed forces, so that democracy is enshrined. It is also important for there to be joint training of senior military personnel, senior civilian government officials and those from civil society. These training exercises should be conducted regularly, and should be well-prepared and integrated.

In brief, the mission of national defence is to defend national independence, the people, sovereignty and the territorial integrity of the United Republic of Tanzania. In specific terms, the actual task of the defence forces in a democratizing Tanzania comprises:

- making a contribution to Tanzania's foreign and security policies and their promotion;
- directing and providing a defence effort that meets the needs of the present, preparing for the future and insuring against the unpredictable;
- creating, developing and nurturing a research and development organization;
- generating modern, battle-winning forces and other defence capabilities that will prevent conflict and build stability, resolve crises, respond to emergencies and protect and further national interests;
- supporting the civil authorities and rendering the necessary assistance in dealing with national emergencies and natural disasters;
- supporting and assisting the civil power in internal security operations;

- contributing to peace support and humanitarian operations;
- participating in national-social-economic activities in peace time.

Conclusion

What is the rationale for the nature of the Tanzanian People's Defence Force? It is organized in such a way as to reflect its full integration with society and drawing recruits from the ruling party, the CCM (comprising the two political parties on the mainland and those from the islands of Zanzibar, Pemba and Ugunja). From September 1964 until February 1992, it constituted one of the country's political/military regions and hosted a parallel command and commissariat structure within its units.

This chapter has explained why the ruling party and the presidency under Julius Kambaraga Nyerere re-structured and re-formed the security sector, particularly the army, following the abortive mutiny/coup of January 1964. The first part of the chapter presents the rationale for the political purpose of the Jeshi la Wananchi la Tanzania (JWTZ), or Tanzanian People's Defence Force (TPDF) as an instrument, not only of foreign policy, but also of domestic interests in the implementation of socialism.

The politicization of the post-1964 defence and security sector was deliberate and extensive, addressing both the 'root and branch' of the former colonial army inherited from the departing British and the developments leading to the establishment of the Monduli Military Academy. The Academy was established for the ideological underpinning and better understanding of socialism, or Ujamaa, by both military and senior civilian government officials. The impact of the transformation was to effectively remove the monopoly of force previously enjoyed by the organized state organs and to re-deploy it equitably to villagers, peasants and the rest of society. This was achieved by means of the popularization of military culture, the creation of party-controlled national service and the introduction of entry points into the institutions subject to party discipline, membership, manifesto and vision. Eventually, the JWTZ or TPDF extended this to the country's foreign policy, thus assisting liberation movements still fighting colonial domination throughout the rest of Southern Africa.

The background and environment of Tanzania from 1964 until the 1980s, which led to the establishment of the Nyalali Commission, is important in providing concrete evidence of the mode of thought of the ruling party.

This evidence is supported by extensive quotations from statements and speeches by the party leader, Julius Nyerere, on the military question and how this affected the armed forces. Barely five years into the launch of the project the Commander-in-Chief, President Julius Nyerere, received a pledge of loyalty from the re-formed army commander Major-General Sam Sarakikya. However, the process was still not complete, because only in 1987 was a formal step taken to institutionalize the CCM in the structures of the armed forces. From this moment on, the army became formally known as the Mkoa wa Majeshi, ideologically bringing it closer to the people.

However, during the process of achieving this close party-political integration, a dimension of conventional military professionalism was lost. This is in contrast with party dialogues, during which ideas are canvassed and challenged, and consensus emerges from the lowest level rather than from the single wish of a strong commander. Further, the single-party political leadership of state institutions revealed serious limitations when the security organs were exposed to the democratic environment in which other parties had a national stake. The challenges of the final phase in the historical examination of the TPDF from its inception in 1964 are not dealt with in this paper, but are highlighted to create an important entry point for the next chapter, which discusses the Nyalali Commission, its recommendations and the government's response.

Notes

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- 7 Quoted in N.N. Luanda, (ed), *Tanganyika Rifles' Mutiny January, 1964*, DUP, 1993, p. 156.
- 8 Mwalimu J.K. Nyerere, op cit.
- 9 Rais Mwl. J.K. Nyerere, op cit.
- 10 Mwl. J.K. Nyerere, in Grundy, K.W., op cit, p. 29.
- 11 Amiri Jeshi Mkuu Mwalimu J.K. Nyerere. *Ahutubia Wanajeshi Wapya katika Uwanja wa Taifa*, Dar es Salaam, tarehe, 1 September, 1964 (in author's possession).
- 12 Mwalimu J.K. Nyerere., op cit.
- 13 Major General Sarakikya, *Asoma Risala yake kwa Rais Katika Sherehe ya kumbukumbu ya Mashujaa na miaka 5 Tangu Jeshi la Wananchi Kuanzishwa. Uwanja wa Taifa*. Dar es Salaam, 1 September, 1969, (mss. in author's possession).
- 14 Mwalimu J.K. Nyerere, op cit.
- 15 Mwalimu J.K. Nyerere, *Ahutubia wakati wa ufunguzi wa semina ya Maafisa wa Jeshi, Bagamoyo, 24 November, 1970*, (mss.in author's possession).
- 16 Rais Mwalimu J.K. Nyerere, *Ahutubia Wakati akifunga mafunzo ya miezi 9 ya Jeshi, Monduli, Arusha*, 13.12.1975 (mss.in author's possession); See also Rais Mwl. J.K. Nyerere, *Jamadari Mkuu akihutubia wakati wa kilele cha Sherehe za miaka 20 ya JWTZ kwenye uwanja wa Taifa*, Dar es Salaam, 1.9.1984 (mss.in author's possession).
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CHAPTER 4

THE NYALALI COMMISSION AND SECURITY SECTOR REFORM: 1992-2005

Martin R. Rupiya

Introduction

Since the October 1995 elections, Tanzania has been grappling with the challenge of fundamental political reform, progressing from a one-party-state system to multi-party democracy. While initial attempts in 1985 soon withered away, a much more structured and focused initiative began after 1992 in the form of implementing recommendations made by *The Presidential Commission on Single Party or Multi-party System in Tanzania, 1991: Report and Recommendations of the Commission on the Democratic System in Tanzania, hereafter known as the Nyalali Commission*.¹

These recommendations, popularly referred to as the ‘Forty Laws’, called for the de-coupling of the party from state institutions, including the civil service and the security sector, in order to reflect and respond to the new political environment of a multi-party democracy.² Since coming to power in 1962, the Tanganyika African National Union (TANU) had banned all parties from conducting political activities. In 1964, the ruling party, *Chama Cha Mapinduzi (CCM)*, had created new security sector structures complete with a new set of civil military relations, based on party principle adherence. This position was later affirmed in the ruling party’s manifesto, the Arusha Declaration of 1967. A series of actions followed on this affirmation, serving to consolidate control of the security sector by the ruling party. For example, in 1975, an amendment to the Constitution, Act 8 was passed:

declaring the supremacy of the party and according it the authority that: functions of all the state organs were to be performed under the auspices of the party, formalising what had already happened *de facto*.³

The sentiment of the constitutional amendment was later strengthened by yet another amendment, the Permanent/Fourth amendment passed in 1977. This effectively concentrated state power in an ‘imperial’ executive presidency under the party-state, the CCM, in the Union. However, the adoption of multi-party politics in 1992 meant that the constitutional provisions and

practice had to change fundamentally and in a drastic manner. Changes were envisaged in legal and constitutional matters, party-political practice and ethos, and attitudes towards the opposition, as well as the latter's relationship with the coercive instruments of the state power monopoly. Given the complexity of the envisaged changes, the impact of the Nyalali Commission recommendations is not clear. However, it is apparent that, if these changes do not occur, the political problems of mainland Tanzania could eventually mirror those of the troubled Zanzibar island.⁴ Stated differently, scrupulous implementation of the recommendations by the ruling party actually amounts to abdicating political office. As a result, the exercise has been characterized by allegations of contradictions, suspected sleight of hand and heel-dragging. Other allegations concern attempts to balance the triangle of the introduction of multi-party norms, tempered by the more urgent responsibilities of maintaining law and order and responding to party sentiment. During the last decade, from the time of the first elections, the process of transformation appears to have stalled further for a number of reasons, as shown below:

- the decreased influence of the three earlier motivations for change;
- a deteriorating economy, now clearly on the rebound;
- a concerned international community, a sector that now appears appeased by and pleased with government reform so far; and
- an internal political opposition, now largely fragmented and showing the negative side of *ruzuki*,⁵ or self-aggrandisement, especially in comparison with the longer-term nationalistic focus of the CCM.

However, while the political parties registered for the October 1995 elections have voiced complaints about the unevenness of the political playing-field that continues to favour the ruling party, the CCM, there has been little or no debate on what has occurred in the uniformed forces sector. Given the almost compliant nature of Tanzanian political interaction that emerged as a consequence of the one-party-state system, this is not surprising. But, from an analytical point of view, there is a paucity of data and information, a gap in our knowledge, on this topic. This paper seeks to address this lacuna by asking key questions on what SSR has undertaken in Tanzania since 1992.

This is important because, the reform of the security sector in multi-party Tanzania is a challenge that must be addressed in order to bring about a multi-party political environment that translates into peaceful co-existence

and stability in the country. Charting the process is also important from the perspective of a case study to be applied elsewhere, as other African states are still grappling with the challenges of post-conflict and post-cold-war transition.

There are three sections in this chapter.

- The first section provides the context within which the *Nyalali Commission* arose, with salient recommendations.
- This is followed by a brief examination of how the ruling party and the security sector evolved within the one-party-state system.
- Finally, there is an assessment of the available evidence to show whether the recommended changes are being implemented.

The main argument here is that the unique relationship created by the CCM and the security sector has been beneficial in consolidating the Tanzanian state. However, the country has reached a historic point that calls for a graduated distancing of the ruling party from 'national institutions', including the security sector. The measure of increased nationhood is therefore dependent on the confidence and distance that the ruling party places between itself and the security sector. This can be viewed as an asset bequeathed to a Tanzania operating in a multi-party democracy both now and in the years to come. Any reluctance to carry out this task negates the role of the late President Julius Kambarage Nyerere as 'founding father of the nation', an image that is now firmly associated with him and the CCM.

