

Tanzania's Missing Opposition
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Introduction

Just before the announcement of the results of Tanzania's first multiparty elections in more than 30 years, soon-to-be president-elect Benjamin Mkapa of Chama Cha Mapinduzi¹ (CCM), proudly boasted that the party "didn't need to cheat because it was quite certain that CCM was going to win."² Such swagger is characteristic of CCM's election campaigns. Since Tanzania's democratic transition, the CCM has not faced any serious opposition to its rule. What explains the chronic weakness of opposition parties in Tanzania?

The easy explanation is that the absence of a vigorous political opposition results from a combination of little demand and uninspiring leadership, a line of reasoning that also defines the CCM as a relatively benign hegemon acceptable to the vast majority of Tanzanians. Although this argument is based on a significant amount of truth, it overlooks the CCM's deliberate attempts to suppress those who contest its near-monopoly of power, including its willingness to resort to coercion when other methods fail.³ Such realities raise serious questions about the ruling party's benevolent reputation.

This paper explores in depth the reasons why opposition parties remain weak in Tanzania a decade and a half after the country's transition to democracy. While many of the problems

¹ Swahili for the Revolutionary Party.

² *Agence France Presse*. 1995. Future Tanzanian president rejects election fraud claims. November 20.

³ In this paper, we focus primarily on coercive practices in mainland Tanzania. While many studies recognize CCM's unquestionably repressive tactics in Zanzibar, because the region is semi-autonomous, CCM in Zanzibar constitutes a separate faction of the party. Thus, we cannot directly attribute CCM's actions in Zanzibar to those of the overall party.

CCM's opponents confront are self-inflicted, that explanation alone does not suffice. We argue instead that the marginal status of rival parties in Tanzanian politics results in large measure from CCM's intentional policies for silencing them. CCM employs three strategies to impede those who challenge its dominance: (1) regulation of political competition, the media, and civil society; (2) blurring the differences between CCM and the state; and (3) targeted use of blatantly coercive, illegal actions. Before we consider these measures in greater detail, however, we must first assess Tanzania's transition to democracy in a comparative perspective.

Tanzania's Democratic Transition

Tanzania was a *de facto* one-party state from independence (1961) and in 1967 became a *de jure* one-party socialist state with no separation between CCM and the government.⁴ Although the political aspects of this arrangement were effective, its economic components were not, and in the mid-1970s the economy began to atrophy. By the mid-1980s, it had become clear to the leaders of CCM that socialism was not viable, and they began to move toward a more market-oriented system.

Although CCM undertook Tanzania's economic transition from a position of weakness, it initiated political changes from a posture of strength. The CCM began to move Tanzania toward democracy in the early 1990s, largely because of the influence of Julius Nyerere, the leader of the country's liberation movement and its president until 1985. At the time Nyerere commenced discussions on a political transition, neither an organized opposition to CCM nor a demand for a

⁴ Although Tanzania's first election in 1962 was formally multi-party, CCM's predecessor, the Tanganyika African National Union (TANU), captured 70 out of 71 seats in parliament, and its presidential candidate Julius Nyerere garnered 99% of the vote.

multi-party democracy existed. To the contrary, in a 1992 public opinion survey, 77 percent of the respondents claimed that they preferred the country remain a one-party state with CCM in control.⁵

Nyerere advocated a democratic transition in Tanzania because of factors other than a growing opposition. In the first place, external donors, who provided more than 30 percent of the country's GDP in aid from 1985 to 1993,⁶ were pressuring the government to open its political system.⁷ In addition, Nyerere and his supporters believed that the growing number of democratic transitions in sub-Saharan Africa would inevitably catalyze such pressures within Tanzania.⁸ CCM leaders who supported moving to a multi-party system understood that if they initiated changes before calls for them grew strong, their party would be able to shape the new democratic rules in ways favorable to its continued control.

Tanzania's transition to democracy corresponds to what Gerardo Munck and Caroline Leff term "Transition from Above"⁹ and what Samuel Huntington calls "Transplacement."¹⁰ These terms refer to a ruling power that initiates a transition in the context of a weak opposition so that it can establish rules favorable to its retention of political control. The CCM's actions correlate closely with Munck and Leff's argument that the mode of transition and balance of power among agents of change strongly affect post-transition political institutions. The CCM took full advantage of

⁵ Chaligha, Amon, Robert Mattes, Michael Bratton, and Yul Derek Davids. 2002. *Uncritical Citizens or Patient Trustees? Tanzanians' Views of Political and Economic Reform*. Afrobarometer Working Paper 18.

⁶ Nyoni, Timothy. 1998. "Foreign Aid and Economic Performance in Tanzania." *World Development* 26(7): 1235-1240.

⁷ Hyden, Goran. 1999. "Top-Down Democratization in Tanzania." *Journal of Democracy* 10(4): 142-155.

⁸ Hyden, 1999.

⁹ Munck, Gerardo and Carol Leff. 1997. "Modes of Transition and Democratization. South America and Eastern Europe in Comparative Perspective." *Comparative Politics*, 29 (3): 343-362.

¹⁰ Huntington, Samuel. 1991. *The Third Wave: Democratization in the Late Twentieth Century*. Norman: University of Oklahoma Press.

