MULTIPARTY ELECTIONS AND CORRUPTION IN TANZANIA
With Special Reference to 2000 Elections

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Dar es Salaam
2001
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ABBREVIATIONS

PCB  Prevention of Corruption Bureau
CCM  Chama cha Mapinduzi
CUF  Civic United Front
CHADEMA  Chama cha Demokrasia na Maendeleo
TLP  Tanzania Labour Party
TADEA
UMD
UPDP
UDP  United Democratic Party
NCCR
TPP  Tanzania Peoples Party
NCD  National Congress for Democracy
NEC  National Electoral Commission/National Executive Committee
CC  Central Committee (of CCM)
TPDF  Tanzania Peoples’ Defense Forces
FGD  Focused Group Discussions
PRA
TEMCO  Tanzania Election Monitoring Committee
ZEMOG  Zanzibar Elections Monitoring Group
AWEPÐA  Association of West European Parliamentarians for Africa
NEMU  National Elections Monitoring Unit (Kenya)
ZEC  Zanzibar Electoral Commission
JKU  Jeshi la Kujenga Taifa
SADC
URT  United Republic of Tanzania
ECT  Electoral Commission of United Republic of Tanzania
PR  Proportional Representation System
TANU  Tanganyika African National Union
KANU  Kenya African National Union
WB  The World Bank
IMF  International Monetary Fund
IFIs  International Financial Institutions
SAPEM  Southern African Political Economy Monthly
REDET  Research and Education for Democracy in Tanzania
BHC  Botswana Housing Corporation
VAT  Value Added Tax
NGOs  Non-Governmental Organisations
DPP  Director of Public Prosecution
NACS  National Anti-Corruption Strategy and Action Plan
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Preface (Gen. A. Kamazima)
“Do not accept a bribe, for a bribe blinds those who see and twists the words of the righteous” (The Holy Bible, Exodus 23:8).

Defining corruption

The traditional definition of corruption is: misuse of public office for private gain. However, in surveying the various ways used individually or collectively to abuse laws and regulations, the definition of corruption need to be expanded. According to Green (1999), corruption involve the following: fraud, waste, abuse, bribery, gratuity, official misconduct, conflict of interest, embezzlement, larceny, forgery and racketeering, to mention the most common.

There are basically two different types of corruption: petty and grand corruption. Low ranking civil servants practice petty corruption and it involves small sums of money. Processing of documents and provision of other services may be delayed if the providers are not given something to speed up the process.

Grand corruption is mainly practiced by politicians or high ranking public officials and it involves large sums of money. Laws, regulations or policies are bent or changed to suit their demands or to create an environment conducive to such corruption. Such money may be used for political purposes or deposited in personal accounts.

This division of corruption is for analytical purposes and can be useful in designing programmes and strategies to combat corruption. To the majority of the people, however, corruption is just evil, whether petty or grand. Consider this example: a patient, who goes to hospital and cannot part with the required amount of money to secure the services of a medical doctor and is not attended, might die of his ailment. A poorly constructed road, due to the fact that the officers concerned and the contractor engaged themselves in grand corruption will, in one way or another, cause accidents and people can die. Thus, whether corruption is grand or petty, the end result to the common man is the same. In most cases, the section of the society severely affected by corruption is the most deprived one, which can least afford to bear the burden (Pope, 1996).
History of legislation to combat corruption

Various strategies of combating corruption have been adopted in Tanzania since pre-independence days. The colonial administration in the 1930s had amended the Penal Code to include a section, which stated that demand, to solicit, to give and to receive bribe is a criminal offence. Because of the inadequacy of the then existing laws on corruption, in 1958 the colonial administration enacted a law for Prevention of Corruption Cap. 400, which widened corruption offences to include receiving of presents and commissions.

With the adoption of socialist (ujamaa) policies in the mid and late 1960s, there was expansion of public service following the nationalization of private companies and formation of others. The then existing laws were found to be inadequate to deal with corruption practices that ensured. The independent government of Tanzania in 1971 enacted the Prevention of Corruption Act No. 16.

The Anti-Corruption squad was established in 1975 after Parliament repealed and amended the colonial piece of legislation – The Prevention of Corruption Ordinance, Cap. 400. The Anti-Corruption Squad was established by Government notice No. 17 of 1975 on January 15, 1975 and the current structure of the PCB was effected after the amendment of the same law in 1991.

Fighting corruption and the institutional framework in place

The institutions that are charged with the task of fighting corruption are the Presidency, the Parliament and the Judiciary. The Prevention of Corruption Bureau (PCB) is assigned by law (Act No. 16 of 1971) with specific mandate and function to combat corruption in the country. The PCB was legally established to discharge the following functions:

- To take necessary measures for prevention of corruption in public, parastatal and private sectors
- To investigate and subject to the directions of the Director of Public Prosecution, to prosecute for offences under this Act and other offences involving corrupt transactions
- To advise the government and other parastatal organizations on ways and means to prevent corruption.

The PCB is headed by the Director General and is divided into four departments, two Units and one secretariat as follows:

- Department for Investigation (comprising of public and private investigation, prosecution and technical and communication services)
• Department for Research, Control and Statistics (comprising of the sections of research, control and statistics)
• Department for Community Education (comprising of liaison and coordination, public education, library and planning and logistics)
• Department for Administration and Personnel (comprising of the sections of administration, personnel and training)
• Accounts Unit
• Internal Audit Unit
• Secretariat and Confidential Registry.

Other agencies that work together with the PCB are the Controller and Auditor General, Director for Public Prosecution (DPP), Human Rights and Good Governance Commission and Ethics Secretariat. The office of the Minister of State for Good Governance was established in 1995 to deputize for the President’s supervisory functions of the above institutions. In exercising these functions, the Minister’s task is that of overseeing and co-ordination of all anti-corruption activities and good governance programme.

The policy, plan and strategy to fight corruption

The government’s policy is zero tolerance to corruption. To operationalize the policy, plans and strategies need to be put in place. In 1999, the National Anti-Corruption Strategy and Action Plan (NACS) was approved and among other things, it aims to make the fight against corruption orderly, inclusive and systematic. It seeks to achieve, inter alia, the following:

(a) A sector specific development of anti-corruption action plans that are clear, concise coherent, and comprehensive that would attack and eliminate all identified causes and manifestations of corruption in those sectors i.e. government ministries, local government, civil society, private sector and media.

(b) The capacity of the anti-corruption institutions to be strengthened, particularly the PCB, in terms of staffing, training and investigation capacity to enhance their efficiency, and effectiveness.

(c) The remuneration package for public servants to be improved to match with the cost of living.

(d) The anti-corruption legal framework to be reviewed and necessary legislative amendments be effected to enhance effectiveness of the enforcement machinery.
(e) Prevention measures are put in place and emphasis on advocacy (public sensitisation) and outreach programmes to increase public vital role in combating corruption by reporting corrupt officials.

(f) Coalition building amongst stakeholders, that is: government, civil society, private sector, media and international community.

(g) Ethical and moral values in society are strengthened in a bid to develop an anti-corruption culture.

(h) Promotion of transparency and accountability in all public offices and ensure timely and quality service delivery to the public.

(i) Promotion of code of ethics and conduct for all professionals to combat unethical behaviour in their professions.

Corruption is a symptom of fundamental economic, political and institutional weaknesses. To contain corruption entails tackling these underlying weaknesses. A double prong strategy need be employed in fighting corruption: prevention and deterrence. Prevention should receive emphasis. It entails reforming policies, institutions and enacting laws, for the purposes of combating corruption. Deterrence involves enforcement of laws and regulations by punishing offenders.

**PCB’s progress on fight against corruption**

The Prevention of Corruption Bureau has recorded an increase in the number of reported corruption incidences from 432 cases in 1998 to 1461 cases as of December 2000. These include reports from government departments, parastatals, other government institutions, political parties and the private sector. Until March 2001 there were 103 cases in different Courts around the country. Last year alone there were eight (8) convictions against one (1) acquittal and eleven (11) withdrawals. The rise in reported cases is evidence of the rise in public confidence and cooperation.

The PCB has established Regional Bureau Offices in every Region of Mainland Tanzania. Processes are underway to consolidate these offices and establish District Bureau offices in the 2001/2002 fiscal year. The aim is to provide professional guidance and services closer to the people living in rural areas.

The Bureau is also conducting regular meetings and outreach programmes through radio, TV, news letters, posters, leaflets, debates and sports in order to have an informed public on their rights and obligations in minimizing corrupt practices in all sectors.

The achievements of the PCB are due to the deliberate efforts by the government to increase manpower and funding. Funding has increased from Tshs 191.7 million in 1995/96 to Tshs 4.1 billion (or 2.241 billion in 1995 constant...
prices) in 2000/2001. The PCB has been receiving nearly 129% of its approved budget. Manpower has increased from 142 employees in 1995 to 420 employees in 2001, an increase of nearly 196% at a time when employment opportunities in other government ministries and departments is under freeze due to budgetary constraints. The recruits for the post of investigators are graduates from various professions, including law, engineering, accounts, forestry, geology, political science, sociology etc. Their education levels range from first degree to PhD.

However, there is still room for improvement. PCB would like to conduct more training for its personnel and acquire more up to date and enough equipments in order to enhance its professional capacity to investigate and prosecute cases effectively; to sensitize the public together with the civil society on the effects of corruption in the country; and to advise promptly on the loopholes inviting institutional or systemic corruption. Efficiency on the part of the PCB will increase the confidence of the general public so that they willingly join in the fight against corruption.

However, the strengthening of watchdog institutions like the PCB by themselves cannot combat corruption. There is need to create an environment conducive to fighting corruption in the country. Such an environment will improve good governance and therefore reduce corruption.

**Good governance principles and their application in Tanzania**

Good governance emerged in the 1990s as a global agenda. It was propagated by the Bretton Woods financial institutions and Western democracies (Moore, 1993). One of its early proponents (British Minister for Overseas Development) defined good governance in 1992 as follows:

“By good government, I mean the attitude and conduct of those responsible for administration, right down to grass roots level. Even where these are right, the best plan of action and the highest-minded intentions will fail if those who implement them are not equal to the task ... Respect for the rights of the individual is indispensable to good government. Mutual trust must be established between those in government and those governed.

This means accountability and transparency in the decision-making process. It means political pluralism with free and fair elections. It means the rule of law and freedom of expression. It means far less spending on military hardware and war-making and much more on primary schools and healthcare. It means fighting the cancers of graft and nepotism” (Moore, 1993: 3)

While Bretton Woods’s financial institutions were finding explanations for the failure of Structural Adjustment Programmes in Africa, the western democracies were interested in seeing more accountable governments in Sub-Saharan Africa. Accountable and stable governments would encourage foreign investment and sustainable development would be the result.
Countries, which failed to institute good governance agendas and anti-corruption legislation, were denied aid.

Kaufmann (2000) views governance as a broad term. It is defined as the “exercise of authority through formal and informal traditions and institutions for the common good” (p. 19). According to the author, governance also goes as far as involving the selection, monitoring and replacing governments. Other aspects encompassed in governance include: the capacity to formulate and implement sound policies; respect of citizens and the state and respect for the institutions that govern economic and social interactions. Broadly, governance encompass issues like:

- Government effectiveness in quality policy-making, public service delivery and lack of regulatory burden.
- Civil and political liberties and freedom of the press, political stability and lack of violence.
- The rule of law including protection of property rights and an independent judiciary and control of corruption.

Corruption is an outcome of mis-governance among many other outcomes. Good governance therefore should be the main aim of the government.

The new approach of governance marks a shift from the former approach where donor organizations used to work with governments with little concern for results.

"Underlying this new approach is the belief that elected politicians and public sector employees should focus on generating sustainable development results by meeting the needs of the general public and other clients. Politicians and employees should be held accountable individually and collectively for fulfilling government’s responsibilities and commitments" (Langseth, 2001: 7).

**Government effectiveness**

The government will be effective in governing and therefore promoting good governance if it gets rid of controlling the economy, regulatory burdens and concentrates on policy-making and public service delivery.

Economic policy reforms that might work better at combating corruption include: lowering of tariffs and eliminating barriers to international trade, reasonable taxation regime, liberalizing exchange rate determination and eliminating direct government participation in economic activities. Reforming government institutions might include: strengthening legal and judiciary system, accountable and motivated civil service and improved financial management (Gray and Kaufmann, 1998).

Apart from economic, administrative and financial reforms and establishment of a watchdog against corruption, other factors important in fighting corruption include:

(a) Political will.
The example of Tanzania can illustrate the point. Since 1967 up to the mid-1985, the economy in Tanzania was owned by the state, in line with the then \textit{Ujamaa} policies. The performance of the economy was poor and the situation worsened with time. There are many factors, which can be blamed by such a state of affairs, but one of them was said to be the stranglehold of the state on the economy. Thus, the government was required to liberalize the economy and ease all controls as conditions for any further assistance from outside donors. Structural Adjustment Programmes (SAPs), which are basically economic and administrative reforms, were adopted. The reforms began in the mid 1980s with the backing of World Bank and International Monetary Fund. They typically involve a variety of economic reforms in monetary, fiscal, trade, regulatory policies and public sector management. The main thrust of SAPs is that economic activities in the country should be at the hands of individuals and the government acts as a referee.

Other measures have been going on to enhance policy changes, curb corruption and improve government’s effectiveness in service delivery. Two Acts of Parliament are briefly reviewed in this connection.

The Public Finance Act 2001 and the Public Procurement Act 2001, which were passed by Parliament and are operational since July 2001. They both intend to improve and enhance proper financial management and reduce instances of wastage of government financial resources through doubtful procurement deals and contracts. The Public Procurement Act 2001 is important in checking corruption because previously, only regulations by the Minister of Finance, which date back from 1965 were used in procurement. Those regulations had shortcomings such as:

- They did not establish criteria which could enable the Minister to prepare Orders or guidance
- There were no clear procedures or policy guidelines which must be followed by those providing services and goods to the government
- Penalties were not stipulated to those government servants who contravenes procurement regulations
- The Orders were mainly aimed at regulating stores not procurement of services, which has gained prominence in recent years.

For example the Provisions of S.60 of the \textbf{Public procurement Act, 2001} provides:

\begin{verbatim}
60-(1) Procuring and approving entities as well as tenderers, suppliers, contractors and consultants under public financed contracts shall proceed in a transparent and accountability manner during the procurement and execution of such contracts.
\end{verbatim}
(2) Where a procuring entity or an approving authority is, after appropriate investigations, satisfied that any person or firm, to which it is proposed that a tender be awarded, has engaged in corrupt or fraudulent practices in competing for the contract in question, the entity or authority may:

(a) reject a proposal for award of such contract;

(b) declare any person or firm ineligible for a period of ten years to be awarded a public financed contract.
(3) The procuring entity or an approving authority may, after determination by a court of law or following a special audit by the Controller and Auditor-General, that corrupt or fraudulent practices were engaged in by any person or firm during the procurement, award of contract or the execution of that contract:
(a) cancel the portion of the funds allocated to a contract for goods, works or services;
(b) declare any person or firm ineligible for a period of ten years to be awarded a public financed contract;

(4) Any member of the procuring entity or approving authority who engages in corrupt or fraudulent practices during the procurement proceedings or the execution of the public financed contract shall be dealt with in accordance with section 64 of this Act.

(5) The procuring entity shall, in any tender forms for public contracts, include an undertaking of the tenderer to observe the country’s laws against fraud and corruption (including bribery) in competing for and executing a contract.”
This Act as observed, from some of the quoted provisions, streamlines the procurement process by making it transparent and accountable.

**The Public Finance Act, 2001**

The main purpose of this Act is to provide more effective control, management and regulations of the collection and use of the finances of the United Republic of Tanzania (URT) and to enhance Parliamentary control and supervision of public funds. The law may assist in the fight against corruption as it introduces a more clear, systematic, transparent and accountability procedure in dealing with public funds.

**Accountability of political leadership**

The political leadership needs to have political will to fight corruption and this should be demonstrated in practice. The fight against corruption will always entail political risks as some of those involved in corruption might be political heavyweights. In Least Developed Countries (LDCs) especially, where political systems are not fully developed and mature, such corrupt heavyweights might go against a political leadership that is committed to fighting corruption and the results might be political unrest. If, however, the political leadership is accountable and clean, they will have support of the population and the few corrupt persons/heavy weights will have no leverage to oppose anti-corruption drive.

The Tanzanian political leadership has shown accountability in the following ways:

- Public disclosure of votes in Parliament and Parliamentarians requiring explanation of expenditures whenever such a need arises;
- Public disclosure of incomes and assets of political leaders and senior civil servants;
- Allowing a multiparty political system, since 1992.
- Providing limited financing to all political parties that have representation in Parliament. In future political parties will have to reveal all their sources of income;
- Preventing conflict of interest for public officials by law.

Plans are underway to protect whistle blowers whether in public service or otherwise.

The Ethics Secretariat is another institution, which was established under Article 32 of the Constitution charged with enforcing ethics to public leaders in accordance with Public Leadership Code of Ethics, 1995. The Secretariat's functions complement those of other organs of government charged with combating corruption by ensuring that public leaders do not use their official positions for private gain through misuse of public office, illegal acquisition of wealth, conflict of interest, nepotism and theft. The Secretariat has made
progress in strengthening its capacity by recruiting and training of professional enquiry and research officers and support staff. It has acquired some working technical tools. It has organized and conducted seminars and workshops to sensitize public leaders and the general public on the need for the public leaders to abide by the Code of Ethics. In February 2001 Parliament amended the Public Leadership Code of Ethics Act, 1995 (Public Leadership Code of Ethics, Amendment Act, 2001) to authorize the Secretariat to receive anonymous complaints; empowering it to conduct proactive investigations against leaders suspected to be in breach of the Code of Ethics; requiring public leaders to state the value of their assets and the means with which they acquired those assets; requiring public leaders to declare any gifts received whose value is in excess of 50,000/-, and provision of penalties and sanctions to defaulting public leaders. The Provisions of S.12(2) of this law provides:

“The Public Leader shall, where he receives a gift of a value exceeding Tshs 50,000
(a) declare the received gift and its value
(b) submit the declaration of the gift to the accounting officer of the office concerned, who shall in writing direct as to the use or disposal of the gift”

The above provision is very important because gift may be one form of corruption. Gifts are also prohibited under S.6 of the Prevention of Corruption Act, 1971.

**Commitment to the rule of law**

In promoting good governance and fighting corruption, the government is committed to:

- Independence of the judiciary;
- Ensuring functional judiciary;
- Scraping off old and inapplicable laws and enacting new ones;

The Parliament passed a constitutional amendment in year 2000 to establish The Human Rights and Good Governance Commission. In implementing these constitutional changes a law has been passed (Human Rights and Good Governance Act, 2001) in February 2001. It is expected that the Commission will be constituted soon to be able to start work in July 2001.

**Good governance indicators**

Good governance translated into development outcomes, will result into economic growth in absolute terms, due to better performance, accountability and supervisory role of the government. The World Development Report (1997) reports that evidence shows that a capable state with good and transparent government institutions produces positive results in terms of development indicators like national income, infant
mortality, national wealth etc. Empirical studies by Kaufmann (2000); Kaufmann et al (2000); Langseth (2000) support these findings and reveal that there is a strong relationship between good governance and various development outcomes in many countries, thus:

“Practical experience in many countries suggests that weak governance and slow economic development go hand in hand, while improved governance fosters development success” (Kaufmann et al. 2000: 10)

Evidence in Tanzania support these findings as well. The efforts of the Third Phase Government since 1995 towards good governance have been rewarded in improvement in macro economic parameters. There have been remarkable achievements in the economy of Tanzania since 1995 (Table 1). It is not possible to measure good governance by itself. However, proxy indicators can be used to measure the exercise of good governance. We argue here that, increase in parameters such as: income per capita, national reserves, GNP and strengthening of corruption watch dog institutions amid clear efforts to improve governance can be used as proxies for measuring good governance of a particular country.

Such parameters are presented here and show an increase from 1995 to 2000/2001. We therefore urge that this is due to the good governance efforts over the years and we are calling these “good governance indicators”.

The challenge facing the government at the moment is to make the macro economic gains felt by the average citizen by alleviating poverty and generally making life better.