The Justice Francis Nyalali Commission and its recommendations for the security sector

The current process of management according to state-and-ruling party democratization in Tanzania emerged on account of pressure exerted by several forces: the state of the economy, agitation by local political opposition and the donor community that, together called for fundamental political changes to the one-party-state system that was then in place. While the Judge Francis Nyalali Commission has been identified as the initiator of multi-party democratic politics in Tanzania, implemented in the elections of October 1995, this is erroneous. Attempts to introduce multi-party politics had already been made in 1985 by President Julius Nyerere, when his administration, however reluctantly, was forced to embrace

the first World Bank- and International Monetary Fund (IMF)- inspired structural adjustment programme. This early initiative, however, failed to provide the anticipated impetus and its influence soon faded completely. Further, the method propagated by the Nyalali Commission was selected by government in preference to alternative suggestions offered by the political opposition.⁶

The driving forces for change to liberal democracy

The process leading to fundamental political changes in the global environment left a clear trail. By late 1986, it was clear that the ideological home of communism, the Soviet Empire, was at the point of collapse. This perception was confirmed with the introduction of *glasnost* and *perestroika*, reforms undertaken in the USSR in 1989. This includes the loss of former territories and the opening up of the Berlin Wall at the end of that year.⁷

In Africa, the first shots were fired by a report by the World Bank entitled *Sub-Saharan Africa: From Crisis to Sustainable Growth*, which provided a link between 'Aid' and 'Governance'. This was seen as equivalent to the 'exercise of political power in order to manage a nation's affairs'. However, the World Bank was also positioning itself to take charge of the unfettered global economy, unleashed after the departure of the competing Moscow ideology.⁸ In similar vein, in Francophone Africa, French President François Mitterrand predicted the introduction of changes with the possibly adverse effects they might have on Africa.⁹

According to Issa G. Shivji, breaking out of the one-party-state system and introducing the multi-party system could have taken any of three different routes. First was the national conference model, characterized by widespread consultation and debate, and a feature of the former Francophone countries.¹⁰ Second was simply to call for a referendum to determine the majority view. Third was the Tanzanian experience, in which a national consensus emerged from the ruling party congress, followed by a constitutional amendment passed in parliament, 'making provision for a multi-party-political system'.¹¹ In other words, the Nyalali Commission is an alternative to the model prevalent in other former one-party-state countries. These countries were attempting to make the transition during the 1990s under the process of the 'third wave of democratization', as identified by Samuel Huntington.¹² Viewed globally, the rapid spread of the post-cold-war democratic and economic liberalism is now known as the 'Third Wave of Democratization'. Samuel Huntington described the phenomenon as:

A group of transitions from non-democratic to democratic regimes that occur within a specific period of time and that significantly outnumber transitions in the opposite direction during that period of time.¹³

In Huntington's elaboration on this, the first long wave of democratization occurred in the years between 1828 and 1926, followed by a shorter wave spanning the period 1943–1962. Finally, in Huntington's estimation, the third wave, which we are currently witnessing, began in 1974,¹⁴ partly as an economic reaction and later as a political activity flowing out of the end of the cold war. In the early 1990s, the period that also witnessed the collapse of the cold war and the political changes in Eastern Europe, parallel changes were occurring in other countries that had been outside Western influence. The intervention of Western donor institutions, led by the World Bank (WB) and the International Monetary Fund (IMF), added to the impact of the disappearance of the global second centre of decision, Moscow. There was now added impetus for those states still vacillating to take the plunge and take on the preferred liberal democratic ethos. The push towards this political alternative was achieved by the donors withholding aid until there were clear policies and the political elite positional changes had taken place. Hard evidence has not been difficult to find. Mark Duffield, in his *Symphony of the Damned*, aptly describes this process when he writes of *New Discourses, Complex Political Emergencies and Humanitarian Aid*.¹⁵ During the five-year period 1988-1993, over 30 African countries went through the transformation process. This involved opening up the political space, dominated until now by the one-party-state ethos, so that the new multi-party system of democratic elections could be accommodated.¹⁶ Tanzania, overturned the influence of African Socialism, also known as Ujamaa.¹⁷ Francis Fukuyama's *The End of History and the Last Man*¹⁸ argues that this is 'the remaining liberal democracy, the only coherent political aspiration that spans different regions and cultures around the globe'.¹⁹

To this end, the world is now restructuring zones previously cast in spheres of influence to reflect norms and values generally manifested in the west. This has created some confusion about the west and democratization, Huntington also observes that there is a growing perception that erroneously equates the third wave with western democracy, instead of seeing this wave in its true light. In fact, the third wave is of global significance, aiming to emulate the values and standards most manifest in the west. However, the third wave remains distinct, and is far from integrating with 'western democracies'.

On 17 July 1991, President Benjamin Mkapa appointed Chief Justice Francis Lucas Nyalali to head the Commission,²⁰ charged with the mandate to 'enquire whether the majority of Tanzanians preferred the continuation of a single-party system or the establishment of a multi-party system'.

In response, the political opposition forces called for a popular convention and an open constitutional drafting process, as well as the establishment of a transitional government to monitor the transition from the one-party-state to a multi-party democracy. The political opposition had agreed to a temporary coalescence and to form a Steering Committee for Transition to Multi-party Democracy. A public seminar was announced, to be attended by leading political opposition leaders. A particular outcome of that meeting was the establishment of a secretariat for the National Committee for the Constitutional Reform (NCCR), led by Chief Abdallah Fundikira, who viewed the Nyalali Commission as a waste of taxpayers' money and threatened to call on the president to establish a transitional government in preparation for multi-party elections.²¹

While the appointment of the Nyalali Commission in 1991 was met with suspicion and open opposition, to the credit of Judge Francis Nyalali, the depth of consultation by Nyalali and his commissioners, their analysis of the situation and their astute recommendations that included a programme of transition, created a clarity and neutrality that was grudgingly respected by the political opposition.²² Despite this statement of partial acceptance, however, the Nyalali Commission remains 'a state-centred' and state-driven instrument whose mandate and selection were contested. Some of the recommendations indicated how the one-party-state and the relationships had emerged, while others held implications for the reform of the security sector. It was recommended that:

- the country adopt a multi-party system, even though, in the national sample, 80% of respondents had indicated a preference for the continuation of the single-party system. However, the yes vote was accompanied by so many suggestions for fundamental change that, if implemented, it would amount to changing the current system anyway. The remaining 20% were so vehemently opposed to the one-party-state system that leaving the political system unchanged could result in violence;²³
- the political environment should be deregulated, and there should be participation in politics through the repeal of '40 pieces' of repressive legislation;

- an independent body, with a clear timetable, should be established to oversee the transition;
- the ruling party, the CCM, should be de-coupled from public institutions, including the Armed Forces and the Civil Service;²⁴
- a Constitutional Commission be appointed to draft a new constitution, with considerably reduced presidential powers.²⁵

The first move to separate the ruling party from state structures emerged only as part of the pivotal recommendations of the Nyalali Commission. A key part was accepted in the Eighth Constitutional Amendment of May 1992, a development that paved the way for a multi-party political system. Hitherto, the CCM had maintained an exclusive monopoly on political power in the country.

A major challenge to the introduction of a new set of civil-military relations was the model created by the CCM. Its effectiveness had been one of the cornerstones of consolidating the sovereignty of Tanzania. The record shows that only two attempts at a military coup had been made, the first in 1969 and the next one in 1982. Both had failed as a direct result of the widespread awareness of security amongst the population. During the same era, countries like Uganda, Ghana, Nigeria, Somalia and Ethiopia all experienced military coups, while Tanzania remained an island of tranquillity.

In concluding this section it should be noted that the methods and mechanisms employed in the political transition in Tanzania were characterized by contest. The enterprise as a whole could not be seen as neutral, nor was it necessarily designed to foster multi-party democracy. It was, in effect, perceived to be an alternative to the one-party-state system.

A synopsis of the relationship between the security Sector and the ruling CCM: integration of the security sector into the one-party-state system, 1964-1990

The close relations that developed between the security sector and the Tanzanian ruling party go back to the mutiny of 19-21 January 1964, in the former Tanganyika. Before this, the ruling party, the Tanganyika African National Union (TANU), appeared not unduly concerned with defence and security policy and its related institutions. The initial focus and policy preference was to address poverty and work towards the social upliftment of

society. However, this lack of attention to foreign and defence matters was rudely shaken by the mutiny that took place, starting at Calito Barracks in the capital, Dar es Salaam. The mutiny soon spread to other unit locations, eventually reaching Kalewa Barracks in Tabora. Furthermore, the events in Tanganyika were soon repeated in Uganda, where troops mutinied on 23 January, followed by Kenya, at the Langata and Lanel Barracks, where similar events occurred the next day. Much more significantly, the series of mutinies had followed the overthrow of the Sultan of Zanzibar, Janshid, on 12 January. This deposition had resulted in a reaction by Western powers, particularly the Federal Republic of Germany and Britain.

The mutiny in Dar es Salaam coincided with a meeting held by the Tanganyika Federation of Labour unions, whose leadership had been at odds with Nyerere over his strategy when assuming office. In their view, he was not prepared to accelerate the Africanization programme. Meanwhile, the Tanganyika police, another institution inherited from the colonial administration, stood and watched and did not intervene in what they understood to be a pay dispute between soldiers and government. This posture was to seal its fate in the subsequent restructuring and reform.

The mutiny in Tanganyika was put down only with the return of British forces. They were later replaced by a contingent from Nigeria, allowing the restored Tanganyika Government the opportunity of re-mustering to plan for new defence and security structures. What followed after April 1964 was a root and branch disbanding, and a re-positioning of the ruling party, who supported the coercive instruments of force. A new ethos was created, as well as a set of command and control lines organized around the launch and sustainability of the radical Pan Africanist policy of decolonization, to be propped up by armed struggle in the remaining white enclave of Southern Africa.

After the abortive mutiny had been put down in January 1964, the security sector that subsequently emerged passed through certain processes. The first was an exorcism of the existing organizations by means of disbandment, ignominious discharge, exile or signing up for the CCM. Secondly, new cadres were under the control of the party.

Within the new force, a clear second line of command, a commissariat within the units, and ultimately linked to the political party, was put in place. More significantly, a separate military region was created to augment the 25 existing regions into which the country was administratively divided. The restructuring also involved the police and prison service organizations,

which were now placed under the military. The party re-deployed the monopoly of force to other sectors outside of the standing army. The new sectors included the militia and the national service. These new structures were trained by the military, but their command structure was separate, being located within the political party structures and the presidency. This was a deliberate popularization of the military culture and a politicization of the cadres reconstituted in the new army.

This structure, which had dominated the one-party-state era, was now deemed unsuitable, in the view of the *Nyalali Commission*,²⁶ to continue in a multi-party democratic Tanzania. This recommendation was accepted by the CCM as one of the '40 pieces' of repressive legislation to be repealed.

Assessing the progress of security sector reform in Tanzania since 1992

The CCM had developed particularly close ties with the state organs responsible for defence and security organs. This had held true from April 1964, when the country weathered the series of mutinies carried out by the former units of the Kings African Rifles (KAR), now divided among the Kenya, Uganda and Tanganyika.

Motivation to undertake the externally-generated political reforms was directly linked to threats by the developed nations to discontinue aid. Africa's Arab north was spared this initiative. The rate of democratic elections held in sub-Saharan Africa as a result of this externally-generated political restructuring in the five years between 1988 and 1993 was extraordinary. As William Reno points out, thirty sub-Saharan states experienced 'the third wave of democratisation' in the form of opening up of the political space dominated by the one-party-system and holding 'multi-party democratic elections'.

When, from late 1980, the international community called for Tanzania to implement multi-party politics, the country's economy was literally on its knees, suffering endemic shortages of even basic staple foodstuffs.²⁷ Significantly, from 1986, the long-reigning President, Julius Kambarage Nyerere, admitted having failed to find solutions to the crisis from outside the prevailing international financial system, and therefore recommended change.²⁸ This was important, as Nyerere, even in retirement, remained a towering figure in the country's politics, which naturally placed constraints on alternative policy changes.

Challenges to security sector reform in Tanzania

The post-1990s global political de-regulation, based on the notion of liberal democracy and multi-party politics, continues to pose major challenges to African political systems. These countries were racked with economic regression, the decreasing ability of their governments to provide/deliver services and welfare, and serious shortages of basic commodities, with agricultural production failing to provide even basic staples. Financially, there was a lack of foreign exchange and an absence of Foreign Direct Investment (FDI). Against this backdrop, the country's political leaders were unable to find solutions to the crisis from outside the dominant Bretton Woods 'international financial system'. This meant that the route to adopting 'multi-party politics' was direct, leaving little opportunity for deviation.

The results of the 'multi-party democratic elections' were unexpected and dramatic. Africa underwent its first violent convulsions, which left collapsed, weakened states. Prominent examples include Liberia, Somalia, Sierra Leone, Rwanda and Burundi, the Democratic Republic of Congo, Mozambique and the Sudan, and, more recently, the Côte d' Ivor, to name but a few.