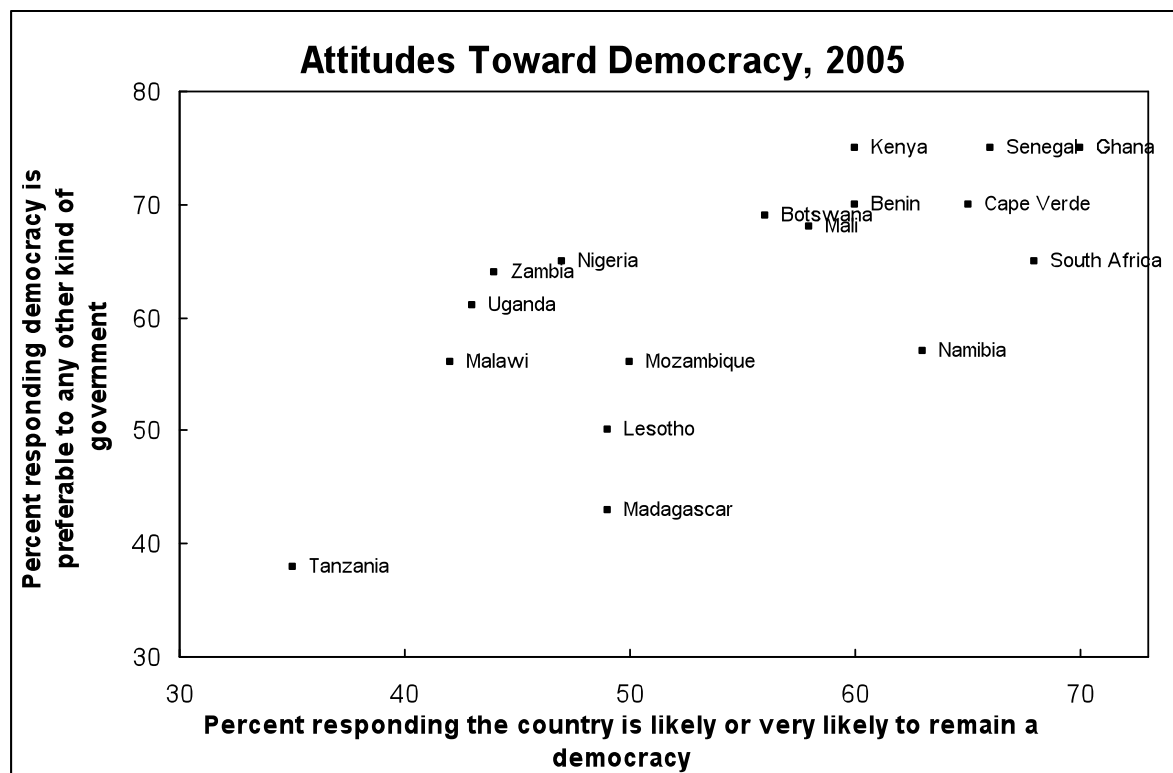
being the sole agent of change to put in place a set of policies that significantly impedes the capacity for the development of an effective political opposition. We precede our discussion of these measures with an examination of the most proximate factors for the lack of opposition parties in Tanzania.

Lack of Demand for Democracy

Although it is easy to demonstrate that demand for democracy is weak in Tanzania, a thorough analysis of survey data reveals more a complex situation. The scatter plot below shows support for democracy and beliefs about its future from the third round of Afrobarometer surveys, conducted in 2005-2006. The graph demonstrates that at this point in time Tanzanians were, by a sizable margin, more pessimistic about democracy than the people of any other country in the survey. In Tanzania, support for democracy stood at 38 percent, 5 percentage points lower than any other country and 25 percentage points beneath the average of the countries in the Afrobarometer study.¹¹ Even Madagascar, a country that suffered a coup in March of 2009, registered 43 percent. Equally troubling, only 35 percent of Tanzanians believed that their country was likely to remain a democracy, 7 percentage points below the next lowest country, Malawi, and 19 percentage points less than the overall average.¹² These results are not idiosyncratic but indicative of a broader pattern. Among all the countries Afrobarometer surveyed in 2005-2006, Tanzania had the lowest level of support for multi-party politics, the highest preference for one-party rule, and the least satisfaction with democracy.

¹¹ The specific question and response was “Which of these statements is closest to your own opinion? Democracy is preferable to any other kind of government.” 38% responded either likely or very likely.

¹² The specific question was “In your opinion, how likely is it that Tanzania will remain a democracy?” Only 35% responded either likely or very likely.



However, the data shown above present a skewed picture of support for democracy in Tanzania. The table below, which compares Tanzanians' views of democracy, elections, and political parties from the 2003, 2005, and 2008 Afrobarometer surveys, makes three points clearly. First, the people's knowledge about and support for democracy are erratic. In 2005, only 38 percent of respondents preferred democracy to any other form of government, while in 2003 and 2008, 65 percent and 71 percent, respectively, agreed with this statement. Second, support for CCM rose substantially between 2002 and 2005, but dropped by a similar magnitude from 2005 to 2008. Third, views about the importance of elections and distrust of opposition parties remained very high and stable across the three surveys.¹³

¹³ CCM also held elections during the one-party era.

| Support for Democracy and Support for CCM in Tanzania | | | |
|--|-------------|-------------|-------------|
| <u>Support for Democracy</u> | 2003 | 2005 | 2008 |
| Is democracy preferable to any form of government (% yes) | 65 | 38 | 71 |
| Is democracy preferable to any form of government (% don't know) | 12 | 59 | 10 |
| Are you satisfied with democracy in Tanzania (% very/fairly) | 70 | 37 | 71 |
| Are you satisfied with democracy in Tanzania (% don't know) | 10 | 58 | 9 |
| Should we choose our leaders through elections (% yes) | 76 | 89 | 81 |
| <u>Support for Political Parties</u> | | | |
| How much do you trust CCM (% a lot) | 45 | 74 | 51 |
| How much do you trust opposition parties (% none/a bit) | 62 | 62 | 56 |
| Do you feel close to a political party (% CCM) | 59 | 70 | 71 |

The nearly identical responses to the 2003 and 2008 surveys differ sharply in most respects from those recorded in 2005. The data also show that trust in CCM was highest in the same year - 2005 - when support for democracy was lowest. Why these trends exist is not immediately apparent. One apparently relevant factor is that the 2005 survey took place in an election year, when the CCM presidential candidate, Jakaya Kikwete, won a crushing victory by securing 80 percent of the popular vote. This was a 10-percentage-point increase over the share garnered by Benjamin Mkapa, the CCM candidate in the 2000 election. Opposition parties lost significant ground in the 2005 parliamentary election as well.