**Table 1: Change in economic parameters: 1995-2001**

<table>
<thead>
<tr>
<th>INDICATORS</th>
<th>1995</th>
<th>2000</th>
<th>2001</th>
<th>INCREASE/DECREASE</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Number of employees in the PCB</td>
<td>142</td>
<td>214</td>
<td>420</td>
<td>+50.7/195.8%</td>
</tr>
<tr>
<td>2. PCB Budget (billion Tshs)</td>
<td>0.1917</td>
<td>1.539</td>
<td>2.241</td>
<td>+703/1,069%</td>
</tr>
<tr>
<td>3. Inflation [%]</td>
<td>28.4</td>
<td>5.9</td>
<td>5.3</td>
<td>-22.5/-23.1%</td>
</tr>
<tr>
<td>4. Economic Growth [%]</td>
<td>3.6</td>
<td>4.9</td>
<td>-</td>
<td>+1.3%</td>
</tr>
<tr>
<td>5. Income per capita [$]</td>
<td>113.74</td>
<td>233.4</td>
<td>-</td>
<td>+51.27%</td>
</tr>
<tr>
<td>6. Foreign Exchange Reserve [$]</td>
<td>270.9</td>
<td>974.37</td>
<td>985.70</td>
<td>+259.7/263.9%</td>
</tr>
<tr>
<td>7. Gross National Income [billion Tshs]</td>
<td>3,020</td>
<td>3,948</td>
<td>-</td>
<td>+33.5%</td>
</tr>
</tbody>
</table>

**NB:** All the financial figures in Tshs are in 1995 constant prices
CPI for 2001 has been assumed to be the same as in 2000

**Source:** 1. PCB HQ, BoT and National Bureau of Statistics

State capture: an emerging scenario

“Mkishakuwa corrupt mtaabudu wenye mali” (When you become corrupt you will worship those with property) the late Mwl J. K. Nyerere
“Hatutakubali Chama kibinafsishwe” (We will not allow the Party to be privatized) President B.W. Mkapa, just before the Party National Executive Committee deliberated on primary CCM party nominations

Figure 2 below shows the likely effects of government capture by corporate business on governance.

Fig. 2: Political Corruption and Governance

About Articles in this Book

There are two types of articles included in this book, theoretical articles and case studies. The former are mainly based on secondary data analysis while the latter involved conducting case studies.

Summary of theoretical articles

The first article by Mr. E. Hosea discusses, amongst other things, the establishment and functions of the PCB, electoral law and the Prevention of Corruption Act, electoral corruption and the authors’ specific observations related to the year 2000 general elections. According to him, the election campaigns were characterized by corrupt practices related to treating, bribes and house-to-house campaigns.

Prof. Shao’s article on ‘democracy, multi-party politics and corruption in Africa makes a distinction between democracy and multipartyism and between democratization and democracy. The article discusses the relationship between democracy and multiparty politics as well as the interplay between democracy, multipartism and corruption in some African countries. The problems that make it difficult to fight corruption despite efforts
that have been made or are made under democratization, multipartyism and economic reforms are also highlighted. Finally, the article contains several suggestions on how to reduce corruption including radical transformation of the socio-economic, political and cultural set-up of the society. In other words, corruption has its underlying causes in the economic, political and institutional problems of the society. Thus, fighting corruption also entails addressing these underlying societal problems, especially poverty.

The article by Kopoka traces the growth of corruption in elections during the single political party system in Tanzania. According to the author, the first single party general elections of 1965 were characterized by few instances of corrupt practices. Those practices, however, had little if any effect on the outcome of the elections. Corruption in elections took root and increased with increasing central control of the nomination process by the ruling party National Executive Committee (NEC). This central control was also accompanied with lack of transparency as would be party nominations were also to be scrutinized along the lines of their commitment to the ideology of socialism and adherence to the leadership code. Another factor behind the growth of corruption in elections was the growth of corruption in the Tanzanian society in general. The article ends with several suggestions on what needs to be done in order to combat the problem of corruption in elections.

Mwakyembe’s article single out several instances in the law governing elections in Tanzania that need serious revisiting with a view to ridding the country’s electoral exercise of corrupt avenues. The author identifies legislative loopholes in eight areas that urgent action is needed to minimize if not eliminate the loopholes altogether. The areas and the associated legislative loopholes include:

a) Internal-Party Democracy. Without Many political parties in Tanzania lack genuine internal democracy. This is one of the sources of corruption in elections at both the political party level and other levels. The Political Parties Act of 1992 is supposed to play the role of guiding the parties along acceptable democratic lines, unfortunately it is silent in many critical areas of democratic participation, thus leaving ample room for foul play. There is, therefore, urgent need for clear and mandatory provisions in the Political Parties Act to guide these institutions in the conduct of their primaries with a view to ridding inner-party democracy of corrupt practices.

b) Active and Passive Electoral Rights. The problem in both parts of the Union has been the absence of a permanent register of voters for each and every polling district. Drawing up new rolls of voters before every election is an exercise fraught with foul play in a multi-cultural country hosting, among other people, hundreds of thousands of refugees and immigrant workers. The problem is compounded by voter disqualification clauses and the 1994 constitutional amendment that
confined the passive franchise to candidates sponsored by their respective political parties in both parliamentary and presidential elections.

c) Superintendence of Elections. Administration of elections in both parts of the Union has been constitutionally vested in respective electoral commissions. As organs charged with the responsibility of administering elections, they must pass the test of non-partisanship and uprightness. In other words, they must be (and be seen) to be independent and incorruptible so as to command the requisite trust, respect and confidence of all the reasonable players in the electoral process. The vesting of powers in one person (in the case of Mainland Tanzania) to remove members of the commission from office is yet another loophole which may cost the nation dearly when it has, at the helm of power, a shameless and power-hungry political animal.

d) Treating and Hospitality. Treating, bribery and exerting undue influence on the voters constitute, in both parts of the Union, the offence of corrupt practice. The legislature in February 2000 amended the Elections Act of 1985 by inserting in section 98(2) of the Act a provision to the effect that: "anything done in good faith as an act of normal or traditional hospitality, shall be deemed not to be treating". In the absence of some statutory interpretation as to the exact import of concepts like "normal or traditional hospitality", "normal or ordinary expenses spent in good faith", the new provisions noted above led to disastrous results in the year 2000 General Elections. It was as if Parliament had condoned or rather legalised every kind of corrupt practice under the guise of "normal or traditional hospitality". In order to preserve the sanctity of the electoral process in Tanzania, there is urgent need to do away with the "normal or traditional hospitality" clause in the Elections Act.

e) Door-to-Door Canvassing. Both the Union Elections Act of 1985 and Local Authorities (Elections) Act of 1979 provide for door-to-door canvassing for the purpose of furthering a candidate’s election. This particular kind of campaigning is undesirable in a poor emerging democracy where the electorate is likely to be easily susceptible to treating and all kinds of undue influences.

The other areas covered include, the First-Past-the-Post election system: the Role of the Media and Media Law; and Financing of Election Campaigns. But, according to the author, legislative measures by themselves cannot stamp out corruption in society. Nothing can overcome corruption “if the public is prepared to tolerate it. On the other hand, no government can afford to be complacent about corruption if the public is not prepared to tolerate it.
The article by Komba shows that corruption in general, and electoral corruption in particular, is a serious social, political and economic problem that must be addressed by all those interested in promoting democracy and good governance. Two main conclusions can be drawn from the discussion contained in the article. Firstly, that corruption is a widely accepted feature of Tanzania’s multi-party democracy. Secondly, that concerted efforts are needed to understand the functioning of electoral corruption so that appropriate policy measures can be designed and implemented to stop such menace to the society.

The article provides, among other things, the conceptual framework of corruption where it is noted that corruption comes in different forms depending on prevailing social, political and economic conditions. However, ‘rent-seeking’ is the most prevalent type involving abuse or misuse of public office. The main causes of corruption are also outlined and it notes that discretionary power and lack of transparency in decision-making encourages corrupt tendencies among public officials.

As far as corruption of electoral process is concerned, the evidence provided in the article suggests that Elections 2000 were characterized by widespread corruption perpetrated by political parties, candidates, agents and some voters. Given the fact that political bribery and treating were practiced by participants, this raise questions on whether the elections were “free” and “fair.” The emerging consensus is that the Elections 2000 were “free” but “not fair.”

Summary of Case Studies

Multiparty Elections in Zanzibar

In the case study of Zanzibar, Prof. G.P. Mpangala has began by presenting a theoretical framework on a democratic multi-party elections. He has argued that multi-party elections are important in the building of democracy and the democratization process, which is taking place in Tanzania and Africa. It is important because it ensures broader political participation and the establishment of a democratic representative government.

He then points out that in order for multi-party elections to be able to play the role of establishing a democratic representative government the election must be free and fair. Failure to conduct free and fair elections is an important indicator of corruption in elections. Since the multi-party elections in Zanzibar were not free and fair they were therefore characterized by corruption.

Then the author presents the type of methodology used in the study to prove that the elections were not free and fair and therefore characterized by corruption. First the author has used a comparative approach, comparing the multi-party elections of 1995 and of 2000. In the process of that comparison he has developed an argument that runs throughout the
article that corruption was greater during the 2000 elections compared to
the 1995 elections.

In the study both secondary and primary sources were used. Secondary
sources include past internal and external election reports and relevant
books and other published materials. Primary sources were mainly
based on participatory observation, oral interviews, group discussions with
different categories of people, leaders of government and political parties
and their members, religious organizations, NGOs and the people at
grassroots level. This was mainly done through the TEMCO observer teams
that worked both in Pemba and Unguja during the various stages of the
election process, leading into the production of TEMCO elaborate reports for
both Unguja and Pemba, and for Zanzibar as a whole.

In the second part of the article the author discusses foundations of
corruption in Zanzibar. Here he shows that the foundations of corruption are
based on the shortcomings of both the Zanzibar Electoral Act. It is argued
that both in 1995 and in 2000 the ZEC did not function as an independent
organ, it always functioned in favour of the ruling party. Likewise the
shortcomings in the Electoral Act were used in the advantage of the ruling
party, thus working as a foundation of election corruption.

In the third part the author discusses corruption in the political process.
Here he shows how acts and corrupt behaviour were observed in the
different stages of the election process, notably during registration,
nomination of candidates, campaigns, voting and counting of votes and
announcement of results. He shows that in all these stages corruption was
greater in the elections of 2000 than those of 1995. The level of corruption in
the elections of 2000 was so high that TEMCO referred to the elections as “an
aborted election in Zanzibar”.

In the following part of the article the author makes a discussion of
political corruption. Political corruption is usually characterized by specific
role of government authorities and the ZEC in exercising corruption. Such
corruption both in 1995 and 2000 was through the use of state organs such as
the police, the security and the defence army for harassment and
intimidation, as well as the use of state resources both financial and materials
for the advantage of the ruling party.

In the last part of the article the author makes some concluding
remarks. First he tries to give some explanations for the growth of corruption
in elections in Zanzibar. One explanation is based on struggles for both
economic and political power at the level of individuals and at the level of
political parties. The second explanation that is externally based is the nature
and character of liberal democracy in the context of globalization. Then the
author ends up by pointing out that corruption in elections poses a great
threat to peace and socio-economic development in Zanzibar.

The Morogoro Urban Constituency
In this article Dr. Kawa begins by admitting that research on corruption of elections is difficult because it is a politically sensitive matter. Because of that he had to make use of the civil society and the local people through participatory discussion approach of methodology. Through his findings he admits that there were cases of corruption which were more rampant in CCM preferential votes.

In his presentation the author begins with theoretical perspective of corruption. Here he exposes two main paradigms, that is the bourgeois and the Marxist perspectives. He shows the advantages and disadvantages of both paradigms. The bourgeois paradigm which is heavily influenced by functionalist theory has the advantage of having practical utility in the effort to combat corruption. Its disadvantage is that it fails to clearly explain underlying causes of corruption.

The Marxist perspective, on the other hand, has the advantage of being very strong in explaining corruption and suggesting its solutions, but weak in its practical utility. It is therefore characterized by a glaring gap between practical utility and explanatory strength. He implicitly therefore shows the need to make use of both perspectives in order to study corruption in general and election corruption in particular.

The author then makes a clear and elaborate discussion of the results of his study in terms of the local people’s perception, manifestations and the magnitude of corruption. As regards local people’s perception he indicates that the people view corruption as an illegitimate use of power for private ends, and that corruption of elections is a bad phenomenon. In terms of manifestations, election corruption in the Morogoro Urban Constituency manifested itself through local forms such as bribes, materials, racial and/or religious influence, ethnicity and party membership cards. Another manifestation was foreign funded initiatives such as an Ambassador of a foreign country funding rich Arabs with long objectives of attaining political power.

As far as the magnitude of corruption is concerned the author points out that despite the prevalence of corruption in the whole process of elections, corruption was much more rampant and conspicuous during the CCM preferential votes. Here the principle of “takrima” (traditional practices of entertainment) manifested itself as the worst form of corruption. The involvement of foreign elements made the situation worse.

Dr. Kawa ends up his article by presenting the views of the people regarding the outcome of election corruption. He points out that corruption in elections erodes people’s faith and confidence on elections, it leads into the election of unqualified leaders and it drains much of the resources that could be used for socio-economic development. Corruption in elections should therefore be fought against, but the best approach should be mass mobilization and sensitization of the people. There is therefore need for massive involvement of the civil society based on the political will of those in power.
The Temeke Constituency:

In this article on the Temeke Constituency Dr. C.J. Comoro has discussed three main aspects: rationale for selecting the Temeke Constituency, perception of corruption in elections and the extent of election corruption in the 2000 elections in the Temeke constituency.

On the rationale of selecting the Temeke Constituency as one of the case studies, the author is of the view that the constituency is characterized by a unique background situation. First there were indications of stiff competition between the ruling party and opposition parties. This is reflected by the fact that in parliamentary election it was CCM that won in the October 1995 elections, but in the bye-election of 1997 it was NCCR-Mageuzi that won the seat. In the 2000 elections it was CCM that again won but by a narrow margin compared to the opposition party CUF. In a sister constituency within the Temeke District, Kigamboni, it was CUF which won the parliamentary seat, the only one to be won by the opposition among seven constituencies in the Dar es Salaam Region.

Temeke District has therefore been seen as having the strongest base for the opposition parties compared to the other districts in the Region. Another aspect that makes the Temeke Constituency to be unique is the fact that the CCM parliamentary winner was the second winner in the preferential votes. The first winner was dropped.

On perception of corruption in elections the author first has traced historical development of corruption noting that during the struggle for independence and soon after independence up to 1965 Tanzania, conducted multi-party elections. Between 1965 and 1992 under the one-party system, one party elections were carried out, and then the revival of multi-party elections in 1995. Corruption in elections has therefore to be perceived in the context of such historical perspective.

Secondly, the author is of the view that election corruption is a multifaceted two-way discourse between the electorate and the aspirants. Under conditions of an economy of scarcity each of the two can fall prey to the other. Thirdly corruption in elections is viewed as a matter of extent, extent of extra efforts and strategies a candidate or party makes in order to win. Such efforts and strategies are characterized by fierce competition and exchanges.

On the extent of corruption in the Temeke Constituency the author has taken a rather cautious non-committal approach. First he tries to show that there were indications of corruption, first as shown by the TEMCO report on corruption on the 2000 elections. Secondly, the fact that the first winner in the CCM preferential votes was dropped and the second picked as the candidate is another indication of corruption in the CCM preferential votes.

On the other hand, using election statistical data from CCM District Office, he is of the view that the election results are not likely to be a product of corruption. This is due to the fact that compared to the 1995 elections, during the 2000 elections the opposition parties were relatively weak, thus
poor performance in both parliamentary and presidential elections. Secondly, the fact that in the Kigamboni Constituency it was the opposition that won is indicative of the fact that there were few corrupt tendencies on the part of ruling party. Dr. Comoro, therefore, concludes that reading between the lines the winning and losing in the 2000 elections in the Temeke District was not so much due to corruption, but rather due to differences in party preparations, particularly in carrying out research on voter behaviour.

The Mkuranga Constituency, Coast Region

In his presentation and discussion Dr. Sinda H. Sinda has presented the methodology used in his study of election corruption in the Mkuranga constituency. He has showed that he made use of both primary and secondary sources. Within the context of primary sources the main emphasis was carrying out interviews and discussions with different individuals and groups of people from the district level political and administrative leadership to the grassroot level communities.

Arising out of the study the author begins by pointing out that there was corruption in the constituency during the 2000 elections that was part and parcel of corruption of the Tanzanian elections as a whole. Within the Tanzanian context corruption in elections has emerged as an endemic problem constituting the high levels of businessmen, politicians and bureaucrats, and corruption at low levels concerning clerks, police officers, court magistrates and so on.

Arising out of the above observation the author has tried to present and discuss the evolution of corruption in Tanzania from colonial period to the present. He has cited the Presidential Commission on Corruption of 1996 under Judge Joseph Warioba which has made an elaborate presentation and analysis of the growth of corruption in Tanzania. The Commission has also suggested solutions to the problem.

Then the author has presented and discussed the state of election corruption in the Mkuranga Constituency during the 2000 elections. In doing that he has began with a conceptual framework in terms of elections and corruption. While election has been viewed as a process of exercising democratic rights of universal franchise ensuring freedom of choice, corruption has been described as an abuse of power for personal gains for the benefit of a group to which one owes allegiance. It is an illegitimate accumulation of power, wealth and status. Then he has hinted on the social, economic, political and geographical context of the Mkuranga Constituency in terms of its state of poverty and main economic activities, poor soils, composition of ethnic groups and low level of civic education.

The author then has discussed practices of corruption in the Constituency. The main practices included giving and receiving bribes and gifts, carrying out illegal underground campaigns, provision of accommodation, food dinners, clothes, bicycles and other gifts to the electorate and the use of state organs and vehicles by the ruling party.
These practices could be observed at different stages of the elections. During the registration process there were various tendencies of cheating such as inclusion of extra names in favor of the ruling party.

There were less corrupt practices during the voting and counting processes in the Constituency, but acts of vote-selling and vote buying could be observed, and that there were cases of intimidation of party agents by the police. On the whole the author is of the view that corrupt practices were more common on the part of the ruling party than the opposition parties, particularly given the fact that opposition parties did not carry out preliminary voting during the nomination process.

Dr. Sinda is therefore of the view that the victory of the CCM parliamentary candidate was partly due to corrupt tendencies and partly due to the influence of his parents. The candidate is the son of the former President of Tanzania, Ali Hassan Mwinyi, who had also invested in the constituency in terms of various development projects. The candidate himself was less known in the constituency.

2000 General Elections in Tanzania: Corruption loopholes in election campaigns

This article is based on a research conducted by the PCB’s Directorate of Research, Control and Statistics in 12 regions of Tanzania Mainland during the last three weeks of the election campaigns. A total of 345 ordinary people, 55 electoral officials, and 103 political leaders were interviewed.

According to the study, the country’s laws/legislation governing elections have some loopholes that make it easy for one to engage in corrupt practices during election campaigns. The authors conclude that the year 2000 general election campaigns were over whelmed by electoral corruption and they make 10 recommendations which, if implemented will go a long way in combating electoral corruption.
PART II: THEORETICAL ISSUES

THE PREVENTION OF CORRUPTION BUREAU AND ELECTORAL CORRUPTION IN TANZANIA

Edward G. Hoseah

It is through the ballot box that the will of the people is translated into government that serves and accountable to the electorate. In electoral corruption money and other material exchange ultimately influence and manifest the final result of election.

Defining Corruption and Setting the Context

Corruption before and during elections not only subverts the true will of the citizenry, but also undermines the integrity of government and its institutions. It is through the ballot box that the will of the people is translated into government that serves and accountable to the electorate. It is through the electoral process that state power is attained and transferred.

The term corruption has had different connotations in different historical contexts or periods. In its classical conception, political corruption was seen as the degeneration of the political system. For Niccolo Machiavelli (1513), this involved the decline of citizen virtue and civic-mindedness. For Montesquieu (van Blerk, 1996), it meant the perversion of a good political order into an evil one. For Jean-Jacques Rousseau (van Blerk, 1996), it resulted in inevitably from the struggle for power.

Later definitions of political corruption, which at the heart is the electoral corruption, became more specific, differentiating corruption from other societal problems. First, corruption involves a deviation from the laws and regulations, as when public administrators abuse their office to obtain private advantages. Second, the resources exchanged in corruption result in material advantages, as when a favourable public decision is paid for with money. Corruption thus, is one form of influence of money in politics. Third, Corruption almost and always involves clandestine transactions. Corruption is the abuse of public resources or office for private gain or interest (The Encyclopedia of Democracy Vol. I.: 310–311).

The abuse of power can benefit an individual, a family, a group of friends, an institution, or a political party. The resources exchanged also vary: the gain may be direct or indirect, the exchange may involve money or services, and the resources exchanged may be more or less valuable. The structure of corruption varies as well, according to the degree of continuity and stability of the exchanges, the number of actors involved, and the
presence or absence of extortion. The basis of loyalty that allows for the
development of a corruption exchange can vary from personal friendship to
party membership. Finally, the degree of deviation from societal norms can
be more or less serious, according to standards set by law or public opinion
(p.311).

Corruption within government can take place at both the political and
the bureaucratic levels. The first may be independent of the second, or there
may be collusion. Controlling political corruption involves election laws,
campaign finance regulations, and conflict of interest rules for

Political scientists look beyond the visible signs of corruption to the
broader setting in which it occurs. They see corruption in relation to the
legitimacy of the state, the patterns of political power, and the engagement
of civil society. Corruption may be a manifestation of the way political power
is contested and exercised.