After decolonization in the 1960s, the generic African political system had 'settled' into a single trend, that of a dominant one-party-system, sometimes dependent on the personality of a charismatic leader. The underlying concept of liberal democracy itself, it has been argued, emerged as a product of industrial capitalism. This conditioned the type of society created, one that was able to co-exist with an unfettered market system. Essentially, the type of society suited to a liberal democratic political system has been that of a 'socially atomized community, where production and exchange are highly commodified'.²⁹ In introducing this political framework into the African political landscape, sadly, major parts of the continent are still predominantly pre-capitalist and pre-industrial, which has resulted in mismatches in policy prescriptions and serious deficiencies in the required fundamental structural conditions.

Given this background, it is useful to recognize some of the more common principles and approaches that the new system targeted for change. First, it appears in retrospect that this political deregulation targeted the removal of the 'strong personality' leaders, characters who were likely to 'impede [the] political change' intended to lead to the universal introduction of liberal democratic practices. Secondly, the new wave removed near-autarchic economies while re-integrating the spheres back into the world

market. Finally, the process also influenced institutional reform, so that the institutions involved were calibrated to conform to the new democratic dispensation. This is the nature of the triangular process that has faced Tanzania from 1992. It is still too early to document the exact nature of what has been reformed and how this reform has been carried out.

This paper has been able to show why political change was required and how changes had to be effected according to the Nyalali Commission recommendations. There was a brief account of the opposition's perception of political heel-dragging by the ruling party in effecting fundamental changes. Significantly, apart from the theoretical observations of the Nyalali Commission, it has not been possible to gain any insight into progress within the security sectors, which leaves us to offer suggestions in the conclusion.

Conclusion

In 1992, one of the key recommendations of the Nyalali Commission was to call for the de-coupling of the ruling party's control and influence from the civil service and the armed forces. As has been discussed, the Nyalali Commission was a major turning point and mechanism in the Tanzanian political transition from a one-party state to a multi-party democracy. During the relationship forged between the ruling party, CCM, and the security sector between 1964 and 1992, the former established cells, branches and even a nominal region/district responsible for armed forces affairs in the political arena. Thereafter, it must be admitted, this has been one of the pillars of the structure, together with the nationally common language, Swahili.

Tanzania weathered the storms of the internal coups that overwhelmed other African states during the 1970s and 1980s. But, after the end of the cold war and the de-colonization of South Africa following the release of the African National Congress leader, Nelson Mandela, in February 1990, the special relationship between the party and the security sector had partly outlived its usefulness. It had also become clear that to continue recruiting new cadres through the party branches and to dominate the institution with unit commanders who doubled up as party district/regional chairpersons was bringing the integrity of the institutions into disrepute with a more liberal society. Furthermore, multi-party democracy offers clear lines of delineation as well as separation of powers, control and influence among the people, elected representatives and government. To continue with well-meaning, although effective, civil-security relations was inappropriate.

However, what success has there been in determining to what extent the ruling party has attempted to de-couple the armed forces from its 'apron string'? To be brief, it has so far been impossible to produce evidence of this, for several reasons. First, it took 40 years to create both the institutions and the special relationships. It will take more than the few years that have since passed to distance the party from national institutions, especially the security sector. The complaint by political parties that the government appeared bent on maintaining peaceful law and order while they de-regulated in other sectors is indicative of another purpose. This is because the means of maintaining peaceful law and order were the very institutions that had been recommended for reform, but were still required to police and guard political opponents while everyone sparred in the ring.

Secondly, the security sector is a sensitive area in which *ad hoc* research cannot be conducted. Consequently, evidence can be obtained only by working with state institutions to determine compliance with the recommendations of the Nyalali Commission. It has been suggested that it is in state interests to open this issue to professional public scrutiny. This would mean cooperating with the elected opposition and demonstrating, to their satisfaction, the steps taken so far. Conducting the process of separation and validation based on in-house skills could be a major challenge, which could benefit Tanzania, especially if credible outside agencies were engaged to assist the process.

The World Bank functions in the region, and it is our opinion that they could be approached for assistance. The Bank has, after all, managed the *Great Lakes Regional Strategy for Demobilisation and Reintegration (DDR)* under the Multi-Donor Reintegration Programme (MDRP), targeting 450 000 former combatants, and working together with the seven states of Angola, Burundi, Central African Republic, Democratic Republic of Congo, Rwanda and Uganda.³⁰ The financial and technical support harnessed from 11 donor countries, amounting to some US \$500 million dollars, could include assist to Tanzania in fulfilling its stated intentions to reform the security sector. However, as the MDRP mandate is currently focussed, confining itself to DDR, Tanzania's challenges lie in the broader Security Sector Reform (SSR).

In order to create confidence amongst stakeholders, Tanzania may wish to implement a defence review process that would lead ultimately to the institutional restructuring of the security sector. There are comparative examples of this approach in countries such as South Africa, Uganda and

Sierra Leone, amongst others. The approach depends on local support and ownership. The process identifies legitimate local notions of civil-security relations and provides crucial legitimacy to outcomes. Finally, in undertaking any of the above options, there are policy research institutes in Southern Africa and beyond with experience in facilitation of this complex process. They could be called upon to assist in the process, which would satisfy a currently sceptical political opposition. Taking into account all three suggested options, this paper sees the Tanzanian Parliament, *the Bunge*, playing a crucial monitoring role in a process that will ultimately generate long-term national peace and stability.

Notes

- 1 Established on 27 February 1991 with the mandate to report back by the end of the same year.
- 2 27 laws for the United Republic's parliament and 13 for the Zanzibar Revolutionary council. See *The United Republic of Tanzania, Government Paper No. 1 of 1998 expressing Government Views on the National Constitutional Reforms*, Dar es Salaam: Government Printer, Regular Report No. 483, p. 12.
- 3 See Kituo cha Katiba, East African Centre for Constitutional Development, Makerere University Faculty of Law, *Tanzania: Key Historical and Constitutional Developments* at <<http://www.kituoachakatiba.co.ug/tz%20const.htm>> accessed 30 August 2005, p. 1. According to the same source, this followed the 1965 Interim Constitutional Amendment that not only formalized the one-party-state but also created the Union, with Zanzibar declaring that the Afro-Shiraz party for Zanzibar and TANU for Tanganyika were now one party in charge of the Republic of Tanzania.
- 4 See Gaudens P. Mpangala, *The Zanzibar Conflict: Search for Durable Solutions*, Chapter 9.
- 5 A local term describing political opportunists who seek only self-enrichment.
- 6 See Mwesiga Baregu, 'Tanzania's Hesitant and Disjointed Constitutional Reform Process', a paper presented at the *Conference on Constitution Making Processes in Southern Africa*, Dar es Salaam, 26-28 July 2000, pp. 3-5.
- 7 Mulikita, Njunga M., 'A False Dawn? Africa's Post 1990s Democratization Waves', in *African Security Review*, Vol.12, No.4, 2003, pp. 105-15.
- 8 World Bank Report, *Sub-Saharan Africa: From Crisis to Sustainable Growth*, Washington D.C, 1989, pp. 60-6.
- 9 Speech delivered at the *4th Summit of the Francophone Countries*, November 1991, cited in *Africa Research Bulletin*, 31 November 1991, p. 10293.

- 10 Problems of Constitution-Making As Consensus-Building: The Tanzanian Experience', paper presented at the *Land Tenure Issues in Natural Resources Management in the Angolophone East Africa with a Focus on the IGAD region*, Addis Ababa, 11–15 March 1996, organized by the German Technical and Cooperation (GTZ) and the United Nations Economic Commission for Africa, pp. 1–4, at http://www.mekonginfo.org/mrc/html/oss/sh2_lit.htm, accessed 23 January 2006.
- 11 Shivji, I, *Problems of Constitution-Making*, p. 2
- 12 Huntington, Samuel. 1991. *The Third Wave. Democratization in the Late Twentieth Century* (Norman: University of Oklahoma Press), pp. 15–16. Huntington further identifies earlier 'waves of democratization' occurring between 1828 and 1926 and from 1943 to 1962, with the final wave beginning in 1974. In this democratic evolution, he also identifies two periods of reversals: 1922–42 and 1958–75.
- 13 Huntington, Samuel, *The Third Wave: Democratization in the Late Twentieth Century*, p. 15.
- 14 Samuel P. Huntington, p. 16
- 15 In *Occasional Paper, 1996*,
- 16 Markets, War & Reconstruction of Political Au; Paschal Mihyo, 'Chama Cha Mapinduzi: A Revolutionary Party in Transition, Tanzania,' in M.A. Mohamed(ed), *Africa, Political Participation, Evolution, Institutionalization & Governance*, Pluto Press: London, 2003, p. 8; Jonathan C. Momba, Democratic Transition & the Crises of an African Nationalist Party (UNIP), Zambia, in M.A. Mohamed (ed), *Africa, Political Participation in Sierra Leone*, in *Canadian Journal of African Studies, Vol.29, 1995*.
- 17 Ahluwalia, P. & Zegeye, A. Multi-party Democracy in Tanzania – Crises in the Union, in *African Security Review*, Vol.10, No.3, 2001, p. 4, at <<http://www.iss.co.za/pubs/ASR/10No3/AhluwaliaAndZegeye.html>> p. 4, accessed 30 August 2005.
- 18 Fukuyama, F., *The End of History and the Last Man*, London: Penguin, 1992.
- 19 Commentary by Andy Blunden, *By Way of An Introduction*, on Francis Fukuyama's *The End of History and the Last Man*, Penguin, 1992, at <<http://www.marxists.org/reference/subject/philosophy/works/us/fukuyama.htm>> accessed 26 August 2005, pp. 1–2.
- 20 *The Committee for the Collection of Views on the Constitution*. Dar es Salaam: Government Printer, 1992.
- 21 Ahluwalia, P. & Zegeye, A., op cit, p. 6.
- 22 Mwesiga Baregu, Tanzania's Hesitant and Disjointed Constitutional Reform Process.

- 23 Mwesiga Baregu, *ibid*, p. 5.
- 24 Tungaraza, C., The Transformation of Civil-Military Relations in Tanzania in Hutchful, E. & Bathil, A. (eds), *The Military & Militarism in Africa*, Dakar & Dar es Salaam: Council for the Development of Economic and Social Research in Africa (CODESRIA) Book Series, p. 291.
- 25 Baregu, M. The State of Political Parties in Tanzania, 1999, p. 63; Julius Nyang'oro, The 2005 General Elections in Tanzania: Implications for Peace and Security in Southern Africa, ISS Occasional Paper, No.122, February 2006, p. 1, at <<http://www.issafrica.org/pubs/papers/Paper122.htm>>, accessed 27 February 2006.
- 26 See executive summary, *Report and Recommendations of the Commission on the Democratic System in Tanzania, 1991, recommendations XXIII and XXIV*, p. 10.
- 27 See Julius E. Nyang'oro, *The State and Capitalist Development in Africa – Declining Political Economies*, London:Praeger, 1989. See Chapter 1, 'The African Condition: A Continuing Crisis', pp.1-3.
- 28 See Bratton, M. & Van de Walle, N., *Democratic Experiments in Africa: Regime Transitions in Comparative Perspective*, Cambridge: Cambridge University Press, 1997, p. 111.
- 29 See du Pisani, A., *Democratic Governance and Common Security in Southern Africa: A Conceptual Exploration*, draft copy in possession of the author, p. 16.
- 30 *MDRP in the Great Lakes Regional Strategy for Demobilization and Reintegration* at <www.mdrp.org/> accessed on 03 August 2006.