Although the data provide no conclusive evidence about why support for democracy was so low and trust in CCM was so high in the 2005 survey compared to those taken in 2003 and 2008, there are good reasons to believe that election campaigns in Tanzania make voters skeptical of casting their ballots for opposition parties. CCM's campaigns are highly sophisticated, and the party spends lavishly on them. In the 2005 election, Jakaya Kikwete attended approximately 900 rallies and spoke to an estimated 70,000 people per day. Most rallies were highly orchestrated

affairs, combining political speeches with entertainment and widespread distribution of party paraphernalia, such as t-shirts, hats, and posters.¹⁴ Moreover, in a recent by-election for the MP seat from Busanda in Mwanza Region, CCM dispatched 20 top leaders, including regional MPs and three ministers, to election rallies and raised approximately \$1.5 million, approximately \$12 per voter, for the campaign.¹⁵ Given that such organizational capacity and resources greatly exceed those of any other party, it is not surprising that skepticism towards democracy and confidence in CCM should rise in an election year. In addition, while CCM's campaigns highlight the party's achievements, those mounted by opposition parties often advertise their weaknesses.

A Fragmented and Uninspiring Opposition

Unfortunately, opposition parties in Tanzania need very little assistance in marginalizing themselves: they fight each other constantly, they consistently fail to work together, and their leaders do not behave in ways that inspire confidence. Hence, it is not surprising that voters largely distrust them.

The actions of the leading opposition figures and parties discourage all but their most loyal adherents. The Civic United Front (CUF) is the only opposition party that consistently wins a respectable level of votes in parliamentary elections, largely due to its strength in its home base,

¹⁴ Kelsall, Tim. 2006. "The Presidential and Parliamentary Elections in Tanzania, October and December 2005." *Electoral Studies* 26(2): 525-529.

¹⁵ Luhwago, Rogers. "Busanda: It's Judgment Day. *The Guardian (Tanzania)*, May 24.

Zanzibar.¹⁶ However, CUF supporters have attacked members of CCM and destroyed property, primarily in Zanzibar, thereby gaining a reputation for violence that has proved a significant impediment to its efforts to widen its narrow regional appeal. During campaigns, CUF supporters frequently fight with CCM supporters¹⁷ and are the most likely perpetrators in several instances of vandalism against CCM property, such as stoning CCM cars,¹⁸ attacking campaign meetings,¹⁹ vandalizing CCM branches,²⁰ and bombing government buildings.²¹ Also known for its ineptitude, CUF acquired this negative characterization from its inability to negotiate a power-sharing agreement with the CCM in Zanzibar following the 2000 election that many, including international observers, suspect that the ruling party rigged.

The actions of the most promising opposition figure outside the CUF, Augustine Mrema, make it difficult for voters to support him, as he has managed to wreck both of the opposition parties he joined. The frontrunner for the anti-CCM forces during the 1995 presidential election, Mrema had held three ministerial posts, including Deputy Prime Minister, under various CCM governments and had acquired a reputation for integrity and fighting corruption. He left CCM in 1995 to join the National Convention for Construction and Reform-Mageuzi (NCCR-Mageuzi) as its presidential candidate. CCM considered him a threat but despite their harassment during

¹⁶ CUF consistently receives approximately 40% of the popular vote in Zanzibar and controls about 40% of the seats in the Zanzibar House of Representatives. The party's base of support is the islands' non-African population.

¹⁷ For example, UN Integrated Regional Information Networks. 2005. Violence Increases As Polling Day Approaches. October 3; *Mwananchi*. 2005. Fourteen arrested as partisan violence rocks Tanzania. September 22, via BBC Worldwide Monitoring on September 23; UN Integrated Regional Information Networks. 2005. Political Party Clash Leaves 14 Injured. March 8.

¹⁸ Voice of Tanzania – Zanzibar. 2000. Zanzibar ruling party protests over opposition party violence. September 5, Via BBC Summary of World Broadcasts, September 7.

¹⁹ Radio Tanzania. Zanzibar: Police blame opposition for campaign violence. October 12, via BBC Worldwide Monitoring.

²⁰ Daily News. 2005. Tanzania's ruling CCM says opposition CUF masterminded violence in northeast. June 16.

²¹ Daily News. 2005. Tanzania's ruling CCM says opposition CUF masterminded violence in northeast. June 16.

the campaign, he received 28 percent of the vote. After the election, Mrema caused a major rift in the party by accusing many of its other leaders of being CCM infiltrators.²² In 1999 Mrema quit NCCR-Mageuzi, stole its property on his way out, and joined the Tanzania Labor Party (TLP),²³ where his embarrassing and reckless behavior escalated. Besides fragmenting TLP's leadership, he used members' dues to purchase a home,²⁴ and while campaigning for the 2005 election, he helped himself to \$98,000 from the party's coffers for ethically dubious expenditures, \$83,000 to buy alcohol for voters and \$15,000 to hire a monkey to attract people to his rallies.²⁵ Not surprisingly, Mrema's popularity imploded. In the 2005 election, he received less than 1 percent of the vote.