To the leadership, the creation and allocation of state rents serves
political purposes: rewarding supporters, buying off opponents, ensuring the
backing of key groups, managing ethnic diversity, or simply accumulating
resources to fight elections. To obtain these resources, leaders may forge
alliance with business groups, create and distribute rents through the
bureaucratic apparatus. The resulting policies may favour or discourage
capital accumulation and economic growth, depending on the nature of
the alliances struck (Kaufmann, 1997).

Public management experts' view corruption in terms of the form and
graft and patronage and the inefficiencies that accompanies it. Corruption
opposes the bureaucratic values of equity, efficiency, transparency and
honesty. Thus it weakens the ethical fabric of the civil service and prevents
the emergence of well-performing government capable of developing and
promoting social welfare (World Bank, 1997). Corruption undermines
macroeconomic stability by loss of government revenue and excessive
spending. This happens through the general erosion of expenditure control.

Corruption has negative impact on foreign investment. Where
corruption is rampant and systemic, investment may be concentrated in
extractive industries in which operations can be enclaved or in light
manufacturing that can be relocated if corruption costs become
unbearable. High levels of corruption add to the risk of a country being
marginalized in the international economy.

For small entrepreneurs, evidence from private sector assessment
suggests that corruption increases the costs of doing business, the small firms
bear a disproportionately large share of these costs, and that bribes can
prevent firms from growing (Rose-Ackerman and Stone, 1997).

The environmental costs of corruption may take the form of ground
water and air pollution, soil erosion or climate change. The poor suffer most
when access to public goods and services requires a bribe. The
consequences of corruption often do not end with paying off officials and
getting on with business. Government arbitrariness entangles firms in a web
of time-consuming and economically unproductive relations (World Bank, 1977).

Klitgaard (1996) uses the equation: Corruption = Monopoly + Discretion − Accountability. Government should be open and transparent because corruption thrives in the dark. Publication of government budget reports and implementation programmes that enable comparison to be made between budgeted and actual revenues and expenditures and their scrutiny by the legislature and the media are the foundations of open and accountable government.

**The constitutional guarantee**

The Constitutions of the United Republic of Tanzania and that of Tanzania–Zanzibar guarantee the right to vote for every citizen who has attained the age of eighteen years and above (Act No. 15, 1984; Act No. 34, 1994). Article 5 of the constitution of the United Republic of Tanzania, provides for:

- Every citizen of the United Republic who has attained the age of eighteen years is entitled to vote in any public election held in Tanzania. This right shall be exercised in accordance with the provisions of sub article (2), and of the other provisions of this Constitution and the law for the time being in force in Tanzania in relation to public elections.

- Parliament may enact a law imposing conditions restricting a citizen from exercising the right to vote by reason of any of the following grounds:
  a) being a citizen of another state;
  b) being mentally infirm;
  c) being convicted of certain specified criminal offences;
  d) Omission or failure to prove or to produce evidence as to age, citizenship or registration as a voter.

- Save for these grounds no other grounds shall disqualify a citizen from exercising the right to vote.

1) Parliament shall enact electoral law to provide for the following:

- Procedure for the registration of voters for the election of President of the United Republic and of members of the National Assembly;
- Specification of places and times for the registration of voters and for voting;
- Procedure and conditions for enabling a person registered as a voter in one place to vote in another;
d) Specification of the duties and functions of the Electoral Commission and the procedure for every public election, which shall be conducted under the direction, and supervision of the Electoral Commission.

Article 74(1) of the Constitution of the United Republic of Tanzania establishes the Electoral Commission. The responsibilities of the Electoral Commission are set out in Article 74(6) of same constitution that:

- To supervise and co-ordinate the registration of voters in Presidential and Parliamentary elections in the united Republic;
- To supervise and co-ordinate the conduct of the Presidential and Parliamentary election;
- To review the boundaries and demarcate the United Republic into various areas for the purposes of Parliamentary elections; of voters and the conduct of the election of Councilors and
- To perform any other functions in accordance with a law enacted by Parliament.

The above provisions of the constitution set out the constitutional framework within which the electoral process in Tanzania is to be conducted.

**Electoral Law and the Prevention of Corruption Act**

The Electoral law regulates the conduct and management of the electoral process in the country (Act No.1 of 1985). However, in the recent parliamentary amendment of the Electoral law, (Act no. 4 of 2000) amended and enacted the provisions of s. 98 that

(1) For the purpose of sub-section (1), anything done in good faith as an act of normal or traditional hospitality shall be deemed not to be treating.

(2) Normal or ordinary expenses spent in good faith in the election campaign or in the ordinary cause of election process shall be deemed not to be treating, bribery or illegal practice.

These amendments have stirred a heated public debate as to whether such amendments do justify corruption. Many views expressed seem to call for the amendment of this provision. It is my humble contention that such provision of law should be re-evaluated and amended because it is offensive and encourages corruption in the electoral process. It defeats the good intentions of the government in promoting integrity, transparency and good governance reforms.

It follows therefore, that corruption offences under the Electoral law falls within the jurisdiction and competence of the Prevention of Corruption Bureau (hereinafter called the PCB) as demonstrated above. Because
“treating” denotes extravagance, indulgence in luxury, handle, to act towards, to entertain, to negotiate, an unusual gratification, bribing voters etc (The Concise English Dictionary, 1983). It implies that treating for the purpose of normal or tradition hospitality must be an act of appreciation and not anticipation as it normally happens before and during election campaigns. However, the current amendment seems to me, to encourage “treating” in anticipation contrary to the actually intention behind the normal and ordinary hospitality that act of appreciation is envisaged and not otherwise as the case proposed in the current law.

The PCB was preceded by the Anti-Corruption squad, which came into existence after the Parliament repealed and amended the colonial piece of legislation – The Prevention of Corruption Ordinance, Cap. 400 and came into force on August 1st, 1958.

The PCB was established by Government notice no. 17 of 1975 on January 15, 1975. The Bureau is enjoined by law (Act No. 16, 1971) to discharge the following basic functions:

a) To take necessary measures for the prevention of corruption in public, parastatal and private sectors;

b) To investigate and, subject to the directions of the Director of Public Prosecution, to prosecute for offences under this Act and other offences involving corrupt transaction. (Emphasis supplied); and

c) To advise the Government and other Parastatal organizations on ways and means to prevent corruption.

Corruption during elections

A true system of government functions well when invalid ballots procured by corruption do not dilute the worth of honest ballots. The supreme court of the USA stated in ANDERSON v UNITED STATES (417 U.S 211, 217 (1974) that:

Every voter in a federal election whether he votes for a candidate with little chance of winning or for one with little chance of losing, has a right under the Constitution to have his vote fairly counted, without its being distorted by fraudulently cast votes.

The above-cited case is of high persuasive value to our jurisprudence because when the electoral process is corrupted, democracy is undermined and dented. The effective investigation and prosecution of corruption during election process is a significant law enforcement priority.

Voting permits individuals to participate in a reciprocal and continuing exchange of influence with office-holders and candidates. However, corruption may impede that reciprocity and influence between voters and election candidates. Voting does encourage and maintain individual allegiance to the prevailing constitutional order. A voter may feel that he/she
owes voluntary allegiance to the authority of popularly elected regime whether or not his/her preferred party wins, or even in the absence of a choice of parties. Elections therefore, provide legitimacy and validate a claim to govern (Nevitte, 1991).

Elections provide justification for the authority of governors who must take decisions with which sometimes many will disagree. The ultimate justification for obeying a law is that it is made by people elected to be law-makers (p.336).

**Election corruption**

Corruption in electoral process is often driven by a motive to control government power for some corrupt purpose. There are other crimes related to election. These include: election fraud, patronage crimes, campaign-financing offences, and civil rights crime.

Criminal investigations that are conducted by the PCB and other state agencies must be conducted in such a way that minimizes the possibility that investigation itself will become a factor in the elections. Care must be exercised to avoid providing the complainant with any information that might be used to affect the election results.

In the course of investigation of an election corruption the pertinent question to be borne in mind is whether facts as presented demonstrate that the defendant’s objectives was to corrupt the process by which voters were registered or by which ballots were obtained, cast, or counted. Election related documents should not be taken from the custody of the local election station administrators until the election to which they pertain has been certified and the time for contesting the election results has expired. This would avoid interfering with the election process. Interviews of voters should also be done when the election is over.

However, where the PCB discovers or learns of a probable significant and substantial violation of the law and that corruption act has been committed or is likely to be committed, it will endeavour to expeditiously investigate and find whether clear and compelling evidence exists to determine probable cause to believe the violation was knowing and willful. If the cause is made, the PCB shall move to investigate it promptly.

Once the offence has been established, the matter shall be referred to the Director of Public Prosecutions (DPP) for his fiat to prosecute the defendant. Any successful prosecution of these cases would require the cooperation and testimony of the voters whose ballots were corrupted. The difficulty is found by the fact that those who commit electoral corruption offences generally target vulnerable members of society such as socially disadvantaged, or with little means of livelihood or sustenance. This group of persons is likely to be subject to manipulation and even intimidation.

**Specific observations of my experience during the 2000 general elections**
It is alleged that corruption dominated during the 2000 election campaigns throughout the country. This allegation is partly based on the following observation:

- During the opinion polls conducted by the Ruling Party (Chama cha Mapinduzi), “treating” in form of food, drinks, clothes and cash became apparent.
- During registration of voters, in certain polling stations, contestants were required to treat some of ward officers who partake in the registration process.
- During nomination by various political parties corruption was central to either make other contestants step down and or leave the provider of cash and other treatment as the sole victor to stand for election.
- A house-to-house campaign was singled out as a source of corrupting voters in certain constituencies and particularly some of the ward officers were central in this endeavor.

**Sum – up remarks**

Corruption during elections is one of the serious in-roads to democracy and dents a truly representative government. Corruption undermines the very nature and legitimacy of government to the governed.

An election crime is most opt to occur in jurisdictions where there is substantial conflict among political factions, where voters are fairly equally distributed among factions, where local officials wield substantial power and where there is a high degree of voter apathy.

The principal responsibility for overseeing the election process rests with the state. With the significant exception of voting rights, the government plays an important role in election matters. It is the state that has authority to assure that political campaigns are waged honestly, that qualified individuals register and vote, and that the polling process is conducted fairly.

High levels of corruption are present where institutional framework to combat corruption are weak or are not used, extensive government control and regulation of economic resources provide ample opportunity for illegality and corruption is so predominant that it is accepted and tolerated. The distinction between gifts and bribes is easily recognizable. A gift can be accepted openly; a bribe has to be kept secret. Corruption is evil and has to be fought at all cost.

Any government gains its legitimacy from having won a mandate from the people to govern. Elections that lack legitimacy breed instability and an environment conducive for corruption to quickly breed and thrive.
MULTIPARTY POLITICS, DEMOCRACY AND CORRUPTION IN SELECTED AFRICAN COUNTRIES

Ibrahim Shao

Re-emergence of Multiparty Politics in African Countries

The end of the twentieth century witnessed the victory of capitalism over socialism. In Africa, we may recall that by the end of the 1980s only a few countries had come to the stage where we could talk of competitive multiparty politics let alone a system of pluralism generally. However come mid-1990s the majority of countries in Africa had already entered the arena of liberal and competitive democratic political systems and free market economies. By the end of the 1990s very few countries in Africa had not held competitive elections that included the participation of several political parties. These political and economic reforms were part and parcel of the recent so called “new globalisation” of the 1980s and 1990s.

All the political and economic reforms were taking place as aid budgets were shrinking, external debts were growing and the terms of trade in their primary commodity for exports were deteriorating (Randel and German, 1997). These political and economic changes were essentially in response to, on the one hand, a call by the International Monetary Fund (IMF), the World Bank (WB) and other International Financial Institutions (IFIs) for political and economic restructuring in the developing economies and on the other internal pressures for multipartyism and socio-economic pluralism in within Africa.

The political and economic conditionalities imposed on developing economies under the rubric of Structural Adjustment Programmes (SAPs) were to be accompanied by better governance with an attempt to reducing or eliminating corruption which has been so rampant in African countries in particular and developing countries in general (Galtung, 1998). At a general level the argument, particularly for Africa, has always been that although the continent is endowed with vast natural resources, it has nevertheless remained the poorest continent in the world particularly because of corruption. In addition, it is evident that the impact of corruption and graft on the political, social and economic development, democracy and the moral fabric of the developing countries societies is devastating (SAPEM1, 1995).

The question is, “Have democratization and economic reforms weakened or strengthened corrupt practices in Africa? We know that in most of the emerging democracies in Africa majority of the opposition parties

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have brought out succinctly the issue of corruption in their campaigns forums, and the culprits being the ruling parties, and governments.

In this short treatise we shall firstly outline, albeit briefly, the theoretical and practical relationship between democracy and multipartyism and secondly we shall sketch out the interplay between democracy and multipartyism on the one hand and corruption on the other. We shall then map out some of the problems that make it difficult to fight corruption in the African economies despite efforts that are made under democratization, multipartyism and economic reforms. Finally we shall have some concluding remarks in a form of recommendations.

Democracy and Multipartyism in African Countries: Theoretical and practical perspectives

While we may not go very deep into the theoretical discourse on the types of democracies that have been and can be practiced generally, we need to interrogate the whole concept of democracy and the process of democratization with a view to locating and situating the terrain of multipartyism. What we need to put right here is the extent to which consciously we can assume or otherwise that democracy and multipartyism inevitably go together and in what ways.

It is important to make a distinction between democracy (in whatever form one may take it) from multipartyism. Borrowing from Liundi (1998), multipartyism is simply a multiplicity of political organizations in a given jurisdiction and that the only democratic element in it is the possibility of wide popular participation in a political life of the society concerned. He argues, and rightly so, that before we go to the extent of characterizing any organization, political party or government as democratic there are basic inherent ideals or tenets that have to be taken into consideration with their structures. These include:

- Freedom of association in the course of their formation
- Regular and periodic free and fair elections of its leadership
- Transparency in terms of the exercise of right to free expression
- Respect for the rule of law and the will of the majority with due regard to the interests of the minority
- The promotion and protection of human rights
- Accountability by the elected leaders before the electorate.

Liundi (1998) further emphasizes that when these are transformed into the entire society, meaning that they get institutionalized at all levels of the citizenry, then we can, with no doubt, talk about a democratic community under multipartyism.

A community is democratic if it has a governing system that is responsive and accountable to its people and it is independent and
sovereign (Shivji, 2000). This is because democratization as a process represents a more encompassing and contrived category than democracy precisely because it denotes a varied range of socio-economic and political changes that are conducive in the long run to democracy (Zerker, 1997). It entails a process of struggle and liberation of people from the ills they suffer, from ignorance and economic repression (Barry, 1991). Mpangala (2001) corroborates this argument by saying that democratization goes beyond the struggle for democracy and enlists the measures taken and that one of the apparent features of democratization in Africa is the rapid growth of multi-party politics and civil society. Democratization therefore goes beyond political liberalization. It involves the construction of new political institutions, supported by new political attitudes and values (Mpangala, 2001).

To cap it all, while democratization is a process which leads to a more open more participatory, less authoritarian society, democracy is a system of government which embodies, in a variety of institutions and mechanisms, the ideal of political power based on the will of the people.

The foregoing analysis indicates very clearly that having a multiplicity of parties or multipartyism alone does not necessarily mean that there will be true and real democracy. All the same, in Africa multipartyism has been seen as one of the most important tenets of democratisation, it created latitude for political competition and facilitated the growth of opportunities for political participation and created conditions for better governance, transparency and accountability. There are, therefore, many advantages of a multiparty system that are associated with democracy. These include the following as outlined by REDET\(^2\) (1996):

- Provision of an opportunity to form a different government when the ruling party loses election.
- Provision of an equal opportunity for various political parties and politicians to rule on behalf of voters.
- Provision of an opportunity for change in the leadership of government that provides better chances to formulate and implement better policies for the benefit of the people.
- Existence of opposition parties to challenge and correct the government that is in power.

All these are a basis for an efficient and effective system of governance and socio-economic and political development in general.

At a practical level it is not necessarily true that whenever there is a multiplicity of political parties then there is meaningful competition, which may lead to change in government or in development. Ngware (1998) has argued that it is not merely the quantity of registered political parties but rather the quality of the opposition parties in terms of their skills, programmes, vision etc. He contends that proliferation of parties and political pluralism by

\(^2\) REDET stands for Research and Education for Democracy in Tanzania.
themselves are not an absolute measure of either true democracy or effective peoples' participation and that if numbers of parties were what mattered then Zaire under Mobutu with more than 100 parties would have been the most democratic country on earth.

Multipartyism as a project of democracy and democratisation process (and not democracy itself) has to be interrogated further and deeper because it has its limits from the stand-point of satisfying the popular masses and all classes. While a country may boast of being democratic because it has a multiparty system of governance in which elections are held and different parties participate in the election processes, this alone may not necessarily be a true reflection of democracy. This is essentially because the elections may be regular but not necessarily free and fair in that they may not allow everybody including those not belonging to any party to contest for positions, there may be corruption at some or all levels and stages of election process and that they may not be representative enough to include all the different stakeholders in the society (Berdourou, 1996).

Practical examples abound which show that multipartyism does not necessarily lead to democracy, that multipartyism is an attribute of democracy but is not synonymous to democracy and that democracy is not multipartyism. Berdourou (1996) has indicated that Muslim countries particularly Morocco, Algeria, Egypt, Tunisia, Jordan, Saudi Arabia and Kuwait where multipartyism exists, it (multipartyism) has often been at the mercy of the rulers who can rein in or suspend multiparty politics and thus hamstring democratic development. They normally use repressive measures to slow the spread of pluralism and limit its influence; some major political forces are shut out of politics (the Islamists in Egypt) and at times the process of democratisation is not allowed to run its course. In Algeria, for example, when the Islamists won elections in 1991 the Algerian polity (military ruling class) refused to let go of its power and nullified the election process.

So at issue here is not only introducing political and constitutional reforms that establish political pluralism with multipartyism but also the need to adopt universal suffrage, legalize political parties and recognize civil liberties. Even if the parties take part in elections regularly and the elections are declared free and fair, the one who wins the elections may not necessarily have received/scooped enough votes that represent the majority of the electorate in the country, in which case, democratically he/she may not be a true representative of the people. The Kenya December 1992 General Elections are a case in point. Chenge (1993) reports that the results were something of an enigma. In the presidential pool – as distinct from parliamentary polls – a total of 1,927,640 (34% of the total votes) were cast for KANU’s Mr. Daniel Arap Moi and yet he was declared the President. His nearest rival Mr. Kenneth Matiba of Ford Asili managed 1,354,856 (25%) while his compatriots in the opposition Mwai Kibaki and Odinga Odinga got 1,031,507 and 903,886 votes respectively.

Mr. Mwai Kibaki and Oginga Odinga alleged that the votes were rigged. Our contention here is that even if they were not rigged, the issue is 3.3 million
Kenyans which is equivalent to 66% who voted did so against Mr. Moi. It also means that the critical mass would have assured the opposition a victory even with the underhand tactics and that the voting majority were supposed to endure KANU’s rule for another four years (Chenge, 1993). Our view here is that if we really need to have a popular leader one that has a mandate of the people the constitution should be changed so that for one to emerge victorious and be given the mandate to rule then one has to get more than half of all votes cast.

What we see happening in developing countries and particularly Africa is a period of transition from a non-democratic to a democratic one and this is normally a gradual one. It is an intermediary period. So for a democratic transition to take place, multipartyism is definitely a necessary but not a sufficient condition. Our view is that this transition is so sensitive and delicate that if it is not handled with care it can give way to the restoration of authoritarianism. The transition period should, therefore, apart from multipartyism, include also the observance of human rights on the one hand and the acquisition of broad social and economic rights for the masses of the people on the other.

We should hasten to conclude this section by a quote from Bangura (1993: 10) who argued, when writing about Ghana, that:

“As most states come under combined pressures of domestic and foreign forces to institute multiparty systems of governance, the concept of democracy tends to loose much of its substance and gets reduced to questions of conducting free and fair elections”.

Relationship Between Democracy, Multipartyism and Corruption: Conceptual and definitional issues

Given the nature and trend of the current political, economic and social reforms and changes taking place in the developing world and in African Countries in particular within the context of globalization, it is high time we began to demystify the concept of corruption. We need to interrogate, re-examine and reinterpret the discourse and narrative that have, over the last four decades, been informing the debate on corruption with a view to addressing the reality on the ground. It is not our intention to enter into a detailed definition in this article. Our intention is to look at the juxtaposition of corruption within the arena and terrain of the democratisation process in African countries. At issue here will be to examine the extent to which corruption gets either reduced or increased with multipartyism and democracy.