CHAPTER 5
A GRASSROOTS PERCEPTION OF
CIVIL-SECURITY RELATIONS

Method Kilaini

Introduction

The literature consulted in preparation for this paper was written largely by civil rights groups. However, the best way of grasping the real grassroots perception was to meet the people themselves. The author does not pretend to have made a scientific sampling when collecting the information. Apart from the many e-mails despatched around the globe, a good number of which were answered, all the interviews were carried out in Dar es Salaam.

Although it can be conceded that the city is representative of what happens in the country as a whole, this was not an objective national sampling. While working on this paper, the author distributed questionnaires or interviewed more than 50 people from different walks of life, ranging from street vendors to big businessmen, from housewives to top religious leaders, from ex-prisoners to military officers and from domestic employees to professors. Many people spoke freely on the subject, on the proviso that their name was not asked or revealed, as the case may be. It was evident that they were in fear of the institutions and did not want to incur their displeasure.

An interesting feature of the interviews is that most interviewees held very similar views on the topic of the military, but they differed in the language they used to express them. The few military people I interviewed were somewhat on the defensive, particularly the police.

The military is a government institution formed to protect citizens and their goods. The efficiency and behaviour of the military depends on the behaviour of the regime it is serving. If the regime is people-oriented, the military will be likewise, but if the regime is dictatorial, the military becomes the tool for enforcing the dictatorship. If the government is stable, the military will also be stable, but if the government is insecure, the military tends to take the chance of promoting its own to power. The grassroots perception of the military often reflects the people's perception of their government.

It might also be said that the perception of the existing security forces reflects perceptions of the government in power. This idea is philosophically put by Professor Rugarabamu when answering the questionnaire:

Another set of questions relates to threat perceptions and analysis. Like any values, a threat itself is highly complicated and ambiguous. It is a perceptual matter. The source, type and level of the threat are mostly situational, reflecting the political leadership's objective and subjective judgments. In the African environment it is usually difficult to determine objectively what kinds of threat exist. Are they political, military, economic, and environmental or a combination of the various factors mentioned above? What are the sources of those threats: are they external aggression, domestic turmoil, conflict spillovers from adjacent states or simply security paranoia? How are the primary sources of information collected, collated, and analyzed? Who ultimately determines national security threats and translates perceptions into policies, strategies and actions? Are policy actions sequentially rated and ranked by highlighting their broader security implications on the politics, economics and society? Are policy actions and instruments taken by elected governments, an imposed regime or a by monarch? As is well known, security policy formulation and implementation in African countries is generally a preserve of a selected group of the national leaders. It also bears remembering that perception in politics, whether real or imaginary, are infinitely more important than the reality itself. For, political perceptions dictate behaviour, and reality may weigh much less than beliefs, myths, or obsessions.¹

In other words, it is the leaders who define which are threats and which are battles to be fought.

While there are many branches and sub-branches in the military, the common man differentiates four: the army, the police, the prisons and national security. They have clear and different purposes:

- The army defends the nation against external enemies and helps during catastrophes;
- The police protect the people in their everyday lives against threats from their co-citizens;
- The prisons guard condemned criminals in places safely isolated from the public and make sure that they pay for their mistakes as a lesson to

others. They are in this way prevented from doing further harm.

- The national security is on the alert to discern where threats and dangers lie.

What influences grassroots perception?

The grassroots population is influenced largely by the information they receive about these institutions. Some have had direct experience or contact with one or another military state institution, but most have had no direct contact with them. They have only heard about the institutions, or have seen what happened to their friends, relatives or neighbours. Whenever interviewees made a statement or expressed an opinion on some aspect of the military, they would say in substantiation only that they had been told about it, had read it in the newspapers or had heard it on the radio. The people's perception is formed by oral communication (gossip), the radio, newspapers² and television. When they hear or read negative stories, they are inclined to believe them.

The media are among the most influential sources of information in the country at present, particularly as far as the different government organs are concerned in the fight against corruption. The media are also able to exert pressure on the government to take action, as this has the support of general public opinion. In the government's National Anticorruption Strategy and Action Plans (NACSAP) for 2001 – 2005, the first quarterly monitoring report, January–March 2002, stated that, of the 46 serious public corruption complaints reported against the police and acted upon, 38 had been reported by the mass media, 5 by direct letters and 3 referred by other agencies. Of the 19 reported against the prisons, 10 had been by the mass media and 9 by direct letters. Also during this first quarter, a total of 167 complaints about corruption and unethical behaviour had been recorded. Of these, 97 had been reported by mass media, 6 in parliament, 46 in letters and 18 by various other sources.³ Realizing the importance of mass media in forming public opinion on government organs, including the military, that is, the army, the police, the prisons and national security, NACSAP had reason to be proud of training journalists in investigative reporting.⁴

Tanzanian grassroots perceptions of the army

If the people's perception of the army is to be understood, its history has to be considered. The King's African Rifles, which at independence became

the Tanganyika Rifles, were considered to be at the service of an oppressive colonial regime. One old man answered succinctly in Kiswahili: *'The white soldier oppresses the black soldier and in retaliation the black soldier oppresses the black man'*.⁵ This suggests that the army had not been trained to fight a foreign enemy but to suppress local revolt or insurgency. According to those interviewed, the soldiers were regarded as a species apart from the man in the street. One interviewee said that the army was like the white man's fierce dogs, sometimes fiercer than their master.

After the 1964 mutiny, a new army was built up. Young people were recruited from the political cadres, with recommendations from their political cells at the grassroots level. This army was politicized in the same way as the rest of the population. The party guidelines of 1971 stated clearly that the army is to be controlled by the party policies and leadership. It reads:

Tanzania defence and security depend on Tanzanians themselves. Had our party been forced to wage a liberation war, every party member would be a soldier, and every soldier a party member. TANU relations with the TPDF (Tanzania People's Defence Forces) should be those of a people's party and a people's army. It is up to the party to ensure that the people's army is the army for both the liberation and defence of the people. It is TANU's responsibility to ensure that the army's main task in peace time is to enable the people to safeguard their independence and their policy.⁶

Politicians were in the army and soldiers were in politics as party functionaries in different positions, including regional and district commissioners.⁷ As danger loomed in the south from the Portuguese colonists of Mozambique, and in the north from the armies of Idi Amin in Uganda, the army trained the population as militia. Training took place, regardless of education or social rank. All people belonging to the militia felt that they belonged with the army,⁸ which brought the army and the population closer together. The ideology of Ujamaa taught the soldiers to be at the service of the people and to feel with the people. In 1966, national service became compulsory for secondary school leavers. This service soon came under the People's Defence Forces, and had a strong military component. After a few years, there was a generation of educated youth who had passed through militarized national service.⁹

Despite this, it is said that it took a long time for the army to become civilized. Even in the first years of the new army they were arrogant, and mistreated people. If someone saw an army vehicle, it was better to park on

the side of the road and wait for it to pass, because the army had no traffic laws. If someone had an accident involving an army vehicle, the civilian was always in the wrong.¹⁰ Army drivers also caused accidents. Young soldiers went into bars, drinking and refusing to pay, but owners lacked the courage to call them to account.¹¹

The revolution came with the Idi Amin war. From the start of that war, the whole population was united with one goal in mind. During the war, there was great solidarity between the people and the professional soldiers. Many were recruited for the war, mingling with the military. Those who belonged to the people's militia were the first to apply for recruitment. Nobody was forced to join up, but some were willing to offer bribes to be recruited.¹² A lot of people wanted to be part of the struggle. Major-General Herman Lupogo narrates his personal experience of people's refusal to be turned down, even if they were too old.¹³ Within a few weeks of mobilization, the army had expanded from fewer than 40,000 in number to more than 100,000. In this successful, highly-motivated war, the soldiers became heroes, and everybody wanted to be identified with them. Hailed as heroes, the soldiers felt that they had to live as heroes by showing themselves to be the army of the people.¹⁴ Many interviewees thought this bridged the gap between the people and the soldiers. Before 1978, much had been said about participating in the liberation of southern Africa from colonialism and apartheid, but that did not affect the people as much as the liberation of the Kagera salient from Idi Amin. This success cemented the civil-military bond.

After the Ugandan war, the army was larger than before, and there was insufficient space in the barracks, so number of soldiers went to live with the civilians. While this gave the soldiers a human face, it diminished the great respect for them on the part of the grassroots population, and it stripped them of their glamour. Unfortunately a few soldiers, influenced by criminals, became involved in crime themselves. This contributed to the incidence of armed robbery, as the soldiers or ex-soldiers used their knowledge of firearms to commit crime.¹⁵ However, people are generally of the opinion that soldier-criminals are the exception. One young man interviewed said that if there are two or three soldiers in the neighbourhood it encourages a feeling of security, because, in the event of robbery, soldiers courageously answer the calls for assistance. Many think thieves shy away if there are soldiers in the neighbourhood.¹⁶

However, people dislike living near an army camp, because young soldiers are often unruly, drinking and fighting with the local youth. But many

people think that, in comparison with the past, the discipline of these young soldiers has greatly improved, and they consider incidents involving the army and reported by newspapers and civic organisations as isolated. Further, if an incident is reported, the superiors take action. Almost all the interviewees hold a positive opinion of the army. This can be summed up in the words of one man who wrote in an e-mail letter: 'Our army is like fire; good servant but bad manager. The army is loyal, patriotic, professional and respectful of people.'¹⁷

Can an army with this type of heavy party ideological indoctrination be neutral in a multi-party system? Asked if the army was a good support for multi-party democracy, those belonging to the ruling party said the role of the army is to support the government in power and be neutral in political matters. They thought the army adhered to this. However, many neutral people saw the army as a potential CCM government tool, which could be used to suppress the opposition. Opposition members, when asked, said the army was too politicized and was an instrument of the ruling party. A few still see it as an institution of the ruling party, the CCM. Some, particularly those belonging to the opposition, asked whether the military had returned their CCM membership cards. Currently, the party, as well as those in government positions, include many who had to resign their military positions to retain their government appointments. About 45% of the regional commissioners and 20% of the district commissioners are former military officers who had to resign from the military in 1992 when the multi-party system was introduced.¹⁸

Tanzanian grassroots perceptions of national service

National service is an aspect of the army with a difference. After independence, the national service instituted voluntary service for the youth. The first group of youth recruits were mostly primary school leavers, and national service was a way of giving them some training and a chance to serve the nation. National service included military training and civil skills. When, in 1966, it was made compulsory for all secondary school leavers (A level) to sign up for national service, there was a negative reaction from university students. However, as became clear in discussion with those who passed through national service, the ex-servicemen remember, not the military aspect of the exercise, but the comradeship among participants. With the exception of a few girls, who had a traumatic experience,¹⁹ people look back to those years with nostalgia. One middle-aged man proudly enumerated people in high governmental and institutional positions with

whom he can still speak with familiarity, on account of their common national service experiences.²⁰ A number of marriages, business partnerships and long-time friendships across tribal borders trace their roots and origins to that time. As one senior meteorologist said: 'National service, generally good, those of us who have been through it liked the idea as well as our leaders. It should be for all youths upon completion of secondary school education. It builds national *esprit de corps* and gets rid of ethnic or parochial prejudices and alliances.'²¹

Compulsory national service no longer exists. Speaking to the educated youth of today, with the exception of a few boys, the majority feel relieved that they do not have to do national service. They think of it a period of oppression by the less educated officers, a waste of time, a place where people learn bad habits, such as cheating to survive. A number of girls fear that they would get sexually harassed in national service.²² They have probably heard such stories from parents and relatives who passed through national service.²³

Most of the working youth are not enthusiastic either, but they feel it would do loitering youths good as a way of disciplining them and teaching them some skills. Many see national service as an opportunity for disciplining the youth by means of hard exercise and labour. 'It is a pity that the recruitment process is not always made open, and that it is no longer automatic (after Form Six, that is),' lamented Mr Camillus of CPT. People, especially jobless school leavers, would like to have more information about the recruitment procedures.