Finally, the opposition has consistently failed to work together. The planned unity ticket between NCCR and CUF in 1995 collapsed because they were unable to agree on a running mate for Mrema.²⁶ In 2000, Chadema²⁷ and CUF backed Ibrahim Lipumba of the CUF as candidate for the Union presidency, but other opposition parties did not.²⁸ A collation was never seriously considered in 2005, because the leaders of the CUF, the largest of the opposing groups, suspected that their counterparts in the organizations that were potentially their allies were CCM plants and refused to collaborate with them.²⁹

²² *The Guardian (Tanzania)*. 1999. Opposition party 'unanimously' suspends chairman. March 19; *Nipashe*. 1999. Opposition leader blames ruling party for rift within his party. Via BBC Monitoring Service. March 31.

²³ *The Guardian (Tanzania)*. 2002. NCCR-Mageuzi wants former chairman Mrema to surrender party property. September 16.

²⁴ *The Guardian (Tanzania)*. 2005. Opposition officials decry harassment from registrar of parties. January 19.

²⁵ Hamad, Khamis. 2005. Mrema reportedly bought 110m shillings of 'mbege' for his voters in last year's civic elections and hired monkey for 20m shillings. *Uhuru* (CCM paper), May 1.

²⁶ Ngila and Raphael, 2001.

²⁷ Chama cha Demokrasia na Maendeleo, or Party for Democracy and Development.

²⁸ *The Guardian*, August 3, 2000.

²⁹ *The Guardian*, January 20, 2003.

CCM's Legal Efforts to Suppress Opposition

Even if the CCM's opponents are weak and the demand for their point of view is low, these factors alone do not account for its continued dominance in the multi-party era. In fact, opposition parties have been more effective than many realize, especially considering the methods - both legal and illegal - that CCM employs to ensure that those who oppose it do not achieve meaningful representation. We turn now to a review of the legal mechanisms the CCM has developed to regulate political competition, civil society, and the media.

Regulating Political Competition

Aggregate data indicate that opposition parties have not performed well in elections, but this perception is not entirely accurate. Although they are far from vigorous, groups seeking to oppose CCM routinely confront policies that regulate political competition in ways that make them appear even weaker than they are. These regulations include biases in the electoral formula that give the CCM more than a proportional amount of seats in parliament, an electoral commission that lacks independence, campaign finance rules that overwhelmingly favor the CCM, and onerous party registration procedures.

The most critical institutional design that favors the CCM is the electoral system, which has thus far has guaranteed it an overwhelming majority in parliament even though the party's share of the vote has not always been equally as large. Tanzania uses a single-member, first-past-the-post (plurality) electoral system for presidential, parliamentary, and local elections, the same electoral

system CCM utilized prior to Tanzania's democratic transition. The plurality system means that parties that fail to receive a majority of votes can still win office.

Plurality voting has permitted CCM to win approximately 20 percent more seats in parliament than its share of the popular vote in every one of the three parliamentary elections since the country's democratic transition. In 1995, the CCM received 59 percent of the vote and 80 percent of the seats, in 2000, 65 percent and 87 percent, and in 2005, 70 percent and 90 percent.³⁰ Similar margins exist for local elections. These disproportionate results have allowed CCM to retain the two-thirds majority of the assembly that it needs to pass constitutional amendments, even though its popular vote share only reached this level once, in 2005.³¹

The CCM also uses ballot design to discourage voting for opposition parties. In the national elections in 1995 and 2005, ballots provided space for voters to write in their registration numbers or had serial numbers printed on them that connected the ballot to the voter's identity. Despite opposition protest, the National Electoral Commission (NEC) refused to change the ballot designs, and the NEC director defended the system by saying it was necessary to "assist when queries arise through petitions after the polls and results are announced."³² The NEC also allowed the CCM to use the national emblem as its ballot picture in 2005, a clear indication that a vote for the party was a vote for the country, while a vote for the opposition was not. That the NEC allows ballots compromising secrecy and portraying the opposition as anti-Tanzanian is not

³⁰ Electoral Institute of Southern Africa. Tanzania: Election Archive. <http://www.eisa.org.za/WEP/tanelectarchive.htm> Johannesburg. Accessed March 2009.

³¹ One can argue that since single member districts are the systems most likely to create two parties, the electoral system will not benefit CCM in the long-run as it will hasten the creation of a national opposition. While this is certainly a possibility, thus far it has magnified CCM's victories, not caused the opposition to coalesce.

³² *Radio Tanzania*, via BBC Summary of World Broadcasts. 1995. Opposition party threatens to pull out of election over defective ballot papers. October 16; *The Guardian (Tanzania)*. 2005. Tanzanian poll body defends ballot paper design. October 15.

surprising. While the commission is *de jure* independent, *de facto* it is not. The president has the sole authority to appoint and remove all commissioners, and the commission's funding is dependent on the CCM-dominated parliament.³³

Campaign finance is another major institutionalized hurdle to competing with the CCM for votes. Campaigning in Tanzania is expensive and difficult. Much of the country's population lives in rural areas. Villages typically lie miles apart on unpaved roads. As a result, simply to visit voters requires significant access to resources.