A quick glance over the conceptual and definitional issues will help reinvigorate and rationalize our analysis and the state of corruption in the emerging democracies of African countries. Riley (1998) contends that:

“Whatsoever the future of Africa as a whole which could move towards a more progressive, second ‘post – colonial’ generation of political leaders or a gloomer
scenario of increased crime, social disorder and weaker states – there is no doubt that minimizing corruption needs to be a high priority”.

We need to rethink and challenge the contending theories and concepts with a view to finding ways of reducing the deliberating effects of public corruption and countering the damaging effects of other diverse forms of corruption. Riley (1998) says that this should be the preoccupation of developing countries in this (21st) century.

Since the focus of this expose is multipartyism, democracy and corruption our definitions will hinge more on political, bureaucratic and public sector corruption without necessarily loosing sight of how other types of corruption are related to the former. Corruption, Kibwana, et. al. (1996) intimate, is the use of the power of ones office for making private gains in breach of laws and regulations normally in force. In this case a public official will be considered corrupt if and when he/she accepts money or money worth for doing something that he/she is under duty to do anyway or one that he/she is under duty not to do or to exercise a legitimate discretion for improper reasons. In broader and operational sense corruption is that:

Behaviour which deviates from formal duties of a public role because of private regarding (personal, close family, private clique) pecuniary or status gains, or violates rules against the exercise of certain type of private regarding influence (Kibwana, et al. 1996: 28).

In a nutshell corruption may not necessarily include monetary gains; it may in fact embrace electoral fraud as well as the rewarding by political parties of specific constituencies in return for electoral support (transactive corruption) (Lodge, 1998). Political corruption would, therefore, be located within the institutions of government. Legislature, courts, bureaucracies and statutory bodies such as parastatal organizations, corporations and commissions. One thing is very clear, that corruption is purposed to serve those social, political, economic and cultural objectives of its perpetrators which would otherwise not be attainable (Makumbe, 1994).

In developing countries corruption could be routine, petty or low level bureaucratic corruption, i.e. the habitual extortion of bribes by minor officials, or grand corruption (large scale misuse of public resources by senior civil servants and politicians) or by both simultaneously (Lodge, 1998). Lodge (1998) continues to argue that corruption becomes systemic when it “appears at all levels within the political spectrum and when it becomes repetitions, constituting a parallel set of procedures to those which properly constitute the formal function of bureaucracy”.

It is not our intention to discuss the reasons for and types of corruption here but it would be worthy the while to just outline some of them here. Brownsberger (1983) using the case of Nigeria has summarized the cause in four categories
(a) Customs, attitudes and habits – gift giving as an expression of goodwill; greed or love of ostentation either in the culture at large or only among an elite or a clique and special temptation to corruption among the new elite who may have mismanaged their career.

(b) Pressure on officials – poverty is at the centre of temptation to corruption among public officials who because of instability, know that their opportunity may vanish or who because of their status their relatives place high demand on them or who because of status they are forced to maintain a high visible standard of living.

(c) Political environment – in some societies when the wealthy find themselves excluded from political power they use their economic muscle to buy their way into parliament or give campaign contributions and gifts to legislators or at the enforcement stage give bribes to administrators.

(d) Ethnicity – the use of patronage and corrupt exchange by politicians to bind together various ruling coalitions.

In this sense we may well say that when one views the reasons given above one discovers that there are incentives, opportunities for and risk of corruption aspects, which make a person, engage in corruption. No one would engage in corruption if she/he knew that the costs in terms of the penalties s/he may face were going to be higher than the bribe paid (Seob, 1998).

Theoretical Perspectives of Corruption Under Multipartyism and Democracy

The theoretical question that we want to explore here is whether under a multi-party democratic system of governance especially in developing countries corruption is minimized or increased. This statement is posed in opposition to what may occur under a centrally planned one-party system of government.

It has been argued that a multiparty democratic system of governance has less corrupt practices than a one party non-democratic system. The reason given here is that democratisation makes states/governments less secretive (Lodge, 1998) more transparent and accountable to the people. The contrary can also be true in that while democratisation may inhibit corruption, in certain domains as the government activities increase and are extended, new avenues for corruption may open up. What is being contended here is that with liberalization, restructuring and privatisation that are taking place in developing countries, the states become vulnerable to new forms of abuse in different locations.

Lodge (1998) intimates that this is normally what we observe in developing countries. He continues to say that where a country’s resource
allocation system is perfectly competitive then corruption cannot exist. The major cause of corruption, it is argued, is the deviation from the competitive market, which is caused by government regulations or interference. Because developing countries, just as the centrally planned economies such as those of Russia (former) China and Cuba, have a market mechanism that is heavily distorted, they have very high levels of corruption. In economies where the states' power and role is very low and there is free market competition and freedom, there is less corruption. In fact it has been suggested that New Zealand received an “A” for economic freedom on an “A” through “F” grading scale while Nigeria received “F” (Lodge, 1998).

Our thinking is that regulations and controls exercised by most developing countries protect a small group of people either as politicians or bureaucrats or business people who have close relationship with the government. The pro-regulatory political dynamics enhance corruption, which in the final analysis become a source of income for the few politicians or their close associates.

**Practical Experiences of Corruption in African Countries: Corruption in newly emerging multiparty democratic systems**

In this section we shall dwell on cases of corruption in some of the African countries but more substantively to show that despite the fact that multipartyism and democratisation processes are taking place corruption has not stopped. Riley (1998) has put it more ably by saying that while downsizing the state and political liberalization are desirable goals in many African countries, they are necessary rather than sufficient conditions for reduction of corruption in the public sector. Riley (1998) continued to argue that extensive public sector corruption can co-exists with democratic or quasi-democratic politics in Africa. This is the case in South Africa, Botswana, Kenya, Zimbabwe, Uganda, Zambia, Gambia, Sierra Leone. We shall single out just a few of the countries in Africa mentioned above as a testimony to the above assertion.

We would like to start with the case of post apartheid democratic South Africa. The new South African government has tried very hard to combat corruption by its new public commitment to an ethic of and by establishing a new office of the public protector as well as appointing official inquiries in corruption (Lodge, 1998). We have been told that this has helped to stimulate some fresh willingness among many newspaper editors and the media in general to publish and talk about corruption freely and publicly. In South Africa corruption still persists particularly in the public sector in the form of overpayment to local construction firms, awarding huge contracts without regular tendering procedures (this smacks of lack of transparency) and payment of salaries to and promotion of ghost workers. Examples of these cases have been quoted from Kwa Zulu Natal, and Kangweme in South Africa.

These cases are taking place in the newly liberated post apartheid democratic South Africa particularly among the highly placed politicians in
the provincial/homeland and central government. Lodge (1998), has indicated that in Kangwane homeland, for example, before elections senior politicians and civil servants bought their official vehicles at bargain prices and that the beneficiaries of this scheme included the speaker of the new premier and some ministers. Publicly owned farms were also sold to political incumbents at transfer prices. It is asserted that there are many cases of overpayment to building firms as well as contracts to firms without following tendering procedures. Another case in South Africa involved the employment of 8,000 ghost workers and a further 1,519 employees who benefited from accelerated and irregular promotions in Kwa Zulu Natal. A lot of money was therefore spent for non-existent employees. It is also reported that in the Northern Province, the government in Pietersburg decided to spend Rand 300 million on a new Parliament building and Rand 33 million for construction of official residence for each member of regional parliament without the sanction of the cabinet or tender board – instead it is the Premier who authorized the expenditure. In South Africa misuse of funds and opportunity for bribery by senior officials have been possible also because there are secret budgets and removal of procurement from public scrutiny.

Another country that we would like to focus on is Botswana. We have chosen Botswana because it was seen as one of the few success stories of multiparty liberal democracy with political stability, sustained economic growth (8.4% a year) an efficient central state and relatively low levels of grand corruption since independence (Good, 1994 and Riley, 1998). This high credibility and integrity appears to have crumbled since 1991 in the face of a series of scandals (Good, 1994). This took place during the era of economic reforms, structural adjustment and the process of democratisation in developing and transactional countries.

Good (1994) mentioned three dominant areas of corruption. The first one is in the supply of teaching materials for primary schools in which Pula 27 million was dissipated, largely un-audited, on the tender as a result of offering the tender to a standing and whose head was an insolvent. This was essentially because the head of the company was known to the Principal Finance Officer in the Ministry of Local Government. The second one related to illegal land transactions in peri-urban villages near Gaborone by which more than 871 plots were illegally allocated at a time when land allocation had been suspended. These illegal activities included parliamentarians and ministers. There are cases where the Minister of Local Government went to the extent of directing the Land Board effect transfer of land to highly placed politicians such as the Vice President, Minister of Agriculture etc. after the board had refused to effect such transfer earlier.

The third case concerned the Botswana Housing Corporation (BHC). Good (1994) has intimated that senior politicians including Ministers and Senior Civil servants have been involved in serious housing construction scandals. One case that has been sighted involve a payment of Pula 8.5 million designing 40.7 high cost houses planned to be built on a hillside at Lobate where little or no market existed for such accommodation. A long
with this scandal a certain building company by the name of Spectra Botswana was paid Pula 12 million as an advance to build the new BHC headquarters but later the contract was cancelled before the work started.

The Presidential Commissions of Inquiry that were established to look into three scandals came up with the conclusion that senior government officials, politicians and private companies colluded together in all these scandals.

We now turn to Kenya as another example. It has been alleged that with economic liberalization and democratization and Multiparty politics the authoritarian Kenya has seen a growth rather than a reduction in corruption in the 1990s and this is seen as a product of the corrupt enrichment of the ruling party politicians and their close associates (Riley, 1998). Those cases in point are the “Goldenberg Scandal" of 1992 which involved a gold exporting scheme and was backed up by some senior ruling party members and business men resulting in Kenya losing US $400 million (Riley, 1998).

Another case is one related to elections. During the 1992 multiparty general elections it was alleged that KANU (the ruling party) leaders gave money to opposition party members so that the latter would cross over to KANU. Related to this is the factor of ethnic mobilization of the vote for non-ethnic reasons by both the opposition and the master or art – the one party rulers (Chenge, 1993). These developments together with the illegal allocation of power contracts brought Kenya into collision with donors especially the IMF and WB in since 1997. In 1997 the IMF suspended US $220 million in loans to Kenya for failure to combat corruption (Galtung, 1998). In 2001 the IMF and WB withheld the release of KShs.60 billion (US $750 million) loan disbursement because of rampant corruption that had entrenched itself in the civil service and particularly the presidents office (Business Times 23/3/2001 and Guardian 31/3/2001). The IMF and WB demanded the following: that custody of offering tenders should be removed from the Presidents Office; that the management of the energy sector should be strengthened; that the Independence of Kenya Revenue Authority is safeguarded; and that:

“The Kenya Anti Corruption Authority will be fully independent and has a wide Mandate to investigate corruption and to bring both the civil and criminal investigations and establish full accountability with regard to past financial infractions” (Galtung, 1998: 121)

Up to the year 2000, there were no indications of reforming the system but by the beginning of 2001 after immense pressure the government introduced in parliament a bill on economic crimes, the code of ethics for Civil Service and the authentication of the Anti-Corruption Authority giving it more independence (Business Times 23/3/2001 and Guardian 31/3/2001). The parliament has refused to pass the legislation despite President Moi’s presence in the parliament (The New Vision, 15 August 2001). It is alleged that the IMF had a hand in drafting of the bill and many members of
parliament have taken exception to having matters of national policy dictated by Breton Woods institutions.

The other move that the government made was to create a dream team comprising highflying executives from the private sector lead by Dr. Richard Leakey. In fact Dr. Leakey was appointed head of the Civil Service Commission to clean up the corruption mess in there.

Incidentally, Dr. Leakey himself happened to be involved in a case of corruption and he was to appear before a court of law. He was charged with conspiring to pervert the course of justices for alleged interference in a fraud case against a Dutch Bank ABN AMRO. He was alleged to have written to the Attorney General, Amos Wako in August 2000 expressing concern that the case that a certain British born businessman, Mr. John Nottingham, was bringing against ABM AMRO was likely to strain bilateral relationship between Kenya and Netherlands. Leakey put it this way in his letter: 'It would be in the National interest to terminate the Proceedings and attendant inquiry that is being Conducted by the Banking Fraud Unit’.

The English businessman was accusing ABN AMRO and the Dutch businessman of attempting to obtain KShs.300 million (US$ 9 million) from his rose-growing business under false pretence. The case was dropped after six days (Guardian, Friday 13/4/2001).

In Uganda, the recent presidential election in which President Museveni and Dr. Kiiza Besigye contested the elections and in which Museveni came out victorious winning by 70% majority, it was alleged that corruption was involved. Museveni was alleged to have brought in people from Tanzania and Rwanda to vote for him (Rai, 12/4/2001 and Guardian, 13/4/2001). Dr. Besigye appealed to the Uganda Supreme Court with a view to annulling the March 2001 Presidential elections but the petition was dismissed. In a separate case it has been alleged also that President Museveni offered bribes to the opposition so that he would win the elections. He is alleged to have given US $ 2500 to the former Mayor of the City of Kampala Al-Haji Nasser Sebaggala. President Museveni has since banned political parties from organizing or holding meetings (Sunday Observer – 22/4/2001).

At one time also President Benjamin Mkapa of Tanzania had advised Opposition Parties not to hold rallies saying that after elections it was time for development and not meetings or demonstrations. These, he argued, should come in year 2005. After a number of complaints and pressure the opposition has been granted permission to hold rallies and demonstrations. In the case of Zaire we had indicated earlier that during Mobutu’s era the former Zaire had very many parties and yet this was the period when corruption was rampant in the country and in fact Mobutu himself was a key figure/actor in this corruption. Mobutu was considered to be richer than Zaire, he built villas and bought estates in Europe particularly France and Switzerland worthy billions of dollars (Guardian, 2/4/2001).

Zambia under Present Frederick Chiluba has also been singled out for engaging in high-level public corruption. This corruption co-existed with
democratic politics. In Zambia democratization processes that started in 1991 were followed by economic liberalization. In the early 1990s (1991 particularly), a number of ministers in the multiparty cabinet of Zambia were implicated in illicit drug smuggling. In fact, the most glaring form of corruption in Zambia is alleged to have taken place during the sale of government parastatals in which a number of ministers and their business cronies acquired immense wealth through kick backs or commissions and during which more than 80,000 people lost their jobs (Riley, 1998).

It is not our intention to discuss the Tanzanian case because it is discussed elsewhere in this book but it is useful to mention here that despite the multiparty political system and the democratization process that started officially in 1992, corruption has persisted. Tanzania has been ranked very high up among the countries of Africa in terms of both petty and grand corruption that is said to have undermined the economically liberalized multiparty state (Riley, 1998). This necessitated the formation of a Presidential Commission of Enquiry under Judge Sinde Joseph Warioba, a former Prime Minister. The Commission identified rampant corruption in may public sectors. But high up on the scale include procurement of goods and services, allocation of permits for mining and hunting, customs, value added tax (VAT) and income tax departments in the form of fraud (under-declaration of value of goods, misclassification and underpayment of taxes due huge public contracts especially public constructions and road building, police, judiciary, all social sectors etc. (Warioba, 1996; Mndeme Msonda, Mjema and Danielson, 1997; Riley, 1998). Corruption cases have been reported in mining related to foreign investments in mineral resources such as Tanzanite, (Mererani – Arusha), gold (Geita – Kahama) and others. We also have corrupt cases in the allocation of plots. Recently there have been scandal cases in the importation of sugar. All these corrupt activities are said to involve heavy weights in the army, the political sector and aviations alike (see Majira of June 23, 2001 and of May 10, 2001; Taifa Letu of 29 July & August 4, 2001; East African of 1 May 2001).

Many cases of corruption have also been unveiled in the 1995 and 2000 general elections. It is alleged that in both elections, corruption was rampant at all stages/levels of the election process of the councilors, members of parliament and the presidential candidates and this has been testified by a number of elections observers and monitors both from outside and within the country (Ramadhani, 1995; Kweka, 1997; Limbu, 1997; Mlimuka and Mallya, 2000; Mpangala and Ndumbaro, 2000).

Persistence of Corruption under Multiparty Democracy in Developing Countries

We have amply shown that despite attempts at curbing corruption, particularly under the democratisation and liberalization process, corruption still looms. The nagging question is why? There are a number of reasons. Firstly, as Lodge (1998) has ably put it, old habits die-hard. There are normally
many administrative cadres who get absorbed from the old government into the new government bureaucracies and they carry with them the old corrupt practices. But there are also new types of corruption, which cannot be attributed to the old habits instilled during the previous administration. This includes nepotism arising from political solidarity. There are cases in Tanzania, Kenya, Uganda and other countries in Africa where people have been appointed to positions of power because of campaigning hard for either the president or ministers. This type of corruption is like paying back. Another reason is one that is related to customs and traditions. There are customs and traditions that smack of corruption but are believed not to be in the developing countries in general and in African countries in particular. In South Korea, for example, there is the custom in which one gives and receives what is called “chonji or ttokap” envelopes stuffed with cash that convey “good will and gratitude”. Mothers hand them out with a view to ensuring that their kids get good grades at school, young lecturers to get jobs at college and drivers to avoid speeding tickets (Lodge, 1998). We have also seen everywhere in Tanzania during election times contestants giving so called “takrima” to the electorate in the name of good will. It seems that this is the case everywhere in Africa where small and big businesses constantly give “chonji” or “takrima” to public officials in exchange for every stage of administration related to their business they want done in the offices. This makes the process faster and shorter.

The other major reason is that in the newly competitive political environment in African countries, political parties are increasingly becoming dependent on private sectors finance just like in Europe and USA. The disadvantage of this is that when the private sector comes to seek favour from the government it becomes difficult for the government to refuse to do so given that the government may have emerged from a party that was assisted by that sector.

Some legacies of certain societies seem to play a major role in determining the role of corruption. Makumbe (1994) argues that,

“to the extent that the colonial legacy has defined a weak state for most emerging nations and to the extent that in most African countries the state has been privatized, being an impartial arbiter in case of abuse and misuse of public resources is severely limited”.

Although there has been political liberalization, the major question to be asked is to what extent has the political leadership in power sustained commitment to improve public integrity (Riley, 1998)?

The other reason why corruption persists relates to those who believe that corruption may give opportunity to those who are politically excluded to get into power and hence develop the country and this may improve the quality of the administration. In fact some Multinationals and Trans-nationals are sometimes responsible for corrupting governments. They believe that this is part of their work ethic and that in the world of competition, you cannot do business unless you pay those who will facilitate your business (SAPEM, 1995:
cover story). It is also believed that it is not only multinational but also some major donor countries that support such practices. Both Siaka Stevens and Mobutu Sese Seko, for example, were supported by Western powers all the way through. Western support for Mobutu’s regime, for example, particularly from the USA, continued until 1990’s (Riley, 1998) despite his undemocratic, authoritarian and corrupt tendencies.

It has been argued also that corruption has continued to persist in the newly liberalized and transitional systems of the 1990’s because the politicians are nervous and afraid that if they take action against obvious corrupt practices where they see no political benefits, it might cost them politically. They will take action only where they think that their political position and responsibility will be strengthened (Riley, 1998).

Lastly, under a multiparty democratic system corruption may persist at the elections level because, as Ackerman (1996) puts it, of two reasons: one, elections are costly so candidates need to accumulate campaign funds or provide benefits to constituents as we mentioned earlier. Two, politicians may find themselves in situations where the possibility of re-election is very low or non-existent. This may be so because their popularity has declined during their stay in office or the law bars them from seeking re-election bars them. As their time of retirement comes to a close they have the incentive to extract as much as they possibly can before relinquishing their power. So those wanting to be re-elected all have likelihood of engaging in corruption. Ackerman (1996: 366) puts it much more poignantly “Both those in tough re-election fight and those who are at the end of their political life are especially vulnerable to corrupt inducements”.

With this persistence of corruption, the interest of the poor will be damaged, losers are likely to be the exceptionally poor, females and children are marginalized while the winners are already wealthy and part of the inefficient swollen state. Corruption damages the credibility of democracy and confidence building for it is economically wasteful, politically destabilizing and destructive to government capacity (Lodge, 1998). It also chases away investment from both domestic and foreign sources. Corruption at times, particularly when even the opposition parties take part in it, gives the ruling governments the excuse to return to autocratic system of government.

**Sum – Up Remarks**

What seem to be coming out of this article right from the beginning is that multipartyism must be located within an acceptable democratic system and that the African countries must develop a qualitatively different kind of democratic culture or system that includes all facets of development. It is also argued that it is only in that completely or almost completely responsive democratic system that corruption can be eliminated or at least reduced substantially.
The other aspect that seems to stand out as an argument is that since corruption has political, economic, social and cultural dimensions and that these should be viewed within a democratised policy, there are two assumptions that hold for stamping out corruption.