Tanzanian grassroots perceptions of the police

All the interviewees had something to say about the police, either from the perspective of personal experience or that of their friends, and they tend to believe the many hearsay stories that are passed around. All of them conceded that the police are indispensable to Tanzanian society, and they appreciate the fact that the police are on duty when other people are at leisure. They also realize that the police sometimes risk their lives to protect citizens and their property.²⁴ No matter the reservations about the police force, everybody recognized both its importance and the necessity of investing in the force.

This being said, the general impression of the police was well expressed by one senior executive of a big parastatal: 'If one goes into a big town and

sees very crowded, poor and dirty living quarters they will belong to the police.' This is the overwhelming impression for all the interviewees. People consider that, with the exception of high-ranking officers, the police are badly paid and badly maintained, living in small, overcrowded quarters, while the lower cadres are poorly educated. This was also commented on in the findings of the Justice and Peace Department Commission of the Catholic Church: 'People see the low rank police, men and women, living in very miserable quarters. This builds hatred and bitterness in the police since the high-ranking police live in very comfortable houses. These low rank police express their bitterness in their relations with the ordinary citizens.'²⁵

When parents were asked whether they would like their clever children to join the police force, the majority said no. For the few who said yes, it was on condition that these children became high-ranking officers. Asked why they did not want their children to join the police, their reason was not so much the hazardous nature of the job, but the poor conditions.

Most had come to the conclusion that poverty-stricken police members were 'for sale', and viewed the petty corruption of the police as an obvious consequence of their living conditions. Some had concluded that anyone arrested by the police would not bother arguing their innocence but would ask the price. The advice is, if you are innocent, offer just a cup of tea²⁶ so that he does not harass you, or else he will be sure that you have done something wrong. If you are guilty, then negotiate seriously. It is interesting that, while some feel bitter about this, especially those working with human rights groups, many others make a joke of it. These bribes can go even lower than Tsh. 500.²⁷ Commenting on the police, one member of the civil rights groups wrote:

There is a kind of love and hate relationship. When both sides benefit – even it means bribing each other materially and financially – nothing happens; but when one side feels that it has been cheated, then reprisal takes place (cfr Kassungura case, Moshi NBC robbery, and the belief that the police impose alleged crimes on innocent citizens).²⁸

The real cause for concern is what they call 'big corruption'. Although there is no proof of this, many think a considerable number of high-ranking police officers collude with criminals. They often refer to the Kassungura incident, which indicated that the police are notoriously weak when it comes to offers of big money.²⁹ Corruption is regarded as the reason why so many criminals are never caught. If they do happen to be arrested, they do not receive adequate prison sentences. The general opinion is that the police could reduce crime if they wanted to.³⁰

There are efforts to counter this corruption and win back public confidence. The Stop Crime programme, for instance, invites the public to cooperate with the police in identifying crime. The programme appears to be working, particularly in the case of personal problems reported. The one drawback is that a few corrupt police officials pass information to criminals, and, worse still, about whoever gave the information when reporting their problem. The quarterly report of NACSAP demonstrates the effort being made to win public confidence in the government's fight against corruption. Of the 211 cases on which the police took action, 111 were from the police. Forty four officers were issued letters of reprimand, five were interdicted and 62 were dismissed or retired in the public interest.³¹ This was made public to improve the image of the police.

According to the Ministry of Home Affairs plan, the police department must not only improve their performance and fight against corruption but should also improve their relationship with the public. Among the planned outputs are:

- To prepare a written charter stating the rights of citizens when they are arrested;
- To educate the public by means of the mass media on community policing for self-protection, the anti-corruption campaign, crime prevention, traffic laws, and the rights of the accused when arrested;
- To conduct, with stakeholders, seminars on safer cities, the city auxiliary police, security guards in private companies, religious institutions; and to conduct seminars on crime prevention and corruption for journalists;
- To conduct seminars on human rights.

These are certainly good proposals. The author asked the interviewees whether they had heard about these efforts, participated in the educational programmes or read the charter. Unfortunately it was difficult to find anyone who was aware of the effort or had been affected by it. Some did remember seminars conducted by various civil NGOs.

Tanzanian grassroots perceptions of the Field Force unit

Although the Field Force unit is a branch of the police, public perception of the unit differs from their perception of the ordinary police. This is succinctly

expressed in a daily newspaper report on an incident in which the Moshi Post Bank had been left unlocked overnight to no ill effect whatsoever. The writer concludes with the following comment: 'Thank God the bank enjoys 24 hour maximum security manned by the Field Force Unit (FFU),' said one resident, Samwel Ngowi'.³² Like the army the Field Force members deserve the accolade given by one street vendor: 'They are professional, often very brutal and loyal to the government. It is impossible to corrupt them if their bosses send them.'³³ The people who fall foul of this unit complain of their sometimes uncalled-for brutality.

While people are proud of the unit's performance in dealing with thieves, a number of interviewees recalled the television pictures of the FFU operation after the general elections in 2001. These images had helped to create a negative impression of the unit, compounded by further incidents like the numerous university student protests. Interviewees recalled in particular the recent protest against the students' loan bill. While the unit has earned admiration for its efficiency and determination, its members are unnecessarily brutal when dealing with civil issues like demonstrations and meetings. However, an opposition politician stated that it was not the unit that should be blamed but the government, who orders them to brutalize civilians exercising their civil rights in peaceful demonstrations. The opposition complains bitterly that the government uses these forces to subdue them unjustly, even in districts where they are in political control.³⁴

Tanzanian grassroots perceptions of the Prisons

Less attention is given to the prison police unit. Everyone knows who they are, but the man in the street, unless he or a family member has been unfortunate enough to fall into their hands, has little to say about them. The prison police deal exclusively with a group of people who are either waiting to be judged or serving time. Commenting on who is jailed, one civil rights worker said: 'Those who go to jail are those who cannot offer something to the magistrate or the DPP, and often they are jobless or those who cannot make the distinction between what is legal and what is not legal. Also, prison life is cruel and overcrowded, unless relatives make a follow up in terms of giving the necessary needs.'

Another interviewee referred to prison as semi-death: 'Some prisons are in poor hygienic conditions. It is said that being sent to (he mentioned the name of the prison) prison may mean being condemned to death as after

release, even after a few days incarceration, your life expectancy can be reduced by half.'

The writer engaged in a lengthy discussion with some ex-prisoners, seeing that they had had first-hand experience of life in the prisons and prison police treatment. One of them had been in a small prison on the outskirts of Dar es Salaam for three years.³⁵ Life had not been so bad there in that the food was good and clean. But the prison was so overcrowded that they had slept three on a three-foot bed, one with his head at one end of the bed and the other two placed in the opposite direction facing his feet. The senior police officers were kind if prisoners behaved well, and sometimes informed the prisoners of their rights. The low-ranking cadres and the new police recruits showed off, and were extremely cruel, beating prisoners up for no reason.

One event described by an ex-prisoner illustrates the behaviour of certain policemen. The prisoners had gone to work on the farm and the accompanying prison officer was completely drunk. Once in the field, he put down his gun and slept. Fortunately the prisoner prefect thought quickly, picked up the gun and brought the prisoners back to prison, leaving the sleeping police officer behind. The same person also described how the police officers would engage in fights among themselves in front of the prisoners. Those coming from large prisons related almost the same general story, the difference being that the large prisons are even more crowded and some of the prisoners even more difficult. Newcomers to prison are treated very badly, almost as if this, ironically, were a 'welcome'. Long-term prisoners are well-treated in the main, as long as they behave.

Discussions with a few retired prison chaplains revealed that on the whole they approved of the senior police officers who cared for human rights. However, the chaplains regretted that so many officers managed to work their unemployed children into the prison police ranks without qualification, aptitude or training. The result was obviously chaotic performances. Corruption is rife, so smuggling things to prisoners is common, with those who can pay living like kings in prison. Even drugs somehow make their way in.³⁶

In his comments on the prison police, one university graduate interviewed said: 'These officers stay so long with prisoners that at the end they behave like prisoners themselves'.³⁷ In other words, those at grassroots level do not have much respect for the prison police.

Tanzanian grassroots perceptions of the National Security Service

Everybody knows about them but nobody discusses them. They are a group apart. They are referred to by many different names.³⁸ While the general public speaks of them with amusement, sometimes with admiration for having saved the country from a senseless *coup d'état*, the intellectuals and politicians regard them as an instrument of oppression. Professor Baregu, of the University of Dar es Salaam, refers to the organ as a threat to citizens, saying that they create fear where they should encourage social trust.³⁹ During a discussion, a retired member of the force admitted that, even when they are no longer in the force, they still belong to 'the family' in some way or another. He also admitted with regret that once the public knows someone has been a member of the force, he is automatically feared and unable to mix freely in society.

Paradoxically, people look up to members of the National Security Service, sometimes, as stated above, with admiration. But they also fear them, regarding them with awe, even gratitude, because the presence of National Security makes them feel safe. But the man in the street, in fact, pays them no attention. When the writer asked a street vendor about them, the reply was that the National Security was there to stop stupid people from making trouble and killing others. A number are of the opinion that the late president Nyerere handled them well and that, in consequence, they were extremely faithful to him, keeping him so thoroughly informed that he was aware of everything going on in the country. This appears to be one of the reasons why Nyerere himself was unafraid and could afford not to punish with death those who attempted to overturn his government. Interviewees feel that, while Tanzania still has a strong, efficient national security system, it lacks the strength it had in Nyerere's time. Further, fingers are pointed at certain members of the system suspected of leaking information to the opposition and newspapers for financial reward, an unhealthy prognosis as far as safety is concerned.

Conclusion

The grassroots perception of the civil-military relationship is generally a good one. Reports from the civil rights groups convey a dismal picture of the institutions, but the real picture comes from communicating with the public. It should be remembered that these institutions form an integral part of Tanzanian society and they must be judged according to that criterion. The institutions discussed here cannot be isolated from other social institutions like the judiciary, political parties, parastatal organs, educational

institutions and others. The ordinary person, observing the military, views it in perspective and is more disposed to be lenient in judging them. However, the report on Tanzania by the US Department of State leaves an extremely negative impression of events.⁴⁰ But the general public, when asked about the same events, in fact see them as the sort of isolated incidents that take place in any other country.

The public regard these institutions as essential. Under normal circumstances, they do not fear them to the extent that they avoid meeting a member of the military in the street. However, rural citizens are afraid of the police, especially of the FFU, because they are usually brutal, not asking questions but beating people up, sometimes even destroying property.⁴¹ There is general disapproval of corruption, particularly corruption in the police force. Military corruption has no direct effect on the public, as it usually concerns things like tenders and supplies.⁴²

Various newspaper reports have led to the impression that the military are now more open and ready to accept constructive criticism, and efforts to improve the institutions are also evident. Working on the maxim that Rome was not built in a day, it can be said that the military institutions seem to be heading in the right direction.