In the 1995 election, the government granted subsidies to all candidates for presidential or parliamentary office, approximately \$10,000 and \$1,000 respectively per candidate, because it did not fear any real threat, wished to appear supportive of democratic opposition, and wanted to divide its opponents' vote share by attracting more candidates.³⁴ However, when the opposition captured more of the popular vote than CCM expected, approximately 40 percent in the parliamentary and presidential races, the CCM-dominated legislature passed a new subsidy law that strongly favors the CCM. The new statute disburses half of the subsidy proportionate to a party's popular vote share in the previous election and the other half according to how many seats a party holds in parliament and local governments.³⁵ Since the distribution of seats in parliament and in local councils is skewed heavily towards CCM, the formula benefits the party disproportionately even after accounting for CCM's massive margins of victory. For example, in 2005 the CCM received more than seven times the amount of the next largest party, CUF, even

³³Makulilo, 2007.

³⁴Ngila and Raphael, 2001.

³⁵ If a candidate runs unopposed, he or she is deemed to have won 51% of the vote for purposes of subsidy allocation. Government of Tanzania. 1992. The Political Parties Act of Tanzania, 1992. Sections 16 & 17.

though it only received five times as many votes.³⁶ These subsidies often find their way directly into the hands of the electorate, because the law permits candidates for office to distribute gifts, including money, to voters.³⁷

Burdensome party registration procedures are another obstacle CCM employs to reduce opposition. Beyond fulfilling certain ideological conditions, such as secularity and acknowledgment of the Union, parties must include proof of at least 200 members from ten of the country's 26 regions, and two of those regions must be from Zanzibar. This law prohibits local and regional parties that might have a stronger support base than the CCM in a single area. In addition, the policy makes it very costly to begin a new party because registration requires proof of a nation-wide presence. The statute also prohibits existing parties from forming official coalitions without registering as a new party.³⁸

Regulations on Civil Society and the Media

Not only does the CCM place stumbling blocks directly in front of aspiring opposition parties and politicians. It also impedes civil society and the media from becoming focal points for political opposition.

³⁶ Mwananchi. 2006. State sets aside 7m dollars to subsidize political parties. Via BBC Worldwide Monitoring. January 31.

³⁷ Bana, Benson. 2007. *A Framework Paper for Studying Political Parties on Issues Related to Party Conduct and Management*. Working Paper, Research and Education for Democracy in Tanzania. Recently, the High Court judged the practice to be illegal, although it is not yet clear whether the practice will occur in the 2010 election.

³⁸ *The Guardian (Tanzania)*, via IPP Media. March 14, 2008.

The government prohibits civil society from playing an active role in politics through legislation that regulates non-governmental organizations (NGOs), the Non-Governmental Organizations Act of 2002. Most importantly, this statute only permits NGOs that serve “the public interest,” which it defines as “all forms of activities aimed at providing for and improving the standard of living or eradication of poverty of a given group of people or the public at large.”³⁹ Since the law defines the public interest in terms of economic development, the government can and has prohibited NGOs from undertaking activities that it defines as primarily political. The law thus ensures that groups unable to register as political parties because they lack the resources to organize nationwide will not be able to form as NGOs to address political concerns. In addition, it prevents NGOs whose interests might be aligned with opposition parties from campaigning on their behalf.

The NGO legislation permits the government to regulate all aspects of civil society, far beyond restrictions on political activities. Once an NGO has registered, the government monitors it through an annual required report. If at any time the organization oversteps its mission as outlined in its state-approved constitution, the government has the authority to suspend the group.⁴⁰ In addition, choosing not to register as an NGO is highly risky. Each member of an NGO that attempts to evade government regulation by not registering faces criminal charges of up to 500,000 Tanzanian Shillings (approximately \$400 at current exchange rates) and/or one year in prison, plus a ban on joining another NGO for five years.⁴¹

³⁹ Government of Tanzania. 2002. The Non-Governmental Organizations Act, 2002. Part I, Section 2.

⁴⁰ Global Integrity. 2006. Country Report, Tanzania. Sub-category: Civil Society Organizations.

⁴¹ Government of Tanzania. 2002. The Non-Governmental Organizations Act, 2002. Part IV, Section 35.

CCM has used its power to ban NGOs that it perceives to be a threat. In 2005 the education-oriented NGO HakiElimu (Education for All) broadcast a series of advertisements that criticized the government for not living up to its promises to improve primary education. The government subsequently prohibited the NGO from undertaking any studies or publishing any information on the education sector⁴² and enforced the ban for eighteen months.⁴³

CCM also has imposed a legal framework inimical to freedom of the press. In 1993, prior to the country's first multi-party elections since 1962, the party put in place a media broadcasting law that established state-owned radio and television, prohibited stations without a state-issued license from operating, and allowed the government to regulate content.⁴⁴ Since most Tanzanians get their news by radio, the law allowed CCM effectively to monopolize the dissemination of information to the vast majority of the electorate.

State control of the media gives CCM significantly more exposure in the news than opposition parties. In the 2005 elections, that party received almost 30 hours of radio coverage. This is as much as the next largest thirteen other parties combined and more than three times the coverage of the largest opposition party, the CUF.⁴⁵

Legislation also deters journalists from criticizing CCM and the government. To begin with, the president has “absolute discretion” to prohibit broadcasting or publishing information that is not

⁴² Media Institute of Southern Africa. 2005. NGO Banned From Publishing Studies About Education System. October 11.

⁴³ Beyadi, Austin. 2007. Govt Lifts HakiElimu ban. *The Guardian (Tanzania)*, February 8.

⁴⁴ Government of Tanzania. The Newspapers Act, 1976.