Firstly, public corruption can be reduced if the size of the state is reduced (Riley, 1998). Makumbe (1994) corroborates this by saying that there is a need to reduce state control on the economy and relinquishing some aspects of the economy to the private sector. There is therefore an urgent need, it is argued, to privatize the existing parastatals or allow them to enter into joint venture arrangements with private sector organizations. Makumbe (1994) cautions, though, that it does not mean that there is no corruption in the private sector, but that the arrangement will release the tax payer of the burden of subsidizing corruption.

The second assumption is that corruption can be reduced when there is a move towards liberal, pluralistic politics involving a free press, competitive party politics and revival or creation of independent associations, which can make corruption vulnerable to exposure. Corruption will therefore be detected through openness of information, support for whistle-blowers and by registration of real names of corrupt people and their assets. Through independent judiciary there will be increasing penalties by confiscation of benefits, penalty for both bribe takers and bribe givers.

We should hasten to add that anti-corruption policies must make sure that incentives for corruption are reduced and the probability for corruption are lessened and if programmes for corruption are put in place they should ensure that net costs of corruption exceed gains of corruption. It is assumed here that higher risks must be posed where corruption promises higher pay-off (Makumbe, 1994). However we need to warn here that if political will is lacking both at the legislative and administrative levels of government – no legislative or administrative change can ever be effective in containing corruption.

In many democratic systems the civil society in the form of NGOs, CBOs and even individuals is a very strong force against corruption. These must be encouraged to take action. In Bangladesh NGOs contributed substantially to the down fall of the corrupt establishment of President Ershad while in Brazil thousands of demonstrators were able to depose president Perez (Galtung, 1998). But NGOs cannot work alone, they must be part of a national integrity network that would include them (NGOs), the private sector and clean executives and officials in the state sector. There are times also when we may need pressure from outside as we saw on the part of Kenya from IMF and WB.

We also indicated that economic liberalization might reduce some petty corruption by reducing opportunities for the lower cadre or junior officials, whereas democratisation has the potential to create a transparency effect and in the longer term reduce larger, more damaging forms of corruption (Riley, 1998).
At the end of it all, we have to be careful here because corruption is not a mere redistribution aspect from the poor to the rich. In Africa it also has its origin in poverty and hence democratisation, multipartyism, judiciary and campaigns against corruption may not necessarily touch the whole heart of it. It may require campaigns against poverty and hence programmes for education, remuneration, health, water etc must be addressed. It may require sophisticated, sequenced institutional reform and public sector strengthening in the context of a more effective and empowering state. This is a different kind of state from the traditional African states that creates the framework of delivery of public goods, especially for the poor. What is being suggested here is that anti corruption strategies should be made part of a broader governance and development goal for the developing countries.

We are also suggesting that anti – corruption campaigns should be comprehensive, all encompassing and should not leave any sector or a group of people out – the entire administrative, business and political spectrum should be covered. The Warioba Report (for Tanzania) has a lot to offer in this direction. Our argument is that if this is done then we have democracy, we have stability, we have peace, we have sustained economic growth and a unified elite committed to encouraging domestic and foreign investment in the interest of the nation but also committed to maintaining integrity. How we start may be tough but we need to go about it gradually. To cap it all, and as Gray and Kaufman (1998) would want us to believe, corruption had its underlying causes in the economic, political and institutional problems of the society. Tackling the problems of corruption would mean addressing these underlying societal problems. We should not wait until corruption becomes so incipient and generalized and then cure it. We believe that the major focus should be on prevention – meaning that we have to transform the economic political and institutional framework of developing countries, African countries in particular, in the people's interest and well being. Even if we were to improve the enforcement mechanisms and legislations, say through the police ethics offices or even planting watchdog agencies within the administration, these may not bear fruits if the socio-economic, political and cultural set up is not radically transformed. We should lastly specify strategies of combating different level and kinds of corruption, as corruption is not a homogeneous category.
SINGLE PARTY ELECTIONS AND CORRUPTION IN TANZANIA: Experience and lessons

Peter A. Kopoka

Introductory Remarks

Corruption has, in recent years, become part and parcel of elections in Tanzania. The pervasiveness of corruption in the electoral process in the country is at present an area of growing concern. This article examines the problem of corruption and elections during the period of single political party system in Tanzania. It makes an in-depth examination of elections and corruption during the 1965, 1985 and 1990 elections. Our aim is to try to understand the development, nature and extent of corruption in elections in Tanzania under single party system and to draw important lessons that can help address present-day problems of corruption in elections. However, corruption in the electoral system is part and parcel of a wider problem of corruption in other spheres of the Tanzanian society. Thus, the 1965, 1985 and 1990 general elections are taken as case studies to draw conclusions on elections and corruption under one party political system.

This article indicates that the electoral system during the one party system in Tanzania was affected by a gradual growth of corruption. In the 1965 there were visible attempts to introduce a free and fair electoral system, which allowed for party members to seek party nomination to stand for elections. The ruling party also laid down strict regulations aimed at discouraging corruption in the electoral process. However, evidence of corruption was visible in these elections though on a small scale. The 1970 and 1975 elections were characterized by dominance of the ruling party over the electoral process solidifying the foundations of favoritism and control by a few. The 1985 elections were highlighted by allegations of increasing corruption with petitions being filed in the high court by defeated candidates. During the 1990 elections, corruption in elections had become a serious problem with acts of bribery and electoral irregularities influencing the outcome of elections.

Important lessons that can be learnt from the experience of elections under the single party system, which can help combat the escalating state of corruption in elections under the existing multiparty political system, are highlighted. Priority areas for eradicating corruption in elections are also indicated in this article.

Corruption and Elections: An overview

Our starting point is to have a working definition of corruption. Johnstone (1993) correctly points out that many promising discussions of corruption get lost in endless debates over definitions. It is also true that definitions of corruption and its impact often vary and we shall therefore avoid the temptation to make any rigid definition of corruption. Dey (1989) suggests that an act of corruption implies violation of one or more norms of behaviour and must involve two or more people who agree to commit the act for mutual benefits. Corruption is also understood to be the misuse of public
power for private profit. In the political arena the use of political responsibilities by a political leader to acquire illegal monetary assets and other benefits or to acquire/retain political office or office is known as political corruption.

Elections are an important part of the political process in any country. The importance and significance of elections is, however, greatly undermined by corrupt practices. Corruption in elections includes vote rigging, illegal political contributions to political parties, bribing of election officials, bribery within political parties for the chance to be nominated to stand for elected office, bribing the electorate through the use of money, gifts, etc. Abuse of public roles, procedures, or resources, by officials or by political parties who seek to influence them to gain political advantage is also part of corruption in the electoral system.

It is now generally acknowledged that corruption in elections undermines the legitimacy of the electoral process and gives way to mistrust, conflict and despair on the part of the citizens. In many African countries the legitimacy of the electoral process is undermined by rising corruption giving rise to conflicts and civil wars. It is further argued that growing corruption in elections breeds distrust in a situation where rights and protections are no longer believable and dependable. As corruption increases, the very right to express oneself politically is subject to a price. Corruption in elections helps to solidify the notion in many people's minds that politics itself is a sham—that one's rights and choices are illusory, and that the only hope of change lies in engaging in corrupt practices or the destruction of the system.

Johnstone (1993) points out that unlike many of the direct effects of corruption, the political costs of corruption are often intangible, widely shared, and realized only over the long term. But they are no less important for those reasons. Indeed, the political costs of corruption weaken a society's ability to reform itself, and to build more open, responsive, credible and legitimate political institutions. Johnstone (1993) further argues that in the short term, corruption estranges people from government, from politics, and from each other. In the long run, a vigorous political process can become a significant force in its own right in the struggle against corruption.

Several reasons have been put forward to explain the problem of escalating corruption in elections. For instance, it is argued that corruption arises from institutional attributes of the state and societal attitudes from formal political processes (USAID, 1998). Institutional attributes that encourage corruption include wide authority of the state, which offers significant opportunities for corruption. Minimal accountability, which reduces the cost of corrupt behaviour and perverse incentives in government employment inducing self-serving rather than public serving behaviour are other institutional attributes that encourage corruption. Societal attitudes fostering corruption include allegiance to personal loyalties over objective rules, low legitimacy of government, and dominance of a political party or ruling elite over political and economic processes (USAID, 1998). This appears to be the case in Tanzania where the ruling party (by then, the Tanganyika African National Union, TANU) had since 1965 taken over as the dominant political force by establishment of a one party system in Tanzania. In 1967 TANU extended its control by taking over the commanding heights of the economy by its government. The dominance of TANU over political and economic processes was to have a strong impact on elections and the subsequent emergence and growth of corruption. Huge pay-offs (economically and socially)
that result from holding political office is also another factor for rising corruption in elections. Those seeking political office know it and are ready to pay any price to win elections and the electorate is increasingly becoming aware of the need to solicit some token payment for their votes. The end result was rising corruption in elections.

Elections and Corruption in Tanzania: Historical background

Tanzania is one of the few African countries, which has successfully managed to hold regular elections to elect its political leaders. For thirty-five years from 1965 (when the first general election was held under the one party system) to 2000 (1995 and 2000 general elections being held under the new multiparty system) no general election has been skipped in Tanzania. The significance and meaning of elections is now under serious threat due to rampant corruption in the electoral process.

The 1960s and early 1970s were to a large extent characterized by absence of widespread corruption in the country. This situation changed slowly from the mid 1970s to the present state where corruption has become part of the social, economic and political landscape of Tanzania. Mtatifikolo (2000), points out that in the mid 1970s corruption in Tanzania mainly involved small receivers keen on supplementing incomes and small givers paying the rent created by regulations and shortages. The 1980s and 1990s witnessed rapid growth of corruption in all aspects of economic, political and social life of the Tanzanian society.

During the early years of political independence in the 1960s and the one party political system there were little or no rewards in politics due to strict laid down political guidelines for those in public service and the political direction of the country at that time. This helped reduce possibilities for corruption in the electoral process as we observe in the 1965 general elections. From the 1970s corruption steadily became part of the Tanzanian socio-economic landscape and as we note corruption in elections became more and more visible. It can therefore be said that raising corruption in elections was part and parcel of a wider problem of corruption in the Tanzanian society.

Elections and Corruption under One-Party system in Tanzania

A) The 1965 General Elections

The 1960 elections provided important lessons for the 1965 elections. In the nomination of candidates for the 1960 election to the National Assembly, TANU headquarters had overruled local party choices in at least three choices. The main argument was that these political candidates had been selected on tribal bases and therefore not acceptable to the party. In one of the constituencies in which the local candidate was rejected by the party (Mbulu Constituency), the rejected nominee (H.E. Sarwatt), stood as an independent and defeated the party nominee. This demonstrated the power of the electorate and during the 1965 elections TANU was careful not to disregard the wishes of the local party. In the 1965 Sarwatt was nominated again by his district nominating conference, topping the poll. The TANU National Executive did
not overturn his nomination this time and Sarwatt won the election. It appears that TANU had learnt the hard way to appreciate the will of the people.

Since the introduction of one party system in 1963, elections for public office in Tanzania - for parliament and local authorities - comprised of two separate formal processes after the initial nomination. Any card-holding TANU member could stand for elections provided that 25 would be voters sign his/her nomination paper. The first process was for the party to select a pair of candidates in each constituency. This was done in two stages: the district conference of TANU - a fairly representative body of delegates from branches and affiliated organizations. The district conference first ranked all the candidates in order of delegates' preferences. The list with the preferences for each candidate was then scrutinized by the party's National Executive Committee (NEC), which approved the final pair of contestants.

The general elections held in September 1965 were based on a newly introduced constitution, which recognized only one political party in the country. According to that constitution, TANU had to put two candidates in each constituency. The aim was to strengthen democratic participation and choice to the electorate.

Surveys carried out during the 1965 elections and the first local-council elections in 1966 showed a widespread voter satisfaction with those electoral arrangements. During the 1965 elections, in almost all cases, NEC (of TANU) merely approved the highest two preferences of the local party. Thus, TANU respected the choice of a political candidate selected at the grassroots level. Further more, the 1965 elections under one party system demonstrated its democratic potential in that several Ministers and a number of former MPs lost their seats. This included five junior ministers and a number of TANU's Central Committee members (Cliffe, 1972). After receiving nomination at the party primaries and the District Annual Conference, candidates were given equal opportunities by the party to present themselves to the electorate. This, to a large extent, minimized opportunities for those who held significant powers in the party to use their influence to seek nomination.

Examining the electoral process under one party system in Tanzania, Cliffe (1972) further noted that this electoral system allowed large sections of the population to become actively involved in the political life of the nation. He (Cliffe) was of the view that during the 1965 elections voters were faced with a real choice and that this was underlined by the campaigns and also by the fate of some former incumbents who were defeated at the polls were not returned to stand for re-election. Estimates suggest that during the first general election in 1965, perhaps as much as half the adult population, as many people as voted, attended one or other of these campaign meetings.

To ensure fair play a team of TANU elders from another area was present at each of these campaign meetings to ensure that each candidate is accorded the same opportunity. The candidates were not to appeal to racial, religious, or tribal loyalties. The debates were directed to the record and personalities of the candidates themselves and to local needs and grievances, such as demands for more schools and services and more aid for agricultural development rather than to broad ideological or policy programme differences.
According to Cliffe (1972) the aftermath of the 1965 elections indicated voter satisfaction on how the elections were conducted. This satisfaction was partly due to absence of corrupt practices during the elections. There was apparent confidence in the electoral system. Commenting on the electoral process under one party system, Pratt (1978) argues that the system went a long way to provide an assembly of individuals who had been selected for their personal characteristics in an election which attempted to exclude with great success organized factions and which minimized selfish and divisive appeals. This was seen as a strong barrier against corrupt practices in the electoral system.

It can therefore be argued that a major reason why corruption was not a major factor during the 1965 elections was the ability of the ruling party and government to ensure fair play during the selection of the candidates and during the election campaigns and actual voting. In order to ensure free and equal opportunity for each candidate, the two candidates were put side by side on the same TANU platform at a series of public meetings across each constituency. Cliffe (1972) observes that these dramatic confrontations, often held under the shade of a large tree, made elections a vivid reality to the ordinary people. There were also genuine attempts to discourage and curb tribal tendencies. Tribalism was seen as a major obstacle to free and fair elections. It can be said that tribalism is one of the avenues in which corruption can be perpetuated and thus discouraging it was a major factor in minimizing corruption in the 1965 elections.

It can therefore be argued that the introduction of an electoral process that emphasized fairness and transparency was a significant factor in stabilizing the country’s political system and created a conducive atmosphere for countering corruption under one party political system. This does not, however, mean that there were no attempts to engage in corrupt practices during the 1965 elections. Indeed, there was a gradual introduction of corruption in the electoral process. For instance, there were unsuccessful efforts to use economic power to influence the 1965 elections. Analysing the 1965 elections, Kiondo (1994:70) notes that there was significant involvement of candidates from the business community who were however unable to enter parliament. While the 1960 parliament had 9 members from the business/traders category, in a house of 80 members, the picture was slightly different in the 1965 parliament. In a parliament of 101 members, only 4 came from the business community. Further analysis of the 1965 election process indicates that a total of 84 people from the business community aspired for a parliamentary seat. Out of these, 63 were eliminated during the preliminaries. Out of the 21 who proceeded to the second stage, four (4) won, while 17 lost (Cliffe, 1967:265).

There is evidence that indicates that there were efforts to use economic power during the 1965 elections. For example, in Rungwe district the coercion by estate management to make sure that workers vote for the required candidate, could not be more vivid:

A full “battle plan” was laid out by one manager to aide his candidate. Veiled threats of job loss were to be used if workers did not vote for the right candidate....Pressure was to be applied by key clerks and field managers who were known as opinion leaders. The manager confidently predicted that of the 402 registered voters on the
There is little doubt that the use of economic power to influence election results is closely linked to corruption. It goes without saying that the estate manager was not carrying out his “battle plan” for nothing and that a substantive “reward” was to be expected from the candidate in order to achieve the desired result. It can also be argued that part of the pressure that was put on key clerks and field managers was in the form of incentives such as promotions and pay rises all of which can be said to be part and parcel of corruption.

Unofficial campaigns were also not uncommon during the elections. In the same district of Rungwe, such campaigns were conducted by estate managements, by organizations of supporters (e.g. the Pakati organizations for the incumbent, Mr. Kasambala), and by family members. Methods used included door-to-door campaigns, appeals to kinship and friendly solidarity, and the use of threats and open coercion at workplaces (Mwansasu, et. al., 1967). These methods are in one way or another closely linked to corruption in the sense that they were used to better the chances of one candidate over another against laid down regulations and rules.

However, it must be pointed out that while the use of economic power and possible acts of corruption in the 1965 elections was visible, it was not widespread and did not appear to have a decisive impact on the election results. The unsuccessful use of economic power and the reduced number of members of parliament from the business community demonstrated the growing supremacy of the ruling party. The increasing power and control of the ruling party over the electoral process, in our view, laid the foundations of increased corruption in elections as is evidenced by the proceeding elections.

B) The Arusha Declaration and the 1970 and 1975 Elections

The introduction of the Arusha Declaration of 1967, which set up strict leadership guidelines for political leaders was also an attempt to further limit possibilities for corruption and the building of a just and fair society based on the principles of socialism and self-reliance. The Arusha Declaration had a strong bearing on the 1970 and 1975 elections. Those aspiring for political leadership were not allowed to have more than one salary, own private property for commercial purposes or engage in business. Mwakyembe (1990) shows that on 30 October 1965 the Parliament passed an Act transferring some of its privileges to the NEC (of the party) as for example the use of penalties for disobeying orders from the NEC. While in the past the District Party office selected two names from the aspirants and sent them for endorsement by NEC, from 1965 onwards it was NEC that selected the two candidates. The District party office had only to conduct the primaries and send the preferential list to NEC, which was not bound to follow the order of the list. This led to allegations that the party used the system to promote its favorites and demote opponents.

"The new electoral system placed the party in a position of ensuring victory to the candidate it preferred by simply giving him a weak opponent and the hoe symbol. For instance, in the general elections all cabinet ministers with the exception of one,
were given the hoe symbol and out of 101 elected MPs 74 were hoe candidates” (Mwakyembe, 1990).

The Arusha Declaration and the ‘custodians’ of the Declaration (NEC) determine who would go to parliament in the 1970 elections. Kiondo (1994) notes that the 1970 elections were accompanied by a fervent campaign to bar the business community from entering the race. While during the 1965 elections, in the name of national unity, all classes were embraced, from 1970 to early 1990s only the workers and peasants were to be the rulers. Only those committed to the ideology of Socialism could be accepted to stand for political leadership (Okema, 1990). According to Saul (1973), some leaders began to drop out of party posts voluntarily after the Arusha Declaration and in October of the same year the National Biennial Conference of TANU reinforced the power of the party to scrutinize the qualifications of members and leaders. In 1968 nine people were expelled from the party, seven of whom were MPs, for not being committed to party principles. Saul asserts that this was

“a dramatic opening shot. Subsequent events revealed that greater central control was in fact at work in streamlining the leadership. In the following months a number of TANU functionaries who had originally been locally elected by the party were replaced on grounds of their being unfit, and during the intra-TANU election process of 1969, the power to filter candidates and dictate the conditions of their acceptability from the centre was used much more aggressively” (Saul, 1973)

The above situation was indeed a very fertile breeding ground for corruption in the electoral process. A few individuals in TANU leadership had managed to monopolize political power and influence. Transparency, which characterized the 1965 general elections as well as the politics of accommodation and inclusion, seem to have been thrown overboard and replaced by tight party control. It can be argued that political control by a few Party functionaries over the electoral process was to expose the electoral process to corruption.

The 1975 general elections further consolidated the powers of the ruling party. An election manifesto to guide the candidates during the campaigns was introduced. Okema (1990) correctly observes that the manifesto was itself a manifestation of the growing control of the party since the candidates were being instructed on what to tell the electorate. This did not however stop corrupt practices in elections as evidenced by allegations of corruption by the defeated candidates. These allegations included those by defeated candidates from Dodoma and Rombo constituencies.

As events of the 1980 and 1985 election indicate, this situation of control and lack of transparency were to contribute significantly to the growing state of corruption in elections under the one party system in the country. Corruption as we note in the preceding section, was to emerge as a major issue of concern in the 1980 and 1985 elections.

C) The 1980 and 1985 Elections
Two milestones marked the election process in Tanzania in the 1980s. From 1965 to the 1980 elections, Zanzibar had only been participating in the union presidential elections. Zanzibar started voting for the president of Zanzibar from 1980 onwards. The Zanzibar House of Representatives became an elective body in 1985. Thus, from 1985 onwards there was uniformity in the whole country as the elections took place under a single party (CCM) with the electorate in Zanzibar joining those in the mainland to elect the President of Tanzania and members of Tanzania’s National Assembly. Zanzibar also elected their own President and members of the House of Representatives.