Notes

- 1 Prof. Severine Rugumamu of the University of Dar es Salaam, while answering the questionnaire, wrote a brief article, *National Security Management in an African Environment*.
- 2 Majira, a daily Swahili newspaper of 7 April 2004, printed a title: 'Police are said to have broken a suspect's legs to force him to say the truth.' The front page shows a large photo of a young man on crutches, with both legs in plaster. It is an impressive image.
- 3 The United Republic of Tanzania, *National Anticorruption Strategy and Action Plans, 2001–2005; 1st Quarterly Monitoring Report January–March 2002; From the President's Office Good Governance coordination Unit (GGCU)*, pp. 4–6. When the author visited the President of the United Republic of Tanzania with some top religious leaders, he gave each visitor this booklet with a personal letter asking religious leaders, besides helping in the fight against corruption, to take note of the effort being made and to give the enterprise encouragement and support.
- 4 Ibid.

- 5 'Afande mzungu alimkanyaga askari mwafrika na mwafrika alimkanyaga mlalahoi kulipiza kisasi, hao hawakuwa wenzetu', by 72 year-old Prosper Maganga, a retired East African Harbours clerk.
- 6 *Mwongozo wa TANU*, 1971, (party guidelines), Government Printer, Dar es Salaam, par. 21–23.
- 7 Lupogo, H., Civil-Military Relations and Political Stability, in *African Security Review*, 10:1, 2001.
- 8 People of different ages and ranks trained together, exercising alongside each other, helping each other and making friends. Even the then prime minister, Rashid Kawawa, went to train with everyone else in the militia under the same conditions.
- 9 In the 1970s, the national service would produce as many as 10,000 graduates a year. Cf. Abillah Omari, 'Civil Military relations in Tanzania'; in *Ourselves to Know: Civil-Military Relations and Defense Transformation in Southern Africa*, edited by Rocky Williams, Gavin Cawthra & Diane Abrahams, p. 98.
- 10 A group of retired elderly people in Manzese, when asked about soldiers, spoke of this arrogance.
- 11 Ibid.
- 12 This was truer of people from warlike tribes like the Wakulla. It was viewed as shameful if someone was not recruited to fight.
- 13 Lupogo, H., *ibid.* He gives the example of an old man who insisted that he could not be too old to defend his country. In the end, he was recruited for home-base support.
- 14 The author at that time was in Kagera, and remembers fearlessly helping soldiers ferry their ammunition and guns in his car. One felt like a member of the family, and there was immense solidarity.
- 15 The Minister of Defense, while in Musoma, promised that within 15 years all soldiers would be living in army camps. Reported by Radio One, 8 August, 2004.
- 16 Mr Peter Mashingo from Shimo la Udongo, Kurasini, Dar es Salaam. He is working as an assistant in a guest house.
- 17 T.H.M., a senior official in a government parastatal in Dar es Salaam
- 18 Omari, A.H., *Civil-Military relations in Tanzania*, p. 13
- 19 Everyone interviewed mentioned these girls, but unfortunately I did not encounter anyone who had experienced the situation personally. Someone now doing her Ph.D in the USA said it did happen, but added that the girls were also to blame, because they wanted to use their gender to gain privileges. She says that, as far as she knows, none of them was raped.

- 20 Mr. Paul Sangu from Mbezi Lous, a member of the Executive of the Catholic Lay Council. He was at Mafinga camp in 1970–71, during Operation Vitendo.
- 21 Tharsis Magnus Hyera, a senior official in the Tanzania Meteorological Agency, Dar es Salaam.
- 22 Interviews with a number of high school students at Jangwani and Azania secondary schools.
- 23 Fr Andrew Mwakibindu, a Catholic priest, who was at Oljoro camp Arusha, 1987–1988. Although he praised the military discipline he was concerned about the moral situation there, especially on account of the current HIV/AIDS epidemic.
- 24 The killing of the police, widely reported in the press, made a great impression on the public.
- 25 Tume ya Haki na Amani (TEC): *Haki na Amani na Jeshi la Polisi*, Baraza la Maaskofu Katoliki Tanzania, Dar es Salaam, 2003.
- 26 'mpe chai ana njaa', means 'Just give him a little tip, he is hungry'.
- 27 Ths 500/- is worth less than 40 cents in US dollars.
- 28 This is quoted from an e-mail answer from a graduate working with financial institutions and a member of a church civil rights movement, the Christian Professionals.
- 29 Kassungura was accused of stealing 2 million \$US from Citti Bank. He could not be arrested for a number of weeks because he had police protection. It is alleged that at one stage they protected him because he offered them massive bribes.
- 30 J.S., a senior officer working in a foreign bank, referred to the incident when some police were killed by a group of criminals. The police put great effort into the case, swiftly apprehending and charging all concerned.
- 31 NACSAP; 1st Quarterly Report, p. 8.
- 32 Adam Ihucha, 'Post bank doors left open overnight', in *The Guardian*, 31 July 2004.
- 33 They once threw this street vendor's merchandise in total disarray.
- 34 Dr Wilbrod Slaa (MP), *Kujenga Imani ya Jamii na Amani; Uzoefu wa halmashauri za wilaya zinazoongozwa na vyama vya upinzani*; paper presented at the 12th conference on the state of politics in Tanzania, 11 August 2004, at the Diamond Jubilee hall. Dr Slaa is Member of Parliament for Karatu and secretary general of CHADEMA, an opposition party. A similar paper was presented by Isaack Cheyo, a Member of Parliament from the UDP, an opposition party.
- 35 He was in Wazo Hill prison, which holds about 120 short-term prisoners.

- 36 The author visits the prisons in Dar es Salaam three times a year to take relief. He is often allowed to talk to prisoners, and sees the good will of the senior officers, especially those in children's prisons and those on remand.
- 37 From a lecturer in the Faculty of Law.
- 38 'Katika hali hii wengi tulizungumzia, mara nyingi kwa mafumbo na usiri, juu ya mashushu, nzi, sungu sungu, kachero, mbwa, njagu, wahesabu vizibo nk.' These are the many names given them and mentioned by Prof. Mwesiga Baregu in a paper delivered at the 12th Conference on the state of politics in Tanzania, held at REDET, 10-11 August 2004, in Dar es Salaam.
- 39 Ibid.
- 40 US Department of State, Tanzania, Country Reports on Human Rights Practices, 2002, released by the Bureau of Democracy, Human Rights, and Labor; March 31, 2003; web page www.state.gov/g/drl/rls/hrrpt/2002/18230.htm
- 41 Cf Dr Wilbrod Slaa.
- 42 The United Republic of Tanzania, *National Anticorruption Strategy and Action Plans, 2001-2005; 1st Quarterly Monitoring Report January – March 2002*.

CHAPTER 6 THE ZANZIBAR CONFLICT: A SEARCH FOR DURABLE SOLUTIONS

Gaudens P. Mpangala

Introduction

It is generally accepted that any reference to the Zanzibar conflict concerns the conflicts that followed the multi-party elections of 1995 and 2000. Both of these arose from the conflictual relationship between two strong political parties, the ruling party, Chama cha Mapinduzi (CCM) and one of the opposition parties, the Civic United Front (CUF). Whereas the post-1995 conflict was latent, that of post-2000 erupted into the violence of January 2001.

Efforts have been made to resolve both conflicts. These culminated in the peace negotiations and agreements commonly referred to as Muafaka I, which followed the 1995 conflict and Muafaka II, which followed the 2000 conflict. While Muafaka I proved a failure in terms of implementation, Muafaka II shows some signs of succeeding. However, even if the second Muafaka has been well implemented, on its own it is unlikely to provide a durable solution to the Zanzibar conflict. Other measures have to be taken at both the macro- and micro-levels. At the macro-level, normal democratic multi-party politics, specifically democratic developmental multi-party politics, must be established. At the micro-level it is essential to go beyond Muafaka I and Muafaka II if other measures are to be implemented.

The emergence and escalation of the Zanzibar conflict

As noted in the introduction, the Zanzibar conflict has been closely linked with multi-party politics, in particular with multi-party elections. This section will examine the post-1995 and post-2000 election periods, and will trace their emergence from the multi-party elections that took place during the nationalist struggles for independence during the 1950s and early 1960s.

The emergence of conflict during the multi-party elections from 1957 to 1963

The Zanzibar nationalist movements began in the 1950s,¹ when anti-colonial consciousness was at its height. During that period, four nationalist political

parties were formed: the Zanzibar Nationalist Party (ZNP, formed 1955), the Afro-Shirazi Party (ASP, 1957), the Zanzibar and Pemba People's Party (ZPPP, 1959) and the Umma Party (UP, 1963).

During this period, four elections were held in 1957, January 1961, June 1961 and July 1963. It was during the last two elections that conflict erupted into violence, which had not been the case in the first two elections. The ASP won the 1957 election decisively, taking five out of six seats, with the majority of votes. During the second elections, in January 1961, the ASP once again won more seats than the other parties, but the coalition between the ZNP and the ZPPP gave them an equal number of seats, 11 each.

This situation called for a third election to be held in June 1961. Although the ASP and the ZNP each gained 10 seats, the coalition between the ZNP and the ZPPP gave them 13 seats. In terms of votes, the ASP had gained the highest number, and complained that its victory had been snatched by coalition manipulation, supported by the British Colonial Government. Riots erupted, with 8 dead, 400 injured and 1000 arrested in Unguja.²

Violence escalated even further during the elections of July, 1963. With the coalition still in place, the ZNP and the ZPPP won 18 seats to the ASPs 13 seats, and so formed the government. Once more, the ASP, with the majority of votes, complained, which resulted in fierce riots. Sixty eight people died and hundreds more were injured.³

It must be noted that the emergence of conflict during this period was due not only to fierce multi-party competition, but also to the colonial legacy of ethnic and racial politics.⁴ While the ASP was identified with Africans of Mainland origin, the ZNP was identified with the Arabs and the ZPPP with the Shirazi people. This identification also had a class dimension. The Arabs could be associated with the rich landowning aristocracy, the Shirazi with the clove-producing peasantry and the Africans of Mainland origin with the working class.

The multi-party elections of 1995 and 2000 and the Zanzibar conflict

The multi-party elections of 1995 and 2000 were another source of conflict in Zanzibar, mainly because neither election was considered free and fair, characterized as they were by political corruption and vote rigging. This corruption was rife in the 2000 elections than in those of 1995.⁵ Worse

still, political corruption and vote-rigging were most evident in areas where competition between the CCM and the CUF was particularly high.

Various observer groups expressed their views on the vote-rigging and other irregularities in the 1995 election. The OAU Election Observer Group, the Non-Represented People's Organization and the then United Nations Coordinator for the UN group, Victor Angelo, were not satisfied with the presidential election results. The International Foundation for Election Systems (IFES), a US-based organization, felt that the elections had not represented the will of the people. The Zanzibar Elections Monitoring Group (ZEMOG) failed to affirm that the elections had been free and fair.⁶

The main problems concerning these elections emerged when the election results were announced. The results for the House of Representatives were announced on time, but those for the President of Zanzibar were delayed for two days after some media had already informed the public that the CUF candidate, Seif Sharrif Hamad, had won. But when the two days came to a close, the Zanzibar Electoral Commission (ZEC) announced that it was the CCM candidate, Salmin Amour, who had won the elections by a narrow margin of 0.4%.⁷

These developments gave rise to the opinion of both external and internal observers that the 1995 elections had not been free and fair. The CUF complained bitterly that the ZEC had snatched their victory and given it to CCM by manipulating the vote counting and delaying the announcement of the Presidential election results by two days. The CUF refused either to accept the results or recognize the President and the government. They also boycotted meetings at the House of Representatives. This resulted in serious latent political conflict between the CCM and the CUF.