⁴⁵ Makulilo, 2007.

in “the public interest or in the interest of peace and good order.”⁴⁶ In addition, sedition and libel clauses are often vague and give the judiciary significant discretion over their interpretation. For example, defamation does not need to be “directly or completely expressed.” Rather, speech must stay within the bounds of what is “reasonably sufficient” to make a point, and judges possess the authority to determine what constitutes gratuitous criticism.⁴⁷

The government has used these laws to deter the media from broadcasting or publishing information it does not want to make public. In 2004 there were more than 80 libel suits pending in high courts.⁴⁸ More recently, the weekly *Mwanahalisi* was suspended for three months in 2008 for publishing a story alleging a rift in the CCM’s leadership.⁴⁹

The press’s fight against these regulations has succeeded in persuading CCM to relax enforcement of the laws but not to change them. This limited achievement is partially due to the rapid expansion of the media: between 1992 and 2006, the number of newspapers with more than local readership increased from 7 to 42, radio stations from 1 to 47, and television stations from none to 15.⁵⁰ These media outlets have joined together to form a lobby powerful enough to impose an almost four-month total media blackout on the Minister of Information, Culture and Sports after he suspended *Mwanahalisi* without what the media considered to be just cause.⁵¹

The media also played an active role in exposing corruption scandals that led to the resignation

⁴⁶ Government of Tanzania. The Newspapers Act, 1976. Section 27 (2).

⁴⁷ Government of Tanzania. The Newspapers Act, 1976. Sections 40 (2) and 43.

⁴⁸ United States Department of State. Human Rights Report 2004. We were unable to obtain more recent documentation on the number of outstanding lawsuits.

⁴⁹ *The Citizen*. 2008. Journalists March Against Suppressed Freedom. October 28.

⁵⁰ Government of Tanzania. Ministry of Information, Culture, and Sports. Information and Broadcasting Policy, 2003. October 2003; Jones, John Muthee and Nandera Mhando. 2006. Tanzania: Research Findings and Conclusions. London: BBC World Service Trust. African Media Development Initiative.

⁵¹ *The Guardian (Tanzania)*. 2009. Editors Forum Ends Mkuchika News Blackout. February 20.

of former Prime Minister Edward Lowassa and the firing of former Bank of Tanzania Governor Daudi Ballali.⁵²

These mechanisms comprise the legal methods that CCM employs to suppress opposition. However, such a framework is sometimes insufficient to ensure political dominance. In situations where this occurs, the CCM may elect to maintain its authority by exploiting the unclear lines between the party and the state.

Incomplete Separation between Party and State

During Tanzania's transition from one party rule, CCM did not separate the party from the state. Rather, its leadership deliberately created a set of political institutions that blurred the distinctions between the two entities. Two components comprise this strategy. First, CCM's very efficient party structure ensures compliance with the prerogatives of the party leadership. Second, its control over civil servants allows the CCM to use government institutions to inhibit the opposition.

In almost all cities and small towns in Tanzania, CCM offices are typically open, party officials are working hard, and their knowledge of the party's policies is strong. The reason for this is that CCM's leaders have aligned the incentives of the party's branch-level workers (advancement through the party) with those of the leadership (winning elections). CCM branch office workers are responsible for bringing Tanzanians to CCM rallies and ensuring they vote for

⁵² U4 Expert Answer: Overview of Corruption in Tanzania.
<http://www.u4.no/helpdesk/helpdesk/query.cfm?id=201>. Accessed June 2009.

the party. Those who perform these tasks well advance in the party hierarchy. Since motivating people to attend rallies and ensuring they cast their ballots for CCM are highly visible activities (although the latter is not directly observable, whether CCM wins the constituency is), senior CCM officials can monitor the effectiveness of branch-office workers with relative ease. As a result of this organizational structure, branch-level CCM officials in pursuit of their own career interests create outcomes that are beneficial for senior CCM officials. In addition, since any elected official who votes against the party can be kicked out of it, the party structure ensures that CCM's leaders adopt the policies they desire.

As a result of this impressive structure, the CCM has a strong capacity to implement far-reaching social changes without losing political control. Socialism (Ujamaa) may have led to disastrous economic consequences, but creating a one-party state, nationalizing the economy, and implementing collective farming required a highly organized political structure. This institutional arrangement has proven extremely useful and resilient and has allowed the party to change policies radically when necessary. For example, when in the late 1980s it was clear that socialism was causing an economic catastrophe, the party restructured the economy along capitalist lines without suffering any loss of political authority.

CCM's structure is as useful for suppressing opposition as it is for implementing socially beneficial policies. This is most evident at the regional and district (local) level.⁵³ The foremost regional and district authorities - the Regional Commissioner (RC) and the District Commissioner (DC) - are not elected but appointed directly by the president.⁵⁴ At the same time,

⁵³ Tanzania has 26 regions and 127 districts.

⁵⁴ Government of Tanzania. 1997. The Regional Administration Act, 1997. Part II (5.2).

the CCM constitution explicitly states that RCs and DCs are the party's representatives in the region and the district.⁵⁵ Since RCs and DCs have both government and party roles, their positions clearly blur the lines between party and state.

RCs and DCs employ their power to promote the activities of CCM and interfere with those of the opposition. Their most useful mechanism for these purposes is control over the police. Holding any large gathering, demonstration, or rally requires permission from the police, with the justification of ensuring public safety.⁵⁶ Moreover, permit applications require that the applicant list every topic that is on the agenda, and if an allowed rally strays from that program, the police can break up the meeting.