For the election of 1985 there was a transition from one style of leadership to another and a period of steadily deteriorating economic situation. Both aspects were to have a strong effect on the situation of growing corruption in elections. Ali Hassan Mwinyi stood as the presidential candidate with the outgoing president Mwalimu J.K. Nyerere campaigning for Mwinyi throughout the country. Mwinyi received a massive vote in support (92%) with the electorate convinced with Nyerere’s campaign message that “Mwinyi ni mtu Safi” (that Mwinyi was a clean person - a man of integrity). Mwalimu was not ready to extend that endorsement to a good number of contestants for parliament hinting at increasing use of money in elections.

The 1985 Tanzania parliamentary elections attracted 1145 people to contest the 119 constituencies on the mainland – a very high number of candidates per seat, but not a record number. In 1975 the number of candidates contesting each seat was 11 as compared to just under 10 in the 1985 elections. In 1965 the number was eight; in 1970, it was just over seven. Only four seats were unopposed. It has been argued that the 1985 parliamentary elections must be seen as a serious democratic exercise (Othman, et. al, 1990: 3). While it cannot be disputed that the 1985 elections attracted more contestants, that it was a serious democratic effort is very much debatable. The major issue that emerged during and after the 1980 and 1985 elections was corruption.

The aftermath of the 1980 general elections brought to the fore the growing problem of corruption in elections. After the 1985 elections a number of defeated candidates filled a number of petitions. A major complaint was that of illegal campaigning and engaging in corrupt practices to influence the results of the elections. The most prominent cases were two petitions filled by defeated candidates in Rombo and Kiteto constituencies. The former Rombo member of Parliament, Leons Ngalai, sought to unseat the winner Basil Mramba, while the former member of Parliament for Kiteto Erasto Kisioki, intended to unseat Habibu Samimbu. Both petitioners claimed that there were irregularities during the campaigning including illegal meetings and bribes to the electorate. These were not isolated cases. Other petitioners claimed that various candidates held secret meetings during which their agents brought drinks for the then would be voters. For instance, an election petition was filed by Abbas Yusuf Mwingamno, the defeated candidate in the Kisarawe constituency, against Professor Kighoma Ali Malima, by then a senior cabinet minister. Amongst other things, Mwingamno alleged that Prof. Malima bribed would be voters with cash, mats for Muslim prayers, Muslim holy books and in several places promised to rebuild old mosques. The petitioner also alleged that Prof. Malima used his official post as minister to mobilize public vehicles for the campaign. It was alleged that
public vehicles were seen throughout the district distributing to would-be voter’s bribes long before and after the official campaign had started (Daily News, December 14th 1985). From Rufiji the defeated candidate for the Rufiji constituency Ndumbugani Selemani Amiri filed a petition seeking to unseat his opponent in the general elections Mbonde Bakari Muhama. The defeated candidate claimed that there were irregularities in the election process. These included illegal campaigning and use of bribes.

By December 1985, 17 election petitions had been filled against the elected members of parliament beating the 1980 figure by two. There were 15 election petitions after the 1980 general elections. The major complaint of the defeated candidates was that of corruption and illegal practices by their opponents. Nullifying the Singida Urban election results Judge Kahawa Lugakingira ruled that it had been proved that there were irregularities in the election process. The judge also found Gallawa (2nd respondent) guilty of corruption and making illegal underground campaigns before the elections. Justice Lugakingira told the court that combining Gallawa's illegal acts with a number of irregularities committed by government officials engaged in election activities satisfied the court beyond reasonable doubt that the Singida Urban elections were affected (Daily News, Friday March 28, 1986). Other election results were also overturned by the courts, including that of Basil Mramba, on account of election irregularities and corruption. There is little doubt that the 1980 and 1985 general elections were characterized by a high level of corruption as compared to the 1965 and 1975 elections. The situation worsen during the 1990 elections as we note in the next section.

D) The 1990 Elections

Tanzanians went to the polls on October 22nd and 28th, 1990 for the sixth time in the postcolonial period. Politics and the subsequent rewards of political office had turned elections into big business with corruption taking center stage.

The number of complaints on the 1990 elections greatly increased over previous elections. This time 46 complaints were raised twice as many as those of the 1985 elections and nearly three times as many as those of 1980 (Cited from Mpangala, 1990: 48). Out of the complaints examined, 25 were concerned with irregularities during the voting process, 12 during the campaigning processes, 2 during the counting process, 2 during the registration and nomination process, and only 1 was concerned with election results. Out of the 12 complaints connected with the campaigning process, 7 had connections with government and party officials, and out of the 25 cases concerning voting processes 2 were connected with party and government officials. Among the various irregularities connected with party and government officials are the use of vehicles in campaigning, failure to control lawlessness, involvement in illegal meetings and campaigns, and exerting official influence on voters (Mpangala, 1990:50). It can therefore be argued that the majority of the 46 complaints were based on what can be categorized as corrupt practices. That the complaints were not taken very seriously and therefore laying foundations for
the increase of corruption in elections is seen from the fact that out of the 46 complaints 28 were dismissed by the Electoral Commission, 16 summary dismissals and 12 being dismissed after hearing. Only 3 complaints won their petitions and these were in the Bunda, Monduli and Bukoba Rural constituencies (Mpangala, 1994:50). Most of the complaints were dismissed for not following the laid down procedures for filling the complaints forms. The scale of dismissals on the basis of not filling in the forms properly is an indicator of the extent to which the Commission considered issues of electoral malpractice.

Dismissing most of the petitions on grounds of violation of laid down procedures and regulations poses two problems. One problem is that although some of the cases deserved dismissal, quite a good number of the dismissals were genuine. The second problem is that the regulation of filling the complaint forms by the complaints immediately was, in a number of cases, unrealistic. This is due to the fact that many of the irregularities such as illegal, secret and underground campaigns or tactics and strategies could not be identified immediately. In fact, in some cases, the irregularities could only be identified after the results were out. It is to be noted that illegal campaigning was the main manifestation of corruption in the 1990 elections. In other words, illegal campaigning and secret meetings were the main manifestations of corruption in the 1990 elections. In these illegal campaigns money was usually used to bribe the electorate and to seek for political favours.

The 1990 elections marked the ascendancy of unofficial campaigns. Candidates, electorate and officials, all acknowledge the rise, increase and reliance on unofficial campaigning. This involves reliance on one’s personal networks to mobilize votes. The rise in reliance on personal networks reflects either lack of confidence in the official campaigns, or increase in premium on winning, moving the candidates to assure victory at all costs, or both (Mukandala, 1994:62). Reliance on own networks was accompanied by an increase in the use of money. While TANU once said, "money is not the basis of development", politicians were saying you cannot get anywhere without millions, and they proceeded to mobilize huge amounts of funds and spent it (Mukandala, 1994:63). Candidates spent huge sums of money on lavish parties, purchase of goods including food to the electorate and donations to their constituents. There is little doubt that most of this money was spent on bribing the electorate who had in turn become more aggressive and demanded some pay back for their votes. For instance, in the Bunda constituency in Mara region, individuals who had taken forms to contest the Bunda seat against the then Prime Minister Mr. J. S. Warioba were persuaded by district leaders not to stand against Mr. Warioba by offering financial incentives. One potential candidate by the name of Malagila, for example, is alleged to have complained about his not being promoted for a long time. Immediately, he backed down from the race, Malagila who works as a junior health officer at the district hospital, was awarded a double promotion back dated a couple of years. He collected a cheque worth 53, 000 (Mlahagwa, 1994: 220). There can be no other description of this event other than it being corruption. This was not a lone exception of the 1990 elections. Corrupt practices were reported in several other parts of the country. In the Hai constituency in Arusha region the two contenders engaged in door to door canvassing and offered free booze at drinking places. There was extravagance as well as spreading
of resources to the less populated areas (cited from Kiondo, 1994). The Hai experience was not an isolated case as the use of vast sums of resources to contest elections was also evident in other parts of the country. The signs of increasing corruption in elections had thus become very evident by the 1990 elections. The era of open free debate and contest for parliamentary seats had come to an end and the use of economic power and corruption had taken center stage.

Kiondo (1994:68) also notes of increasing use of economic power in the 1990 elections. In Tanzania, the election manifest stipulates that all the campaign regulations must be observed in conducting elections. Failure to follow the regulations properly constitutes a breach of the law, and if reported to the court by an aggrieved party (either a defeated candidate or any concerned voter) could result into nullifying the election results. Furthermore, the country’s electoral law, among other things, prohibits any campaign meetings or other public activity by the candidate or anyone else acting on his/her behalf (with or without his/her knowledge or consent), outside the official activities arranged and presided over by CCM. Finally “bribery, treating, or undue influence” by or on behalf of the candidate all such acts are regarded as illegal (Kiondo, 1994:68)

Under the above circumstances, it is obvious that it would be very difficult to investigate the use of economic power in Tanzania’s elections, since according to the electoral law and regulations, any overt attempt or actual use of economic clout to influence election outcomes would be regarded as illegal. However, this does not imply that there have not been ways used to go around the regulations. It only means that it would be very difficult to document those ways using conventional research techniques such as the questionnaire and interview methods that were used in gathering the information contained in this article.

The usual strategies to “beat” the regulations would include informal or unofficial campaigns, throwing parties on behalf of or for candidates, giving treats mainly in the form of free drinks at drinking places, hiring people to undertake door-to-door canvassing for votes, and organizing campaign committees headed by skilled campaign managers.

The Legacy of the One Party Electoral System in Tanzania

The one party political system in Tanzania was intended to provide, and did provide initially, an effective popular check upon authoritarian tendencies within the (ruling) party leadership. However, Pratt (1978) correctly pointed out that the democratic features in the constitution could be very significantly nullified if the president and the NEC were to use their powers to control the electoral process rather than to make a reality of its democratic features. In his analysis (Pratt, 1978) argued that there was a danger that potential candidates could be dissuaded from running, and the local party machinery could be used to influence voting at the District conference. He further pointed out that the party’s NEC could ignore district conference rankings much more frequently. It could, for example, drop popular candidates whom it disliked. It could manipulate the ballot in order to favour a candidate whom it preferred.
What Pratt (1978) feared about the democratic process under the one party political system has come to pass as evidenced in the 1985 and 1990 general elections. Indeed, the ruling Chama cha Mapinduzi (CCM) government has adapted a more authoritarian style of leadership with NEC wielding increasing powers on the selection of candidates to stand for election than the TANU government. The party’s nomination system did not change even after the adoption of multi-party political system. Even so, the other political parties did not fare any better as they also failed to provide a viable system of selecting their presidential and parliamentary candidates. The result has been allegations of corruption and turmoil within the political parties.

The monopolistic nature of the electoral process, lack of transparency, bureaucracy and tight control over the electoral process by the ruling party are part of the one party legacy. To a large extent this legacy still remains part and parcel of the political landscape under the present multi party political system. It can be concluded that the monopolistic nature of the political system with TANU and later CCM as the sole political party, the gradual decline of transparency in the electoral process and tight control of NEC contributed to a large extent to the problem of corruption in elections under the single party system.

Combating Corruption in Elections: The road ahead

The struggle against corruption in elections in Tanzania is an uphill battle, which must nevertheless be fought and won. There is need to re-examine Tanzania’s electoral process with the aim of making changes to the system so as to minimize corruption in elections. The following are suggestions on what needs to be done in order to combat corruption in elections.

a) Introduce an open, responsive and effective electoral process

There is little doubt that Tanzania is in urgent need of an open, responsive and effective electoral process as a means of combating corruption. This will in part require at a minimum, a significant amount of citizen trust in officials, in institutions responsible for overseeing elections, and in each other. An open electoral process will mean that people are allowed to nominate candidates of their choice to stand for election and free to campaign vigorously their own political agenda. During the 1965 elections there were attempts to introduce an open and responsive electoral system under the one party system and this is perhaps why we note that corruption did not have a significant part in these elections. This is an important lesson that can be learnt from the 1965 elections.

An open and responsive electoral process must be one that facilitates the electoral officials to effect and abide by official decisions. The political parties will thereby be able to accept unfavorable outcomes as fundamentally legitimate and mounting their responses through the political process. It also means that the electorate and the general public trust others to do likewise, for there is little reason to play by the rules if one’s critics and opponents are unlikely to do so too.

The overall emphasis must be to ensure that the institutions charged with the
responsibility of managing the electoral process must be seen to be fair and functioning for the interests of the general public. An independent electoral commission will be a big step towards achieving this objective.

b) Strive for greater Transparency

Transparency was the main victim in the 1970s and 1980s elections. As the ruling party gradually tightened its control over the electoral process, transparency disappeared. Lack of transparency provides a conducive environment for promoting corruption as we noted earlier. Public tolerance for corrupt practices during elections is slowly but surely reaching its limit. This is illustrated in low voter turn out and public distrust. Combating corruption and enhancing electoral ethics remains a large issue in Tanzanian society. It is suggested that a way out is towards greater transparency in the whole electoral system. Transparency is deemed to be important because:

♦ Beyond moral aspect, transparency has real implications for political and economic stability, which will in turn lead to combating corruption during elections.
♦ Transparency leads to more informed decision-making by those overseeing the electoral process, the electorate and those standing for elections. This was clearly the case in the 1965 general elections where TANU tried to introduce an open and fair electoral system where the public was an informed participant.
♦ Transparency increases accountability of those in positions of authority in both the public and private sectors.

Transparency cannot however come by itself. There are a number of methods to promote greater transparency. These include:

♦ Quality and type of information dissemination is key. Move beyond “public awareness” campaigns to those, which provide action avenues. For instance, information that will enable those seeking elections and the electorate to take decisive action against those engaged in corruption during elections.
♦ Political parties must create an example in their own parties of transparency on critical issues regarding their finances, on the system used to elect those standing for elections and procedures for managing their. This will reduce possibilities of individuals within the parties to engage in corrupt practices, which in turn hamper free and fair elections.
♦ Political parties must not only take a clear position on corruption and the need for free and fair elections, but educate and equip their employees, supporters and the general public with ways on overcoming corruption during elections. The existing situation where political parties, particularly the ruling CCM party appear to be shielding/protecting corrupt party officials is likely to hamper efforts to combat corruption.
c) Community Empowerment
A public who believe they can effectively organize, and who feel secure in their rights, may be more resistant to the sorts of corruption that are being offered by political parties and politicians--such as petty money to buy votes. Community empowerment is crucial in this regard.

The community is an important advocate for necessary laws to ensure free and fair elections and must therefore be given the opportunity to be heard and to take an effective part in the formulation and implementation of electoral laws and regulations.

With empowerment, the general public can become an important force in strengthening anti-corruption institutions and other institutions, which oversee law enforcement. Those engaged in corruption during elections are more often well known to the public and the means employed to corrupt the system. Thus the public has the responsibility of informing anti-corruption institutions on what is going on around them. This also requires anti-corruption institutions to be responsive as evidence points to these institutions being very intimidating to the public. Furthermore, the community can form their own institutions to promote ethical standards, e.g. codes of ethics for political parties and those standing for elections.

Partnership between the government, political parties and the electorate is likely to increases impact of advocacy efforts and helps combat corrupt practices during elections and promote transparency during and after elections.

d) Strengthen the Legal System
At present, there exist loopholes in the legal system, which perpetuate and encourage/increase corrupt practices during elections. Rugakingira (1996) correctly points out that corruption is not a chargeable offence in the election petitions. He points out that in accordance with the provisions of section 108, a petition may be brought on four grounds, namely that during the campaign statements were made by the candidate or on his behalf with the intent tribal, racial, religious or gender differences; non-compliance with the provisions of the Act relating to elections; the candidate being at the time of his selection unqualified for the election; and illegal practices by the candidate’s agents. The provision declares that a petition can be brought on no other ground and it is evidently silent on defamation and corrupt practices. There thus appears to be little or no stringent laws making corruption grounds for a petition. Lugakingira suggests that Act No. 1 of 1995 be amended and for corruption to become a grounds for petition.

The 2000 general election and its aftermath are testimony for the need for corruption to become not only a ground for petition but also the ground to take firm legal action against corrupt practices in elections.

e) The need for Administrative Reforms
Careful, well-conceived administrative reforms will be essential to any anti-corruption effort in the electoral process. But an equally important task for the longer term is to build up the institutions and political vitality of civil society, in order to speed the
development of the countervailing political interests, and to strengthen links between government and people. This is in no way a quick or simple task, and will not produce immediate benefits.

Maintaining an independent mass media, protected by effective guarantees of the right to publish and to criticize the government, will be an important element of this strategy. The immediate results will be disorderly, particularly as compared to the aftermath of coups or official crackdowns. But one reason coups do not reduce corruption, even where that is the actual intent, is that they inhibit the very political competition and vitality that is needed to build a system of public order.
THE ELECTION LAW AND CORRUPTION LOOPHOLES

Harrison George Mwakyembe

Introductory remarks

It was Daniel Webster who in 1830 defined democracy as “Government made for the people by the people, answerable to the people” (von Muench, 1987: 22). Twenty years later Theodore Parker reconditioned the definition in the following words: “government of all the people, by all the people for all the people” (Nyerere, 1968: 88). Britain’s most revered constitutional scholar, A.V. Dicey, came up with “government for the good of the people, by the people and in accordance with the wishes of the people” (Dicey, 1915: xxiii). In all the three versions, the emphasis is on the people as the alpha and omega of democracy. The same emphasis on the people is found even in the original Greek word demokratia from which the term “democracy” is derived. Demokratia means plainly “people’s rule”.

But how do you realize this higher ideal of people’s rule? This is the question that has, for a long time, doggedly challenged human imagination. Two methods have so far been brought to test.

The first is the “direct democracy” method which, to borrow Holden’s definition, is a system in which “the people directly make the determining political decisions – this is usually taken to mean that all the people are present when the decisions are made and all partake or have the chance to - in the making of them” (Holden, 1974: 26). Nyerere regarded this democratic method as “democracy in its pure form” (see Nyerere, 1963). This method was, however, popular and effective only in the bygone days of small and self-governing communities which could afford, from time to time, to bring together all their mature members to determine important matters of community interest.

With the advent of large nation-states, certain key aspects of direct democracy such as the use of public assemblies as decision-making organs, fell into disuse. The very idea of assembling all the adult citizens in a nation-state to deliberate over government bills and pass them into law, appeared screwy and unrealistic. Gradually, even the use of referenda and plebiscites was limited to very few cases primarily because of logistical difficulties involved.

From the French Revolution onwards, we see the “indirect democracy” method, i.e. participation through representation becoming not only readily acceptable and popular, but also the norm in modern nation-states. This indirect method of democracy is commonly referred to as representative democracy in the sense that all adult citizens are said to participate in the business of their government by proxy, i.e. through their representatives who constitute the central law and decision making body called parliament.
Since parliament is deemed to embody the will of the people, it is allowed to wield tremendous political influence and power in the name of the people and to exercise it on behalf of the same.

Given the legislature’s central position in the whole question of democratic governance, the need for the people’s direct involvement in its composition cannot be over-emphasized. A fair, intelligible and honest system which enables the citizen to freely choose a representative with whom to entrust his or her mandate, and a system which underlines the people’s ultimate political sovereignty upon which the legislature and its legal sovereignty are dependent, must be in place.

And such a system can only be sustained and enabled to pass the test of time to become part of a national ethic by both civic education and legislative measures. My major interest in this article is in the latter aspect that constitutes a body of law generally referred to as the electoral law.

**Electoral Law**

In all modern jurisdictions, electoral laws are founded on respective national constitutions from which all political power and legal authority are derived. Articles 5(1) and 7(1) of the Constitution of the United Republic of Tanzania of 1977 (hereinafter referred to as the Union Constitution) and the Constitution of Zanzibar of 1984 respectively, lay down the foundation for the country’s electoral law by solemnly guaranteeing every citizen of the United Republic and every Zanzibari who has attained the age of eighteen years the right to vote in any public election held in Tanzania, and by allowing respective legislatures in both parts of Tanzania to enact electoral law providing for a fair and intelligible system to all Tanzanians.

And indeed, a total of six pieces of legislation have been accordingly enacted since the coming into force of the two constitutions: the Local Authorities (Elections) Act no.4 of 1979, the Zanzibar Election Act No.11 of 1984, the Elections Act No.1 of 1985, the Political Parties Act No.5 of 1992, the Zanzibar Municipal Council Act No.3 of 1995 and the Zanzibar District and Town Council Act No.4 of 1995. The substance in all these statutes is that elections properly conducted must meet the following conditions:

- a) Enjoyment by every adult citizen of the active or general electoral right, i.e. the right to vote that includes the right to participate in referenda and plebiscites. With the exception of minors, confirmed criminals and people of unsound mind, no one can be denied this right by reason e.g. of race, tribe, sex, religion or political adherence without the matter generating serious political and constitutional consequences.