Observer views on the 2000 elections were even more serious. Both internal and external observers were extremely negative, indicating as a whole that the elections had been characterized by high levels of vote-rigging and other irregularities. The OAU Observer Group could not endorse the elections as having been free and fair, saying that the ZEC had not followed the cardinal principles of transparency and credibility during the elections.⁸ The International Forum for Electoral Supervision (IFES) saw the elections as having been mismanaged, particularly as far as the voting and counting processes were concerned. The group consequently called for new elections.

The Commonwealth Observer Group strongly criticized the way in which the elections had been conducted, regarding them as a 'shambles'. It therefore

called for the cancellation of the elections and recommended that new ones be conducted under a reformed ZEC and electoral laws.⁹ The main local observer, the Tanzania Electoral Monitoring Committee (TEMCO), issued a strongly-worded statement calling the elections abortive. It emphasised that the state instruments responsible for managing the elections in Zanzibar had let down the people and multi-party democracy. TEMCO, therefore, like the Commonwealth Group, called for the cancellation of the elections and recommended that fresh elections be held (TEMCO, 2000).

Although there were some irregularities during the registration, nomination and campaign phases of the election processes, these were not serious, and in most cases they were resolved. The most serious problems arose during the vote counting and the announcement of results. On 29 October, 2000, the voting process went smoothly from early morning to evening. Counting at the polling stations also began smoothly, but midway during the process orders came from the ZEC headquarters in Zanzibar that counting should be stopped and the boxes should be collected and sent to the offices of the District Commissioners, where the counting was carried out anew a week later.

Further, in 16 constituencies in Unguja, the elections were cancelled and postponed for a week on the pretext that certain ballot papers were insufficient. The one-week elections in 16 constituencies and counting in the constituencies of Unguja and Pemba resulted in a victory for the CCM in the Presidential, Parliamentary and House of Representatives elections.¹⁰

Opposition parties, particularly the CUF, expressed bitterness about all the measures and results. For them it signified the ZEC's manipulations to ensure an outright win for the CCM at any cost, even though the counting on 29 October indicated a CUF victory at all levels. The intention to rob the CUF of its victory was also indicated by excessive use of state military organs during the measures taken to postpone counting and the election in the 16 constituencies. The state organs included the ordinary Police, the Field Force Unit Police, the Defence Army and the Security.¹¹

The CUF refused to recognise the election results, the President and the government, and it also decided to boycott meetings of the House of Representatives and Parliament. Another serious political crisis had developed, culminating in the bloodshed of 26 and 27 January, 2001, mainly in Pemba. This was the consequence of clashes between the police and CUF demonstrators. According to the Presidential Commission investigating the incident, 31 were killed, while the CUF claimed the death toll to be more than 70. Over 2000 people fled as refugees to Shimoni, near Mombasa in Kenya.

Two important facts concerning the multi-party elections must be noted. First, the elections were a source of conflict because they were not free and fair and therefore not democratic. Second, in multi-party free and fair elections, each political party should be prepared to win or to lose. It is very difficult to avoid conflict if the elections are not free and fair. Although election problems have their roots in the multi-party elections during the nationalist struggles for independence, given the changing circumstances, parties should not cling on to past grievances. The positive aspects of the past should be used to enrich the present, leaving the negative behind, so that Zanzibar can now be certain of undergoing free, fair and democratic elections. However, this calls for durable solutions.

The search for durable solutions: macro-level solutions: multi-party politics and the building of a democratic developmental society

The search for durable solutions to the Zanzibar conflict should be carried out at two levels, the macro- and the micro-levels. At the macro-level, the most important step is to take measures to establish a democratic developmental society in Zanzibar as well as in Tanzania as a whole. At the micro-level, Muafaka I and II must be implemented, along with all the other recommended measures.

In terms of the macro-level solution, the process of building multi-party democracy began in 1992, with the establishment of the multi-party political system.¹² It must be noted that the multi-party democratic system adopted in Tanzania and most other third-world countries is based on the liberal model developed in the Western capitalist system.

This model was first used during the 17th century in Western Europe, with the emergence and growth of capitalism, and was later adopted in North America.¹³ Liberal democracy emphasizes republican multi-party politics, with individual freedoms and rights. Liberal politics can be seen together with liberal economics, which are concerned with economic competition in the private sector and the market economy.

Although the Tanzanian multi-party political system is to a great extent based on the liberal model, it is necessary to fight for a new model that goes beyond that. If Tanzanians wish to achieve this, they must study other models of democracy that have been experimented with at different times in history. Among the models attempted in Africa are socialist democracy and African democracy. Although these models are viewed as having failed, they

contain important elements that could be incorporated into the multi-party system Tanzania has adopted.

Such elements include raising the standard of living for the majority, adhering to principles of social and economic equality, cooperation, social justice and respect for the dignity of the individual. Since the beginning of the democratization process, there has been a great deal of discussion and debate as to which model of democracy would be the most appropriate for Africa, given the reality of African conditions. So far, suggestions have been democracy of the popular masses,¹⁴ social democracy¹⁵ and democracy based on the traditional African way of life.¹⁶

All these suggestions point to the crucial necessity of adopting a new type of democracy that goes beyond the parameters of liberal democracy. Perhaps the most important suggestion so far has been to develop democratic developmental societies.¹⁷ It means that socio-economic development should be at the centre of the process of building democracy. It must be emphasized that building democracy in Africa without swift socio-economic development cannot succeed. Further, such development should be based on the principles of equity and the eradication of poverty. If Zanzibar is to solve the problem of conflict, it must build such a democratic society.

Micro-level solutions

Muafaka constitutes the principle of reconciliation. The word Muafaka means reconciliation in the form of peace agreements arising out of peace negotiations. Muafaka I was a peace agreement following peace negotiations between the CCM and the CUF and took place from February 1998 to June 1999. Muafaka II followed the peace negotiations between the same parties held from March to October 2001. Normally, steps taken in conflict resolution processes include peace negotiations, the signing of peace agreements and the implementation of such agreements.¹⁸

Negotiations leading to Muafaka I were, therefore, a product of the conflict between CCM and CUF brought about by the 1995 multi-party elections. The initiative to get the two parties to sit around the table and negotiate for peace began with some respected Tanzanian elders in 1996. In February 1998, the Commonwealth Secretary General, Chief Emeka Anyaoku, through his representative Dr Moses Anafu, began the task of mediating in the negotiations between the CCM and the CUF. With the support of the Tanzanian Union Government, a peace agreement was reached between

the two political parties and signed on 9 June, 1999, in the House of Representatives in Zanzibar.¹⁹

The agreement contained 15 items that included aspects of the ZEC, the constitution, the judiciary, the electoral laws, the state media organs, a permanent voters' register, the freedom of political parties, civic education, attendance in the House of Representatives, promotion of good governance and democratization.²⁰ However, with the exception of the CUF recognizing the Zanzibar President and government and CUF members of the House of Representatives, the other clauses of Muafaka I were not implemented until the elections of October, 2000.

Explanations for the failure to implement Muafaka are various. Many essential conditions are absent. For instance, there was a lack of political will, and there were no provisions for monitoring the agreement or mechanisms for implementing the accord. The weaknesses of the Inter-Party Committee, which played an advisory role, and suspicion among the conflicting political parties, were not addressed.²¹ The problems arising during the 2000 elections were to a large extent caused by the failure to implement Muafaka I.

The eventual signing of Muafaka II was due to the initiative and pressure from the people in general, the civil society organizations, intellectuals, respected elders and the donor community. All these urged the CCM and CUF parties to begin negotiating. The Union Government also took a proactive stand in finding a solution to the Zanzibar crisis. A negotiating team was established under the co-leadership of the Secretaries-General of the two political parties, which meant that the negotiations were internally based, without an external mediator, as had been the case with the negotiations that led to Muafaka I.

All items in the agreement that had not been implemented in Muafaka I were taken up in Muafaka II. A few new items were also included, like the return of the Shimoni refugees, carrying out the Pemba by-elections, establishing a cordial relationship between the two parties and establishing the office of the Director of Public Prosecutions (DPP).

Unlike Muafaka I, Muafaka II has to a great extent been implemented. Soon after the signing, a joint Commission was established to supervise the implementation of the accord. It was then translated into an Act of the House of Representatives. In 2002 it was entrenched in the Zanzibar Constitution through the 8th and 9th Constitutional Amendments. By the end of 2003, nearly 80% of the requirements of the Muafaka had been implemented.²²

This included the normalization of the political situation, trust and reconciliation, good governance and establishing the right conditions for free and fair elections. A matter of even greater significance was the implementation of items relating to the improvement of electoral conditions. Among these were the amendment of electoral laws, the reformation of the ZEC into a more independent organ and the Pemba by-election of May 2003. Despite all that, Seif Sharrif Hamad, the Secretary General of the CUF, regarded the implementation process as very slow.²³

It is estimated that more than 90% of the Muafaka II has been implemented. This includes completion of the permanent voters' register, which took from 2004 to the beginning of 2005. The exercise caused a great deal of friction, even resulting in two deaths in Pemba. The ZEC Secretariat has also been established.

Going beyond Muafaka I and II

Various stakeholders have observed that, even if Muafaka II has been fully implemented, it is still not enough to ensure durable solutions to the Zanzibar conflict and building sustainable peace. This is because the Muafaka has been concerned mainly with election issues. Zanzibar society must be looked at in its totality. Solutions must be examined in terms of the Union, governance, the rule of law, education, including civic education, and socio-economic development.

Even within the context of issues on elections there are a number of things that the Muafaka did not deal with. Since the main cause of the Zanzibar conflict has been elections, views on how to improve the election processes will be given greater emphasis by discussing issues beyond Muafaka II. Efforts will be made to harness views from the people of different social groups, such as views expressed in reports from local and international election-monitoring groups, in research, consultancy studies and published materials, as well as views from regional organizations like the SADC.

Improving the election system to ensure free and fair elections

A number of people in Zanzibar are of the opinion that full implementation of Muafaka II is vital to the realization of free and fair elections during the 2005 elections and in the future. They have also emphasised the necessity of

acknowledging lessons from all past elections, including those held during the one-party-system period. In the process of harnessing such lessons and experience, it will be necessary to understand the conflicts occurring during all the elections to date.

TEMCO (2004), as a local monitoring organization, has made the recommendations that electoral laws and regulations should further be improved and that the residence qualification should be totally abolished. Although, through Muafaka II, a new Zanzibar Electoral Commission has been established, further steps must be taken to make this body more independent and autonomous. All efforts should be made and strategies followed to make sure that the elections are free and fair.

Research and consultancy reports and publications by institutions such as the Eastern and Southern African Universities Research Programme (ESAURP) and the Kituo cha Katiba (Constitutional Centre) have come up with suggestions as to how elections could be improved in Zanzibar. One suggestion is that ethnic and racial considerations be avoided. Secondly, given the close ties between the CCM and the CUF, Zanzibar should adopt the system of government of national unity. This would reduce tension caused by election competition. Thirdly, the CCM and the CUF should practise greater tolerance towards each other during elections.

SADC (2003) has worked out comprehensive principles and guidelines for its member countries. Tanzania, as a member of SADC, is likely to benefit by adopting principles and guidelines suitable to its conditions. This could be particularly conducive to the amelioration of election conditions in Zanzibar. The development of principles and guidelines was a result of the Southern African Electoral Forum Conference in Windhoek, Namibia, held from 11-14 June, 2000, and adopted at the regional conference in Johannesburg, South Africa, in November, 2003. This was under the auspices of the Electoral Commission's Forum of SADC countries, incorporating participants from 14 SADC countries and the Electoral Institute of Southern Africa.