The police frequently reject permit applications for rallies where popular opposition leaders will be speaking. Clear examples occurred during the 2000 election campaigns of the TLP's Augustine Mrema and the CUF's Ibrahim Lipumba. In November 1999 Mrema was repeatedly refused permission to hold rallies in his home region of Kilimanjaro,⁵⁷ and in August 2000, Lipumba was barred from speaking in two regions, one of which was an opposition stronghold.⁵⁸ By hiding behind the defense of public safety, the state can claim its decisions were for the common good rather than for narrow partisan purposes. The pattern of bans also suggests police bias in favor of CCM: although opposition candidates consistently run afoul of complex legal campaign procedures, CCM candidates seem to avoid these problems entirely.

⁵⁵ Chama Cha Mapinduzi. 2005. Constitution. Sections V and VI.

⁵⁶ *Radio Tanzania*. 1994. Parties in Kigoma told to inform police of planned demonstrations. Via BBC Summary of World Broadcasts, November 10.

⁵⁷ *Panfrican News Agency*. 1999. Opposition Leaders Cry Out Over State Harassment. December 30.

⁵⁸ *The Guardian (Tanzania)*. 2000. Opposition leader alleges harassment by police. August 19.

RCs and DCs have final approval not just over the police, but over all government employees in their jurisdiction. Civil servants are accountable to the District Executive Director (DED), who reports to the DC. DEDs have employed numerous tools to ensure that government employees help CCM solidify political control, including:

- Allowing CCM to use public facilities (like stadiums or schools) for campaigns while denying such use for opposition rallies.⁵⁹
- Having tax collectors target opposition supporters and business owners who fail to vote or show support for the CCM.⁶⁰
- Telling public school teachers to encourage their students to attend CCM rallies and to discourage them from going to opposition gatherings.⁶¹
- Ordering police to shut down businesses during CCM rallies to make sure that people attend them.⁶²
- Threatening to revoke licenses of business owners who do not support CCM.⁶³
- Telling citizens that basic services are contingent on a ruling party victory in their area.⁶⁴
- Threatening civil servants that they would lose their jobs if they did not mobilize the electorate for the CCM.⁶⁵
- Placing civil servants on fundraising committees for CCM candidates.⁶⁶

Thus far we have examined how CCM uses legal means of regulation over political competition, civil society, and the media and exploits the unclear lines between the party and the state to solidify its control. Typically, these means are effective at suppressing opposition movements quietly, and hence the party has a reputation for benign hegemony. We believe the party does

⁵⁹ Ngila and Raphael, 2001.

⁶⁰ Tucker, Stevens, Gilbert Khadiagala, Rwekaza Mukandala, Geir Sundet, Patricia Fn'Piere, and Corbin Lyday. 2003. "Democracy and Governance Assessment of Tanzania: Transitions from the Single-Party State." Dar es Salaam, Tanzania: United States Agency for International Development.

⁶¹ Makulilo, 2007.

⁶² Makulilo, 2007.

⁶³ Makulilo, 2007.

⁶⁴ Makulilo, 2007.

⁶⁵ Makulilo, 2007.

⁶⁶ Kasamuni, Ludger. 2005. Mbatia accuses CCM of flouting electoral laws. *The Guardian (Tanzania)*, July 15.

not deserve this paternalistic status since when the aforementioned tools are ineffective for eliminating a particular threat the CCM has employed clearly coercive, illegal activities to win elections.

Coercive and Illegal Actions

CCM resorts to blatantly coercive and illegal means of staying in power when other methods are not sufficient. The party's control over the police and security services allows it to jail or beat opposition supporters without cause. Also, when public subsidies and funds that civil servants raise have proved inadequate for covering campaign expenditures, the party has stolen the necessary resources from the state.

The police have jailed opposition party leadership, members of opposition parties and NGOs, and journalists on numerous pretexts in order to prevent an unwanted activity, in retaliation for one, and/or to intimidate other activists. One instance is particularly telling of the means to which the CCM will resort when it perceives a political threat.

During the 1995 presidential election, Augustine Mrema of the NCCR-Mageuzi was, as we have previously explained, the opposition's most popular frontrunner. During the campaign, the Home Affairs minister wrote a memo to the Inspector-General of Police requesting that he find a pretext for arresting Mrema and banning his party's rallies. When the private weekly paper

Shaba printed the letter, its editor and director were arrested. The state did not deny the veracity of the letter - instead, revealing official secrets was given as the cause for the detentions.⁶⁷

The internal CCM plot to manufacture evidence to end Mrema's campaign was not an isolated occurrence. Prior to each election, opposition parties often find that they are banned from holding campaign events and their candidates for the presidency spend an inordinate amount of time in jail. Mrema was arrested on sedition charges twice before the 2000 election and once before the 2005 election. CUF presidential candidate Ibrahim Lipumba was detained without charge twice before the 2005 election. Christopher Mtikila, the outspoken leader of the unregistered Democratic Party, has been arrested at least eight times.⁶⁸ Only one conviction has resulted from these arrests, Mtikila's for sedition in 1999, and most cases never went to trial. Not surprisingly, the police have never arrested the CCM presidential candidate.

While CCM on the mainland has never resorted to the level of violence it has employed in Zanzibar,⁶⁹ opposition parties there have never posed a serious threat to CCM's control over the presidency or the parliament. Nevertheless, CCM has responded violently to a number of

⁶⁷ *Agence France Presse*. 1995. Tanzanian opposition parties condemn arrest of journalists. July 10.