- b) Enjoyment by every adult citizen of the passive electoral right i.e. the right to be elected which all members of the electorate must as well possess with or without qualifications.
c) Voting by secret ballot to ensure a free exercise of one’s voting right.

d) Holding of elections at regular and fairly frequent intervals fixed by law.

e) Existence of a just, fair and transparent system of administration of elections.

These are the key requirements of a democratic electoral process which are not only cherished by Tanzanian electoral law, but also recognized globally and feature prominently in international instruments like the International Covenant on Civil and Political Rights which became effective in 1966 and the United Nations Universal Declaration of Human Rights of 1948 which guarantees, under Article 21, the right of all persons to take part in government and in periodic and genuine elections organized on the basis of universal and equal suffrage and by secret vote or its equivalent.

The whole purpose here is to create an enabling environment for democratic participation, to achieve as much as humanly possible the higher ideal of democracy, i.e. people’s rule as earlier expressed by Webster, Parker and Dicey and to make representative democracy as efficacious as direct democracy has always been.

The Scourge of Corruption

Going by newspaper reports as well as election observer/monitors’ assessments, the 1995 and 2000 General Elections in Tanzania bear testimony to a marked increase in the incidence of corruption in the country that poses a serious danger to genuine democratic participation in the country.

The trend, however, is not beyond explanation. Tanzania’s decision in the early 1990’s to do away with the one-party form of government and adopt the government and opposition system had two major effects:

First, it emasculated the ruling party that for almost three decades after independence had dominated the country’s political scene and enjoyed supreme constitutional authority. The decision to go multi-party placed this erstwhile ubiquitous political party on an equal footing with a dozen and a half tiny but sharp and ready tongued political parties to play in tandem with them an accessory role of facilitator in the political process and not “sole and key political actor” as was earlier the case.

Second, the decision to go multi-party elevated the constitutional authority of parliament from that of an organ of the ruling party to a powerful institution of the State second to none with central decision-making powers. The stature of parliament was tremendously enhanced socially and politically.

The implications were obvious: competition for presidential and parliamentary seats within and between the numerous political parties was heightened and assumed, as time went on, cut-throat proportions. The days were gone when any party presidential nominee was assured of victory in
party-managed “yes” or “no” polls, and when demagogy and sycophancy could catapult a candidate into parliament much more easily than ability and education.

There was a marked change of attitude on the part of politicians who increasingly realized that in competitive politics their fate was largely in the hands of the electorate rather than the party barons. The tension, uncertainty and perturbation which gripped candidates in the 1995 and 2000 General Elections, including long-time ruling party cadres and stalwarts, bear ample testimony to my assertion. It means political survival is now not only for the fittest but also on terms set by a politically conscious, censorious and sometimes cynical electorate.

Fear for the elections has become real. It is accentuated by the politicians’ inability to fully comprehend the voters’ temperament and factors that alter their judgment in a market economy. As a result, many politicians, old and new, are lured on to desperate acts of corrupting the electoral process in their favour or, to borrow Murray’s phrase, of lubricating the wheels of political machinery with golden oil (Murray, ).

What people witnessed in the two General Elections are matters for serious concern. For corruption, be it in politics, business or administration is obstructive. It vitiates policy, saps both social and political development and seriously undermines public confidence. Surely, no nation can dream of achieving much in terms of social and economic advancement if it condones corruption.

Tanzanian President Benjamin Mkapa has aptly called corruption “a plague” which eats away at the core of societal integrity and humanity; an impediment to justice and fairness as well as to development (Mkapa, 1995: 5-8; Mkapa, 2000: 46-54). I would hastily add that in relation to elections, corruption is also a serious impediment to democracy. In the words of one social scientist, it “weights the already over-weighted scale in favour of the rich and the privileged” (Venkatappiah, ).

At this juncture it is quite legitimate to ask whether the early 1990s momentous constitutional and political changes that ushered in the country competitive politics were accompanied by requisite amendments or changes to the country’s legal regime regarding elections.

In other words, to what extent was the relevant law reformed to meet the challenges of a highly competitive government and opposition system which, as we have already noted, has in no time relegated to the sidelines even the minimum standards of honesty and integrity in politics and public life which could easily be identified with the Tanzanian society during the first phase government of the late Mwalimu Nyerere? Our enquiry in the next sections into corruption loopholes in Tanzanian’s electoral law should be able to provide the answer.

Legislative Loopholes

A. Inner-Party Democracy
In a parliamentary system, democracy begins with the political parties. They organize the electorate for purposes of elections and assist the candidates to face the rigors of modern electoral contest. They simplify the political issues and make them intelligible to the average citizen. Their deep involvement in the working of democracy has led Dash to conclude that without political parties “the electorate would have been an incoherent mass of people without any common binding link among themselves” (Dash, 1963).

Therefore, without genuine inner-party democracy, democratic participation at the other levels outside party organizations becomes a farce. This explains why most modern constitutional set-ups in the world carry stringent inner-party democratic requirements for political parties to observe.

In Tanzania, the Political Parties Act of 1992 is supposed to play this important role of guiding the parties along acceptable democratic lines, is silent in many critical areas of democratic participation, thus leaving ample room for foul play. As a result, most political parties in Tanzania are managed like military regiments or at best like family businesses in which the word of the head of the family is final and conclusive.

It is not strange to find political parties in Tanzania which have not had an election since their registration in the early 1990s and which hardly consult their members to deliberate and decide on major policy questions in total disregard of their own constitutional requirements. Elections in a few serious parties have also failed the test of being free and fair on account of massive rigging and vote buying. Corruption has virtually become a norm.

The procedure, likewise, to get women MPs who are supposed to be elected by respective political parties represented in the National Assembly on the basis of proportional representation has been, going by the two preceding General Elections, a fiasco. The problem stems from the Union Constitution itself. Articles 66 and 78 simply state that this category of MPs is supposed to be elected by respective political parties without spelling out the procedure to be followed.

The law handles the country’s political parties as if they have a long tradition of democratic practice. The results are that this well-intended provision of reserving a quota for women, has in many cases been abused by corrupt and undemocratic party barons who cannot look beyond their near kin and closest business associates even in public matters. There is, therefore, urgent need for clear and mandatory provisions in the Political Parties Act to guide these institutions in the conduct of their primaries with a view to ridding inner-party democracy of corrupt practices.

B. Active & Passive Electoral Rights
As noted earlier, the Union Constitution guarantees the active electoral right (i.e. the right to vote) under Article 5(1) in the following solemn words:

“Every citizen of the United Republic of Tanzania who has attained the age of eighteen years is entitled to vote in any public election held in Tanzania”.

The Zanzibar Constitution declares the same under Article 7(1) in respect of all Zanzibari who have attained the age of 18 years. Both constitutions, however, have allowed respective legislatures to impose conditions to restrict certain permissible categories of people from exercising the right to vote. Indeed, all pieces of legislation enacted for both local authorities and general elections in the two constituent parts of the United Republic disqualify four categories of people from registering as voters:

- Persons under a declaration of allegiance to some country other than Tanzania
- Persons adjudged or otherwise declared to be of unsound mind or detained as criminal lunatics or during the pleasure of the President (under detention laws)
- Persons under sentence of death or sentence of imprisonment exceeding six months, and
- Persons disqualified from registering as voters relating to offences connected with any election.

Voter disqualification, though potentially undemocratic, is a common feature in most jurisdictions. Both Union and Zanzibar election statutes further declare that no person shall be registered as voter in a constituency if he is not ordinarily resident therein. The question is who and what determines that a voter is indeed ordinarily resident in a particular constituency? This is one area that has generated countless allegations and complaints of corruption and other irregularities.

Under the Union election law, it is the Returning Officers who are vested with power to determine the above question. They enjoy immense discretion that is not, in all cases, exercised honestly and prudently. Stories of non-citizens and other ineligible voters corruptly endorsed by returning officers as bona fide holders of the country’s active electoral right abound in every General Election.

The Zanzibar election law is much more controversial than that of the Union. It lays down a stringent test for determining a person’s usual residence or permanent abode. One is deemed to have permanent abode in a particular constituency if, the law says, accommodation is available for him for the past five consecutive years and he actually uses such accommodation as a place from where he works for gain. The law goes further to say a person having more than one wife shall be at liberty to treat one permanent abode of any of his wives to be his permanent abode.

This potentially controversial provision is regarded with suspicion by many observers as a major corruption loophole. There is neither a statutory guide nor uniform interpretation regarding the exact input of the “five consecutive

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1 See ss.11 and 12 of the Union Elections Act, 1985 and the Zanzibar Election Act, 1984 respectively.
years" condition. Everybody, as a result, finds himself at the mercy of the returning officers.

The problem in both parts of the Union has been the absence of a permanent register of voters for each and every polling district. Drawing up new rolls of voters before every election is an exercise fraught with foul play in a multi-cultural country hosting, among other people, hundreds of thousands of refugees and immigrant workers.

The decision by the National Assembly of the United Republic of Tanzania early 2000 to amend the Elections Act of 1985 with a view to introducing a permanent national voters register in both parts of the Union, will go a long way to rid the country’s electoral process of voter registration irregularities which have in the past enfranchised foreigners, minors and other ineligible persons on the one hand, and disenfranchised bona fide voters on the other hand.

Similar corruption loopholes in the law are also seen with regard to the passive electoral right, that is the right to stand for elections. This right was restricted in 1994 following the 11th Constitutional Amendment the effect of which was to override the High Court decision in the case of REV. CHRISTOPHER MITKILA VS. THE ATTORNEY GENERAL that allowed the participation of independent candidates in all elections in Tanzania. The amendment confined the passive franchise to candidates sponsored by their respective political parties in both parliamentary and presidential elections.

Apart from the fact that the anti-independent candidates stance of the law runs counter to free and fair elections which presuppose the uninhibited participation in politics by all citizens, it constricts the arena for competition thereby making it fiery, tense, hectic and highly contentious. Such an arena easily breeds corrupt practices. Provision of independent candidates would definitely act as safety valve to ease tension and pressure which always builds up within and between the political parties during elections, enticing a candidate to resort to the vice of corruption.

C. Superintendence of Elections

Administration of elections in both parts of the Union has been constitutionally vested in respective electoral commissions: the Electoral Commission of the United Republic of Tanzania (ECT) established under Article 74(1) of the Union Constitution and the Zanzibar Electoral Commission (ZEC) created under Article 118 of the Zanzibar Constitution.

The two electoral commissions are manned by judges, lawyers and other persons possessing adequate experience in the conduct of elections who are appointed by the Union and Zanzibar Presidents respectively. The commissioners’ removal from office, however, is handled differently by the two constitutions.

As regards ECT members, they are removable from office by the President for failure to discharge their functions due to illness or misconduct.

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2 High Court of Tanzania at Dodoma, Civil Case no.5 of 1993.
3 See Articles 39 & 67 of the Union Constitution & Articles 26 and 66 of the Constitution of Zanzibar.
ZEC members, however, enjoy a much more reliable security of tenure comparable to that of the High Court and Court of Appeal judges.

Article 118 (6), (7) & (8) of the Zanzibar Constitution enjoins the President, when he/she desires to sack a ZEC member, to appoint a special commission consisting of not less than three members which, after looking into the President’s case against anyone member, would recommend to the President whether the member concerned should be removed or not. One would recommend the same kind of security of tenure to ECT members as well that they be removed from office in like manner and on like grounds as judges of the High Court and the Court of Appeal.

The reason is simple: as organs charged with the responsibility of administering elections, they must pass the test of non-partisanship and uprightness. In other words, they must be (and be seen) independent and incorruptible so as to command the requisite trust, respect and confidence of all the reasonable players in the electoral process. The vesting of powers in one person to remove members of the commission from office is yet another loophole which may cost the nation dearly when it has, at the helm of power, a shameless and power-hungry political animal.

D. Treating and Hospitality

Treating, bribery and exerting undue influence on the voters constitute, in both parts of the Union, the offence of corrupt practice which carries a stern penalty of five years in jail or a fine or both, with concomitant consequences of one losing his active and passive electoral rights for some years or for good.

Until 1995, just an innocent offer of free booze to a voter by a candidate could most likely trigger off a serious election petition pregnant with the said consequences to a victorious candidate. Treating and bribery were in the eyes of both the courts and the civil society intolerable vices which called for stern measures, both preventive and punitive, to rid the country of the same.

It is with the post 1995 election petitions that one sees, for the first time in the country’s history, a clear relaxation of attitudes towards corruption on the part of both the courts and the civil society. The civil society increasingly felt justified and morally comfortable to be “treated” in various ways by different candidates in turn for their votes.

The courts, likewise, started to distinguish acts which they considered amounted to “traditional hospitality”, therefore justifiable, from the broad category of corruption. For example, in LUTTER NERSON VS. THE ATTORNEY GENERAL & IBRAHIM MSABAHA⁴, the High Court of Tanzania went out of the way to regard proved allegations of “treating” the electorate to “pilau” by one of the candidates as untenable to amount to corrupt practice. It argued that people constituting election support groups were not angels to go

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⁴ Misc. Civ. Case no.124 of 1995, High Court of Tanzania at Dar es Salaam (unreported), Mkwawa,J.
without food in the hectic campaign trails but facilitators entitled to be attended to by respective candidates.

As more and more cases of alleged “treating” failed to attract the wrath of Tanzania’s superior courts, the legislature made a timely move in February, 2000 to amend the Elections Act of 1985 by inserting in section 98(2) of the Act a provision to the effect that: “anything done in good faith as an act of normal or traditional hospitality, shall be deemed not to be treating” (emphasis added).

Subsection 3 of the same section underscored further that: “normal or ordinary expenses spent in good faith in the election campaign or in the ordinary cause of election process shall be deemed not to be treating, bribery or illegal practice” (emphasis mine).

In the absence of some statutory interpretation as to the exact import of concepts like “normal or traditional hospitality”, “normal or ordinary expenses spent in good faith”, the new provisions noted above led to disastrous results in the year 2000 General Elections. It was as if Parliament had condoned or rather legalized every kind of corrupt practice under the guise of “normal or traditional hospitality”.

In order to preserve the sanctity of the electoral process in Tanzania, there is urgent need to do away with the “traditional hospitality” clause in the Elections Act since, as noted above, it has given rise to a marked increase in the incidence of corruption in the country.

E. Door to Door Canvassing

Unlike the Zanzibar Election Act of 1984, both the Union Elections Act of 1985 and Local Authorities (Elections) Act of 1979 provide for door-to-door canvassing for the purpose of furthering a candidate’s election under sections 51(3) and 53(1)(b) respectively. This particular kind of campaigning is regarded by many Tanzanians as undesirable in a poor emerging democracy where the electorate is likely to be easily susceptible to treating and all kinds of undue influences.

Aristotle condemned canvassing. He placed it on an equal footing with ambition and covetousness which he regarded as the most common motives for crime (Aristotle, :27).

As elections in Tanzania have, over the past few years, become notoriously corrupt, there is every need to urgently do away with provisions in the country’s electoral law which appear to facilitate bribery and intimidation of the voters, such as the door to door canvassing provision in the said two union Acts.

F. First-Past-the-Post System

Tanzania uses the first-past-the-post electoral system with single-member constituencies that its proponents consistently argue that it produces firm governments. This system, which is also commonly referred to as the plurality

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5 See e.g. G.J. Mlaseko & Others vs. C.F. Busongo & The Attorney General, Civ. App. No.57 of 1996 (unreported)
electoral method, however, has the tendency of marginalizing or rather discriminating against small political parties by disregarding a significant proportion of votes which are cast for them, i.e. the losers.

In emerging democracies where the rules of the game are, in general, yet to crystallize into a national ethic, such a “winner-takes-all” system does not only easily generate apathy on the part of the electorate, but also turns electoral contests into some hostile, nerve racking battles for supremacy which only one must win. Such a situation, entices many candidates to bribe voters and spend huge sums of money on securing a seat in parliament.

It is high time we looked at the proportional representation system (PR) or even a combination of our present system and the PR model as is the case in Germany and other continental European countries. The PR system which takes on board the citizens’ diverse preferences, is bound to ease the electoral system of enormous pressures and tension, hence encourage only a few die-hards to continue lubricating the wheels of political machinery with golden oil.

G. The Role of the Media and Media Law

In 1995, the father of the Tanzanian Nation, the late Mwalimu Julius Nyerere, emphasized that corruption perverted justice and if allowed to spread was bound to destroy the nation. He suggested that one of the most effective ways of nipping corruption in the bud was to expose any form of it to the gaze of the people.

Mwalimu was right. I would add, in the same vein, that no person or institution could play the role of exposing corruption to the people’s gaze, as envisaged by Mwalimu, better than the journalists. Their role of information collection and dissemination can be effectively used in the fight against corruption by exposing corrupt practices and their perpetrators.

Media institutions have, however, failed to tick in this area primarily because of the conservative and strict nature of defamation laws in Tanzania coupled with what one may call a generally “plaintiff-friendly” attitude of the country’s superior courts. They fear, as a result, to provoke litigation and consequently pay heavy damages for damaging the good name of an individual, which good name the law exaggeratedly protects.

In the case of RUGEMALIRA SABA VS. TANGANYIKA STANDARD6, a letter to the Editor which accused the Plaintiff, a Personnel Manager in a public corporation, of irresponsibility and harassment of female employees was considered by the Court as defamatory. The newspaper’s defense that it published the letter in the public interest was considered untenable.

In a more recent case of JOSEPH C. D’SOUZA VS. THE EDITOR, MFANYAKAZI ET AL7, the High Court did not take lightly the newspaper’s story which alleged that the plaintiff, an Arusha-based advocate of the High Court of Tanzania, was both a con-man and forger of court records. It blamed the paper for publishing what it considered to be highly defamatory statements

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6 High Court of Tanzania, Civil Case no. 79/1979 (unreported).
7 Civil Case no.37 of 1994, High Court at Arusha (unreported).
and “with reckless abandon”, and proceeded to award the Plaintiff Tshs. 30,000,000/= as damages. The operations of the weekly newspaper were, as a result, paralyzed.

The problem with the law of defamation in Tanzania is that liability is still strict. In other words, the legal position still adheres to the old common law principles that the plaintiff need not prove that the statement is false, because the law already presumes that in his favour! Therefore, the burden is always on the defendants, in this case the print and electronic media, to prove the truth of the statements published.

Since the role by media organs of information collection and distribution is not only important in the fight against corruption but also in the functioning of democracy, there is every reason for Tanzania to abandon the old common law position with regard to defamation as the Americans have already done. In the US, the burden of proof has long been shifted to the Plaintiff.

In GERTZ VS. WELCH\textsuperscript{8}, the US Supreme Court held that it is not constitutionally permissible to allow a libel judgment against the mass media unless the Plaintiff proves fault in the sense that publication of a false statement was done negligently or maliciously.

In the same vein, there is need to introduce in the constitution provisions which guarantee the Tanzanian public access to information related to public organs as well as provisions which oblige public officials to disclose information which is of importance to the lives and activities of the people as per Article 18(2) of the Union Constitution. The proposed measures above shall definitely go a long way to empower the country’s mass media to play a much more meaningful role in the campaign against corruption.

The measures, however, may have no impact at all in the fight against corruption if news organizations in the country fail to take urgent measures to put their house in order. Since 1992, when a media boom or explosion occurred in Tanzania and, as a result, caught the country quite unprepared in terms of having enough trained journalists, most print and electronic media have been relying on cheap and untrained chaps in the streets to write news for them.

The results have been catastrophic. Journalism ethics have been relegated to the sidelines and all kinds of vices in journalism, including deliberate distortion of facts for money, have a comfortable place in the country’s media industry. A corrupt media industry is a serious snag in the war on corruption in public institutions.

In 1993 the Tanzanian Government proposed the establishment of an organ to regulate and control the operations of the country’s media profession, the Tanzania Media Council, which would have gone a long way to check corrupt practices in the industry. The proposal was understandably vehemently opposed by journalists and political activists in the country.

\textsuperscript{8} 418 US 323.
To forestall the government, media practitioners in the country decided to form their own independent body with the primary objective of maintaining freedom of the media and requisite professional standards. They called it the Media Council of Tanzania and it was registered on the 22nd of May 1997.

The Council has evidently worked extremely hard to instill discipline and sense of public duty among its members through workshops, seminars, tailored courses, publications and the Council's disciplinary mechanism of conducting prompt enquiries into complaints of breach of ethical standards and censuring media organs at fault. Since the said disciplinary mechanism is voluntary, hence not backed by legal sanctions, cases of deliberate violation of professional standards continue with impunity and pose a serious challenge to the Council to come up with a better enforcement mechanism of its code of ethics.