Issues of democratic rule and governance

First, it has been emphasized that Zanzibar should establish a truly democratic society characterized by respect for human rights, the rule of law, and good governance. In order to establish such a system, the public has to forget old ethnic and racial divisions and antagonistic relations. Furthermore, the people of Zanzibar should conduct a comprehensive

dialogue on constitution and government, and the Tanganyika (Tanzania Mainland) Government, all with sovereign powers.

The second challenge pertains to economic relations. Complaints from Zanzibar have been increasing, and include things like over-centralization of the Bank of Tanzania, taxation, and customs union arrangements, while the small share of donor funding and information on the existence of oil reserves around Pemba have also raised complaints pointing out that issues of gas and oil are a union matter. This means that exploration for oil will be carried out under the Union government rather than the Zanzibar government. Tanzania Mainland complaints are contingent on its being a small country with a concomitantly small population, so Zanzibar is favoured in terms of economic benefits. The 4.5% share of donor funding is thought to be too high.

Third, there are concerns over the issue of sovereignty. Despite political divisions and conflict on the issues of sovereignty, Zanzibaris are united. There are concerns that the current set-up of the Union is marginalizing the sovereignty and identity of the people of Zanzibar. A separate Zanzibar flag and national anthem are a reflection of this. Zanzibar also demands autonomy of membership in the international organizations defensive. As the country aspires to the rule of law and democracy, there should be no cause for concern.

A fourth problem relates to articles of the Union. When the Union was established in 1964, it contained 11 articles of the Union. By now the number has increased to 22. Last but not least, electoral commissions should maintain responsibility for the management of vote-counting and announcements on overall election results by making known the procedures for counting and announcements. This would obviate potential sources of suspicion and fraud. Zanzibar's experiences during the 1995 and 2000 multi-party elections make this principle specifically relevant.

The handling of the Union issues

On 26 April 2004, Tanzanians celebrated 40 years of Union. In these four decades, the Union has experienced both successes and challenges. In terms of success, there are a number of observations.

- The fact that the Union has existed for 40 years itself represents a success, seeing that the first East African Community collapsed after only one decade.

- The historical cultural ties between the people of Zanzibar and the Tanzania Mainland have been strengthened.
- Economic ties between the two sections of the Union have been greatly strengthened. Both have benefited from the economic links.
- Both parties to the Union have benefited from the joint system of defence and security and from international relations.

The challenges are numerous, starting with complaints about the structure of the Union. The Tanzania Mainland complaints include demands that they are contributing more to the Union than the Islands, while the complaints from Zanzibar are based on fears of being marginalised in the two-government system. For this reason, some of the opposition parties are in favour of changing the current system to one that appropriates proportional but equal responsibility to both the Mainland government and the Zanzibar Revolutionary Government.

A number of principles are at stake:

- One of the principles is that electoral systems should be adopted in each SADC state in accordance with its own political system.
- The electoral commissions should not only be independent and autonomous, but should also be representative of the composition of the society, including at least 30% for women.
- The commissions should be accountable to national assemblies with budgets decided by vote in the national assemblies.
- Voter registration processes should promote broad participation without inhibiting the participation of eligible voters. This principle is specifically relevant for Zanzibar, particularly in relation to issues of qualifications for residence and nationality.

Further guidelines are given. Nomination processes should be transparent and gender sensitive and there should be sufficient time for the public to inspect candidate nomination lists. Nomination processes should be transparent and gender sensitive and there should be sufficient time for the public to inspect candidate nomination lists. Candidates themselves should be given enough time to comply with the requirements of the nomination process. During campaigns, political parties should abide by the electoral

code of conduct. There should also be equal access to the public and private media and other public resources to avoid giving the ruling parties unfair advantage. All stakeholders should promote and commit themselves to a culture of peace and tolerance at all times to ensure that the electoral process is carried out in a climate free from political violence and intimidation. If this can be achieved, the electoral process will be free, fair, credible and legitimate. Regarding matters of security, the roles of the army, the police and intelligence forces should be neutral and they should pay attention to impartial governance issues. The constitution must ensure independence of the judiciary, promotion of human rights and good governance.

Ensuring fast and sustainable socio-economic development

The promotion of a democratic developmental society in Zanzibar calls for policies and strategies that ensure fast socio-economic development. The history of Zanzibar has been over-dependence on cloves as a cash crop, and efforts so far have been focused on diversifying economic activities by, for instance, expanding the tourist sector. Such diversification needs to be expanded within the agricultural and other sectors, notably the industrial. It must be pointed out, however, that fast economic development should be based on the principle of equity and social justice.

Economic development requires human development, which calls for the development of social services like education, health, water supply, food, security and good housing. The educational curriculum should emphasize civic education to ensure a democratic culture and consciousness. Civic education should also bring about the ideological transformation from divisive and segregative ideology into a uniting national ideology.

The role of security organs during elections

Since this workshop was about civil security relations, it is important to look at the role of security and military organs during elections. That role is also essential to ensuring durable solutions to the Zanzibar conflict. Records of election-monitoring groups on the roles of security and military organs during the 1995 and 2000 elections indicate that these organs were not impartial. Favouring the ruling party was rife during the elections of 2000. It can be said, though, that thanks to Muafaka II during the Pemba by-elections in 2003, the security forces, particularly the police, were impartial and friendly to parties and voters alike.

Conclusion

It is our belief that durable solutions are quite possible if the macro-level and micro-level measures are dealt with seriously. The various problems experienced in Zanzibar during the permanent voter registration should not make us lose hope but should inspire us to look for better solutions. The coming October general elections provide serious challenges. All efforts should be made to make sure that the elections are free and fair. The experience of the elections of 1995 and 2000 indicates that free and fair elections require fair articulation between the military and civil society.

Notes

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- 6 Mpangala, G.P. & Lwehabura,
- 7 ZEMOG, 1995, p.176.
- 8 TEMCO, op cit.
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- 23 Hamad, S.S., *From violence to reconciliation? The implementation of the Muafaka Accord on Zanzibar*, seminar organized by the Norwegian Centre for Human Rights, Oslo, Norway, 2004.

CHAPTER 7 CONCLUSION

The challenge in undertaking a workshop on examining relations between security organs, parliament and civil society in Tanzania was based on two considerations. The first was evaluating the management model for the transition from one-party-state to multi-party democracy. The second was that the debate sought to build and foster a culture of dialogue among the main actors involved in and affected by the process of enhancing civil-security relations. It was hoped that identifying the challenges to the transition would become broad-based, and could therefore provide the foundation and platform for resolution.

A one-party-state political arrangement had been in place in Tanganyika from as early as 1963 and became *de facto* in 1964, after the union with Zanzibar following the mutiny of January 1964. The defeat of the mutiny affected the emerging independent labour federation. The federation's fate was sealed when it held its executive council meeting during the chaos. It issued a statement expressing support for improved pay and conditions for the rebel soldiers. Afterwards, the ruling party, the CCM, created a ministerial post responsible for trade-union activities, membership and subscriptions, as well as a channel for labour grievances. Meanwhile, on the shop floor, the ruling party established cells and branches, creating a mechanism for extensive and effective state-party control. This arrangement was to exist until the recommendations of the Nyalali Commission urged a separation and a halt to the virtually compulsory worker wage deductions made by the state party to support its activities.

In the area of security sector reform, the post-1964 military mutiny had also witnessed the establishment of completely new structures for the security organs. After the formal disbanding of the inherited colonial military units, the police, accused of lacking political sophistication because they had merely watched the mutiny chaos spreading without intervention, were also re-created. The new organisation was placed under the new military.

Throughout the country, villagers were receiving military training. A militia also emerged to compete directly with the traditional monopoly of force,

hitherto confined exclusively to the 'colonial' structures of the two surviving Tanganyika Rifles battalions. Of significance, though, was the presence of the ruling political party, with a command structure running parallel to the line of officer command within the units.

Added to this were the special military regions represented in parliament. In the new era of multi-party democracy, the government-appointed Nyalali Commission recommended de-coupling the party from national institutions, particularly the security organs. While the government had accepted these recommendations in February 1992, implementation began only after the first multi-party elections of October 1995. Evaluation of what had been done was critical to the objectives of the Conference. The debate also took into account the events surrounding the election of 2000.

Evidence of the evaluation of the reform of the security sector after the introduction of multi-party politics rests on the perception of civil society and other political parties of a process that has remained firmly in the hands of the ruling party. In the opinion of these parties registered to contest the October 1995 elections, the following held true:

The government created rules under which the new party would be registered 'in the national interest'. They also passed legislation barring foreign funding of political parties, a development that crippled the euphoric multi-party camp. This was later followed up in 2000 with the abolition of state subsidies to political parties. This was later followed up in 2000 with the abolition of state subsidies to political parties.

- Government was able to control and influence all institutions like security organs, radio and broadcasting agencies. They also delayed repealing the majority of the '40 pieces of repressive legislation'. This continued to blur the boundaries between party and government.
- Because of the model chosen for the transition, in which the incumbent was in control, the period of transition was extended, making it difficult for the loose alliance established by the political opposition to remain coherent.
- Government had not done enough to level the playing field. In the opposition's view, the elections-commission chair was biased, so they refused to contest the 1995 presidential elections as a strategy to deny the incumbent's legitimacy.

Much more significantly for this project, as it appears from the comments by Bishop (Dr) Kilaini, following his extensive research, civil society does not perceive any significant development in the reform of the security sector organs, or of their becoming distanced from the control and influence of the ruling party.

All is not bleak evidence, though, for after 2000 two of the earlier key movers for political reform, which included Security Sector Reform, both the IMF and the World Bank expressed their satisfaction with the government's role and commitment to implementing macro-economic reform. This trend has continued, with the country recently receiving relief from a significant portion of its external debt as a reward for its internal and far-reaching political reform. This means that progress, however slow, is certainly being made on the transition managed by the incumbent. The process that began well before the 1990s has since been accelerated by the recommendations of the Nyalali Commission.

Against this backdrop, two extremely important messages emerged from the comprehensive deliberations of the workshop. The first is that Tanzania has embarked upon a complex and difficult process of transition, and has adopted the healthy approach of engaging with stakeholders on problem identification and the way forward. In this respect, the workshop formed part of the national dialogue that should culminate in some of its deliberations being fed into policy on areas identified as deficient when measured against multi-party-democratic tenets. This process also provides opportunities for further and continuous engagement.

Second, the specific area of Security Sector reform is not necessarily transparent. Its reform would be greatly enhanced by more consultative and participative processes. In all post-conflict situations, with transitions of security organs from a one-party-state to multi-partyism, the entry of broader society has been an important confidence-building measure. It has enhanced the quality of decision-making and has proved essential to building national consensus. Tanzania faces the challenge of embarking upon a nationwide and publicly-consulted review of its security sector. The depth of debate on civil-security relations experienced at the workshop could contribute significantly to the security debate in Tanzania.

Tanzania, like all African countries, needs appropriate, adequate, accountable and affordable security services. This approach to security-sector reform provides policy makers with the guidelines for establishing sustainable, effective security services. This is opposite to the prescriptive downsizing

and restriction of defence and security structures that have been seen in so many post-conflict situations on the African continent. The international norm of linking the level of resources allocated for security expenditure with a percentage of Gross Domestic Product, as opposed to a broad, strategically sensitive approach requires further consideration. If an efficient and sustainable relationship is to be attained, a healthy partnership between legislators, the executive, the armed forces and civil society must be based on knowledge and understanding of the issues at stake, respect amongst the stakeholders, transparency in executing functions and responsibilities and constant awareness of the Common National Vision.