⁶⁸ *Xinhua General News Service*. 1992. Tanzanian opposition leader arrested for illegal assembly. July 21; *Agence France Presse*. 1993. Tanzanian DP leader rearrested and charged. September 15; *Xinhua General News Service*. 1993. Police disperse demonstrators in Dar Es Salaam. January 31; *Agence France Presse*. 1993. Police arrest and charge opposition leader Reverend Mtikila. October 22; United States Department of State. Human Rights Report 1994; *Panafrican News Agency*. 1999. Another Tanzanian Opposition Leader Arrested. November 28; United States Department of State. Human Rights Report 2000; United States Department of State. Human Rights Report 2002.

⁶⁹ The Zanzibar contingent of CCM has used coercion to devastating effect frequently and prominently against the CUF. The 2000 election, in particular, exposed its willingness to use force to retain control. While harassment, violence, and intimidation occurred prior to the election, the greatest amount of brutality followed it, once voters became aware that the CCM had rigged the election. The blatant theft of the election led CUF members to demonstrate. In retaliation, police fired on a group of about 300 CUF protestors, and a massive wave of arbitrary arrest, torture, and murder of suspected CUF supporters ensued. Violence continued to escalate until January 2001, when police killed at least 35 CUF supporters and wounded hundreds at a party demonstration. Human Rights Watch. 2002. "The Bullets Were Raining; The January 2001 Attack on Peaceful Demonstrators in Zanzibar." Vol. 14 No. 3 (A). Since CCM in Zanzibar has considerable autonomy from the party on the mainland, it is not clear whether these actions can be attributed to the party leadership.

isolated threats. During the 2005 election campaign, Ibrahim Lipumba received death threats from text messages to his cell phone, and was beaten and robbed in Bukoba.⁷⁰ Moreover, a popular opposition MP representing the Moshi Rural constituency was run off the road, beaten, and robbed the night before a local by-election where he had been campaigning. The police arrested him five times during the campaign as well.⁷¹ In addition, in January 2008, shortly after publishing a list of corrupt officials in their paper, two editors from *Mwanahalisi* were mutilated when an assailant threw acid in their faces.⁷² Most recently, in October 2008, the police employed heavy-handed tactics against Chadema in a by-election for the MP seat in Tarime District. The deceased Chadema MP was popular in the area and the CCM viewed the by-election following his death as an opportunity to capture the seat. Prior to the election, police broke up a Chadema rally using tear gas and rubber bullets, and arrested 29 people, including Chadema's parliamentary candidate. In response to the attack, the head of police special operations said, "In a war anything can happen" and accused the Chadema supporters of attacking the police.⁷³

Physical violence and incarceration are not the only unequivocally illegal actions the CCM takes to retain control. Party members have also conspired to steal state resources to finance election campaigns. The largest example is CCM's theft of \$111 million from the Bank of Tanzania. Those under investigation for the theft claim high-ranking CCM officials ordered them to do it, and a Ugandan newspaper traced at least \$20 million of this money to CCM campaigns in the competitive 2005 parliamentary races in Songea Urban and Kigoma Urban constituencies. The

⁷⁰ United States Department of State. 2004. Human Rights Report: Tanzania; Komei, Nyasigo. 2005. Now CUF's Lipumba gets death threats. *The Guardian (Tanzania)*, May 2.

⁷¹ United States Department of State. 2004. Human Rights Reports.

⁷² Media Institute of Southern Africa. 2008. Editors of corruption-exposing newspaper attacked. January 7.

⁷³ *The Citizen*. 2008. Opposition party and police spar in by-election campaign. October 8.

party had its members in the bank's leadership facilitate the illegal transfers of funds to assist the CCM in defeating popular opposition figures in the election.⁷⁴

We can thus observe that the CCM has developed a highly sophisticated method for denying opposition forces the capacity to play a meaningful role in Tanzanian politics. The party uses regulation over political competition, civil society, and the media, and the unclear lines between the party and the government to suppress opposition movements quietly. Moreover, the CCM has used blatantly coercive and illegal means to retain control in response to a number of potential threats. Far from a benign hegemon that faces no challenges due to the behavior of opposition parties and lack of demand for them, CCM applies the vast resources at its disposal to repress political opposition.

Conclusion

A decade and a half after Tanzania's transition to multi-party democracy, a viable opposition does not exist, nor do we have evidence to suggest one will materialize in the near future. Rather, the opposition's share of votes has declined with each election, as has their representation in parliament. Not surprisingly, public opinion about Tanzanian politics mirrors this pattern.

While we can attribute the opposition parties' failure to gain popularity partly to the generally skeptical public views their own insalubrious behavior generates, this is an insufficient explanation for why opposition parties remain feeble in Tanzania. We must instead consider the

⁷⁴ Said, Daniel. 2008. Ruling party in danger of over \$133 million scandal. *East African Business Week*, April 7.

success of CCM in utilizing its vast spheres of control to ensure its continued dominance. To repress opposition quietly, the CCM regulates political competition, civil society, and the media, and consciously blurs the lines between the party and the state. Finally, when other methods of suppressing opposition have failed, CCM has not hesitated to resort to coercive, illegal activities to assure that it will prevail in elections.

It would be inaccurate to say that CCM silences all opponents. Opposition parties do win seats in parliament, and the CUF is a powerful political force in Zanzibar. Nevertheless, troubling signs of political suppression exist. While the international community recognizes that elections in Zanzibar have never been free and fair, on the mainland CCM has also mobilized, sometimes violently, to counter threats from opposition parties. Beneath CCM's image as a benign hegemon resides a deliberate strategy to repress opposition. Thus, while CCM currently allows generally free and fair elections to take place, it is an open question how the party will react if a nationally competitive opposition party does manage to emerge.