H. Financing of Election Campaigns

Competitive elections cannot be fought without money. Thus, if the raising of money and expenditure by participants is unrestricted, the electoral exercise becomes a fertile ground for all kinds of corrupt practices. Except for a few cursory references to election expenditures, both the Union and Zanzibar electoral laws do not carry stringent or even elaborate provisions which ensure that not too much weight is placed on the power of the purse.

The absence of such provisions on expenditure has given rise to a laissez faire situation that has, in the previous two general elections, allowed political parties to solicit for funds from institutions, rich firms and prosperous individuals within and outside the country. Such a practice is pregnant with danger in that the said sources of funding would not just pay or donate without expectations of getting the same back in one way or another.

It is therefore imperative for Tanzania to lay down rules which will put an upper ceiling to what individuals or political parties can spend during elections' campaigns, open the expenditures to inspection in order to promote fair play and facilitate accountability in the whole exercise. It is recommended, therefore, that:

- The law should set the maximum expenditure to be incurred by every party and candidate for each constituency and for the entire general election; and
- The source of funding for political parties should be disclosed or limited to select categories such as recognized trusts, sister political parties, etc.

Concluding Remarks

We have singled out several instances in the law governing elections in Tanzania that need serious revisiting with a view to ridding the country’s electoral exercise of corrupt avenues. But, as Tanzania’s President noted in his
speech to the country’s Parliament in July 2000, the success in the war on
corruption cannot depend on the Government alone. ‘The war on corruption
can only succeed if the entire society takes part in seriously fighting it. If the
entire society refuses to entertain corruption, there will be no corruption’.

I would, in the same vein, add that even legislative measures by
themselves cannot stamp out corruption in society. “Nothing can overcome
corruption”, Venkatappiah correctly argues, “if the public is prepared to
tolerate it. On the other hand, no government can afford to be complacent
about corruption if the public is not prepared to tolerate it”.

Well said. But we are dealing here with a society rightfully categorized
as underdeveloped in that it is characterized by, inter alia, a high illiteracy
rate, poor transport and communication infrastructure and poverty. The
people, therefore, always participate in electoral exercises partially or fully
uninformed.

The majority of them have no access to newspapers or television
reports. They are hardly aware of their rights as citizens on the one hand and
members of political parties on the other to be in a position to demand
honesty and integrity from the candidates or the parties they represent.
Hence, they become easy prey to manipulations by unscrupulous politicians.

The bottom-line here is to improve the people’s awareness, to make
them conscious of their basic civic rights with a view to improving the general
conscience of the society. It is only a live public conscience that can involve
the entire society in the war on corruption; which can make the public
eschew corruption like the plague; and which can consistently uphold moral
standards in the conduct of public matters.
Curbing Corruption: A Political Agenda

During 1995 general elections corruption emerged as the top most social and political agenda. It was then felt that corruption in its various forms was threatening to tear apart the fabric of Tanzanian society if no immediate measures were taken to curb its growth and spread. No wonder that all aspirants to the presidential seat vowed to tackle the problem head-on once elected to the highest office on land. The candidate on Chama Cha Mapinduzi (CCM) ticket who eventually emerged victorious in hotly contested first multi-party elections in three decades lived up to his campaign promises by appointing a high-powered Commission of Inquiry Against Corruption few months after being sworn-in.\(^2\)

The Commission formed in mid-January 1996 and chaired by Judge Joseph Warioba, the former Prime Minister and Attorney General, was entrusted with the task of thoroughly examining the state of corruption in the country and provide some suggestions on how to deal with it. The Commission delivered its much acclaimed report (henceforth Warioba Report) to the President twelve months later. To date the report on corruption is the most detailed, comprehensive and frequently cited document.\(^3\) However, the implementation of its wide-ranging
recommendations on how to address the problem of corruption remains another subject of heated public debate. Since its publication in early 1997 corruption has continued to dominate Tanzania’s political and economic landscape. On the one hand, the government of President Benjamin W. Mkapa and the ruling CCM have embraced the Warioba Report and shown some ‘political will’ to address the issue or at least talk about it openly. Indeed, a couple of cabinet level Ministers have been forced to resign over corruption scandals. Public declaration of private property by the President and other top public figures including the Prime Minister was seen as first important step to dealing with ill-gotten wealth, an important factor in corruption. To some observers, however, the government has not done enough to stem the tide of corruption in the country. Accordingly, corruption has been on the rise over the past few years and not much has been accomplished to curb its influence on national and local politics, economics and public policy.

Unfortunately, the Warioba Report did not succeed in laying to rest once and for all public debate over corruption. Thus, five years after the 1995 elections and nearly four years since the Warioba Report corruption continued to dominate political and public policy discourse. Indeed, the recently concluded general and local elections (henceforth Elections 2000), have once again opened a new chapter on corruption debate and this time the electoral process has come under intense public scrutiny. The emerging consensus is that the elections were mired by a wide spread corruption involving political parties, candidates and voters. It seems, therefore, ‘corruption of electoral process’ as opposed to other forms of corruption has taken root in our newly found multi-party democracy.

There is no doubt that the situation raises numerous questions for which we do not have easy answers. The fundamental question here is why people engage themselves in corruption of political nature? How different is political corruption from other types or forms of corruption? Is the scale of corruption witnessed during Elections 2000 a reflection of flawed electoral process or manifestations of a much broader problem? Is political corruption necessarily an inherent feature of competitive politics? What is its impact on representative democracy? More important, what is wrong with our electoral process and what need to be done to stem the wave of corruption in Tanzania’s political system? Answers to these and, perhaps, many more questions are subject matter of this paper.

Therefore, the presentation and analysis in this article is modest attempt to provide systematic understanding of nature of corruption in Tanzania’s electoral process with specific reference to Elections 2000. Thus, in addition to providing working definitions of corruption the paper establishes the context for analyzing the role and place of corruption in Tanzania’s political system. Attempt is also made to identify the motives for engaging in corrupt practices among politicians and the general public, voters in particular.

The article deals with some conceptual issues for analyzing corruption in political process. It is noted that corruption in general, political corruption
in particular, is fraught with conceptual difficulties that has tended to influence research and analysis in the area. For this reason corruption is viewed differently by different people leading to differing interpretations of its role in political process and economic development. The discussion highlights some emerging issues in ongoing debate on corruption in both politics and economics.

In addition, it critically examines Tanzania’s electoral process in order to establish whether or not the process itself is to blame for what happened or is happening as far as corruption is concerned. It is possible that our political process is inherently flawed thus providing sufficient incentives for participants to corrupt or be corrupted in a typical ‘end justifies means’ attitude to public life. On the other hand, however, it is also the possibility that both the candidates and voters are already deep in corruption and therefore it is taken for granted no matter the electoral process in place.

Lastly, there is no doubt that corruption in politics and economics has far reaching consequences on public policy. In this paper it has been argued that while ‘political will’ is necessary it is not sufficient condition for fighting corruption. Indeed, the experience elsewhere has demonstrated that laws and other legislative measures have limited impact in dealing with corruption of political nature. Even though policy-making process is not immune to corruption, itself being part of a much bigger problem, it is possible to put in place appropriate policy measures to deal with the problem.

**Corruption, a conceptual framework**

Perhaps the starting point in discussing corruption is to provide a working definition of such all-encompassing concept taking into consideration differing perspectives. Even though economic view has tended to dominate much of the thinking on corruption the available literature acknowledges complexity of the concept. However, the common thread is that corruption has got something to do with misuse or abuse of public trust. Thus, broadly defined corruption is taken to mean the use of public office for private gains: “improper or selfish exercise of power and influence attached to a public office or the special position one occupies in public life.”

Contemporary literature on corruption is mainly centered on the causes and consequences. According to Riley three distinct approaches to corruption and anti-corruption strategies can be identified. Firstly, economic analyses where ‘principal-agent’ approach is used to identify both causes and anti-corruption strategies. Secondly, mass public opinion approach examines social and cultural context of corruption focussing on the attitudinal change and/or civic awareness. Thirdly, institutional approach focuses upon the public sector and institutional reform including democratization process and good governance (Riley, 1998:136).

Victor LeVine (1975) defines ‘political corruption’ as the unsanctioned, unscheduled use of public ‘political resources or goods’ for private, that is,
nonpublic use. It is the type of corruption that necessarily involves persons who occupy position in the formal polity. He defines 'political goods' as those highly desirable things that governments through their agents are in the unique position to dispense and whose nature depends on the nature and functions of the State. On the other hand, 'political resources' are defined as the official and unofficial capital goods against which political goods are drawn. Accordingly, every political position confers on its occupants access to certain 'political resources.'

More important, however, is LeVine's distinction between 'political corruption', broadly defined, and 'corruption of the political process.' The latter include, among other things, electoral fraud or attaining of political position under false pretense that may or may not lead to personal material gain. For our purposes in this article, the terms 'political corruption' and 'corruption of the political process' are used interchangeably so as to capture the depth of the emerging political culture, the 'culture of corruption'. At this point, however, two important questions need to be addressed: what causes corruption and what are the consequences?

The cause of corruption is a function of type and form of corruption in question. Literature on "rent-seeking" type of corruption that has tended to dominate the discourse identifies a number of contributing factors. Thus, in addition to 'considerable discretion of public officials, limited accountability and little transparency in decision-making' (Riley, 1998:136), there are several other explanatory factors. Summing up the situation in developing countries Mark Robinson notes the following:

"According to some analysts the legacy of colonial rule is a significant factor in explaining variations in the intensity and prevalence of contemporary forms of corruption in Africa, Asia and Latin America. ... Others contend that the root cause of corruption lies in the historic dominance of the state in economic and political affairs, a situation which has created opportunities for rent-seeking and weakened the ability of citizens to hold politicians and state officials accountable for their actions (emphasis added)" (Robinson, 1998: 6).

In this connection, the Warioba Report identifies several causes of corruption in Tanzania. They include the following: low salaries coupled with rapid rise in the cost of living; laxity in administration and accountability; lack of transparency in decision-making; insecurity in tenure of employment and erosion of integrity of political leadership following the abolition of the leadership code of conduct (URT, 1996). Interestingly, however, increase in corruption during the past few years is linked to changes in the country's political set-up noting in part that:

"Under the single party structure there was clear demarcation between politics and business. After the introduction of multi-party democracy business have entered the political arena – an area in which they have no experience. As the result they used every means and especially money in order to get themselves elected. In the last elections, for example, businessmen used a lot of money to buy votes. In some cases they used their financial power to buy votes on behalf
of candidates of their choice instead of going through political parties" (URT, 1996:64).

Writing of the Asian experience, Indian experience in particular, Gunnar Myrdal echoes the observations above noting that the economic crisis and the resulting scarcities provided ample opportunities for bribery, corruption and favouratism:

"Where there is power and discretion, there is always the possibility of abuse, more so when the power and discretion have to be exercised in the context of scarcity and controls and pressure to spend public money. ... Possession of large amount of unaccounted money by various persons including those belonging to the industrial and commercial classes is a major impediment in the purification of public life " (Myrdal, 1968: 945).

What are then the consequences of corruption in general, political corruption in particular? Once again, literature on corruption provides differing perspectives on the observed impact of corruption. However, the emerging consensus is that corruption in all its forms entails economic costs, can lead to political instabilities and causes erosion of social and moral values (Myrdal, 1968: 952). To some, corruption is inimical to sustainable development, poverty reduction and good governance (Cooksey, 1998). However, it can also have the positive influence by circumventing cumbersome bureaucratic regulations and facilitating business transactions.10

Gunnar Myrdal in *Asian Drama* had argued that in a general way corruption counteracts the strivings for national consolidation, decreases respect for and allegiance to the government, and endangers political stability. Accordingly, where corruption is rampant inertia and inefficiency, as well as, irrationality impede the process of decision-making and plan fulfillment. More importantly, when people become convinced, rightly or wrongly, that corruption is widespread, an official incorruptibility will tend to be weakened (p. 952). All in all, the incidences of corruption and its consequences have engendered a wide range of anti-corruption strategies.

Indeed, the “war” against corruption has been ongoing for centuries indicating that the history of corruption is as old as that of mankind. According to Riley, in ancient China many public officials were paid the so-called ‘corruption-preventing allowance’ as the way of ensuring their continued honesty. Kautilya, a 4th Century BC Indian political analyst sought to identify forty different ways in which people in public authority could be corrupt. He even developed a system of spot-checks to reduce corruption including rewards and penalty system (Riley, 1998:132). Interestingly, contemporary anti-corruption strategies resemble those practiced in ancient China and India.

The concerns about the political, social and economic consequences of corruption, especially of “rent-seeking” type, have led to adoption of variety of anti-corruption strategies. For example, where corruption is said to be the
result of poor remuneration of civil servants attempts have been made to pay a living wage and general improvement in working conditions. On the other hand, where public officials are known to have too much discretionary power and where decision-making is lacking accountability or transparency, economic liberalization and political decentralization have been proposed and/or implemented.

Such variety of anti-corruption strategies have so far produced mixed results raising more questions than answers on what works and what does not in the fight against corruption practices. The case in point is the recent wave of economic and political liberalization being witnessed in developing countries, African countries in particular. The emerging consensus is that such measures have proven less effective in tackling rampant corruption especially of “grand” nature. While in principle the creation of well-functioning democratic political institutions offers the potential for closer scrutiny of the actions of public officials by citizens, civil society and independent media, the experience tells quite a different story as one observer points out:

“The reality is that many democratic states in Africa, Eastern Europe and Latin America are characterized by high and increasing levels of corruption and democratic structures have proved markedly ineffective in curbing spread and tenacity of corrupt practices in developing countries” (Robinson, 1998:2).

In fact, the recent economic and political changes have provided more opportunities and incentives to engage in corruption. For example, it is noted that privatization, cornerstone of ongoing economic policy reforms, in the absence of effective regulation has the potential for generating high levels of economic rent, especially in natural monopolies (power and telecommunications industries) and private appropriations of public assets through illegal means (Robinson, 1998:8). The same can be said of competitive politics, multi-party democracy to be precise, that allows new political and bureaucratic elite to secure greater access to ‘rent-seeking’ opportunities.11

There is no doubt that the success of anti-corruption measures depends to a large extent on the “political will”, that is, commitment and willingness of political leadership to face the problem squarely. Unfortunately, such commitment has not been forthcoming because of conflict of interests inherent in most political systems. On the one hand, some leaders are reluctant to take measures for the fear of losing support from the establishment that sustains them. On the other hand, the absence of analytically informed empirical inquiry into corruption process is making it difficult to design and implement effective strategies to fight it. Instead, what is found in most cases are measures of populist nature often designed to serve short-term interests of those in power including winning political elections.12

All in all, it can be concluded that punishing few individuals in leadership positions for being corrupt where the rest of society remains susceptible to
corruption, willingly or unwillingly, is not the best way to fight corruption. In addition, parliamentary legislations and other statutory regulations cannot make people honest because they will always find other ways around if they have to. Of course, this is not to suggest that a respectable government is not possible in a democracy be it young or mature. The contention here is that the problem needs to be addressed in its totality encompassing the whole society the situation better summarized in the following words:

“That no representative government can long to be much better or much worse than the society it represents. Purify society and you purify the government. But try to purify the government artificially and you aggravate failure” (Adams, 1957: 50).

**Electoral process and corruption**

One of the fundamental tenets of representative democracy is the right to elect and be elected to political positions and serving in such positions should be considered as rendering service to the community. Interestingly, however, some participants in the process have shown both willingness and capability to corrupt and/or be corrupted so as to ‘serve’ the public. When this happens then we witness perversion of political process posing serious challenge to the ethos of representative democracy.

One good measure of representative democracy is the holding, on regular basis, of political elections that are judged as being “free and fair.” Such elections are said to be “free and fair” when participants, that is, political parties, candidates and voters, abide by the laws, regulations and norms that govern the process. The process is supposed to provide for a “level playing field” whereby contestants compete on the basis of ideas, policies or strategies of governing once elected. In turn, voters are supposed to judge issues on merits and not to be coerced into voting for one particular candidate or party.

Unfortunately, corruption in the electoral process has emerged as the greatest obstacle to “free and fair” elections in the sense that it interferes with the right and freedom voters have to judge issues on merits. Corruption of the process is known to take various forms depending on political, social, economic and cultural conditions obtainable in a particular place. The nature and extent of corruption is also the function of existing political and organizational structures including the vetting process that allows some members of community to emerge as candidates for public offices.

The motives for engaging in corruption of political nature are as many as there are forms of corruption. Where political corruption is said to take place then it is possible that people will enter politics for motives other than performing public service or advancing community interests. In a “winner takes all” politics common in most emerging democracies, African democracies in particular, prospects for cumulated wealth is strong reason for tempering with the electoral process. More often, the motive of direct
financial gain is paramount especially in the situation where people depends on politics for their livelihood or, more specifically, where politics and wealth interact in a quite strange way.

On the one hand, there are those who can be described as ‘professionals’ in the sense that they have made career out of politics and these are the people who will do anything within their powers to maintain status quo. On the other hand, there are those who through commerce or other ventures have accumulated enough wealth, both legal and illegal, and ready to exchange it for power and status that comes with political positions. More important, the clamor that surrounds the choice of ‘representatives’ intrigues voters and some are willing to compromise their voting rights and freedom for short-term material gains. According to Wraith and Simpkins (1963: 198), a typical thinking runs like this:

“They (voters) do not see why a man should take the trouble to get himself elected to Parliament or to a local council unless there is something in it for him and if there is also something in it for them, in the shape of a bribe, everyone is happy”.

For these and many other reasons the electoral process is open to abuse through ‘political bribery’ or ‘treating’. They all have one thing in common: turning what is supposed to be “free and fair” democratic process into uncivil political contest. Once corruption becomes entrenched in the political system mockery is made of the electoral process that is then used only as means for legitimizing looting and plundering by political and bureaucratic elite. More often, the ‘mandate’ to govern turns out to be nothing more than a thinly veiled attempt to institutionalize corruption at the highest level of public life.

Corruption of the electoral process takes various forms the chief of which involve the ‘selling’ and ‘buying’ of votes. Even though money is the most convenient medium of exchange, the process does not necessarily require that money must change hands. In other words, there are number of ways in which voting can be influenced without attracting the attention of those responsible for ensuring “free and fair” elections. ‘Treating’ is one such method and that has generated much controversy during Elections 2000.

In broad terms ‘treating’ is said to have taken place when a candidate for political position or his/her agents meets the costs for food, drinks or entertainment to potential voters. It is taken to mean an indirect but deliberate attempt to influence the voting and, therefore, unfair. ‘Treating’ can also take the form of unsolicited “gift(s)” directly to voters or through individuals capable of influencing the voting process whereas votes are supposed to be cast in favour of the candidate(s) providing the ‘gift(s)’ (Wraith and Simpkins, 1963: 198). Where there is sufficient evidence that ‘treating’ has taken place it is enough reason for declaring elections as not being “free and fair” or alternatively, “free but not fair”.

It has been suggested that corruption in electoral process seem always to be one of the “growing pains of democracy” in its early stages. In 19th
Century Britain, the country from which we have inherited our political system, treating was commonly practiced as Wraith and Simpkins points out:

“As this ocean of alcohol seem to have insufficient effect the candidates and agents resorted to kidnapping. To protect their own men a van load of conservatives was driven to Brighton, kept and fed until polling day and then returned for voting.” (p. 71).

For emerging democracies in developing countries, African countries in particular, the situation is not different from that of 19th Century Britain or even the United States of America for that matter. Of course, this is not to suggest that mature democracies are immune from political corruption because such perfect political system has yet to be invented14. The equation of politics with wealth is the most outstanding, if not terrifying, feature of young democracies. Accordingly, a high degree of corruption in government and administration makes candidature for political office a sound and profitable investment, and it is assumed by all that the investment is widely made (Wraith and Simpkins, 1963:31).

**The Tanzanian experience**

The available evidence suggests that Tanzania’s electoral process under multi-party democracy has been mired by corruption. In fact, Warioba Report has scathing remarks with regards to electoral corruption during the first multi-party elections in 1995 by noting that:

“Politicians give bribe to members of Executive Committees of political parties or to the voters during elections so that they can vote for them or for their candidates. ... The elections of Councilors; members of House of Representatives, and Members of Parliament which were recently concluded have demonstrated vividly how deeply rooted corruption is from the time of selection of candidates to the elections themselves. Some of the candidates who were associated with corrupt practices have won and are presently Councilors and members of the House of Representatives, and Members of Parliament” (URT, 1996: 4, 8).

From such remarks by a high-powered Commission it seems that electoral corruption is well entrenched, or entrenching itself, into Tanzania’s political culture thus threatening legitimacy or even sustainability of our new found representative democracy. It is no wonder that the just concluded Elections 2000 have been characterized by accusations and counter-accusations of widespread corruption. Throughout the election process the mass media, print media in particular, had been flooded with reports of political bribery by political parties, candidates and agents. Nearly all elections monitoring groups have documented incidences of corruption and the same can be evidenced from the case studies in this volume.15
The emerging consensus is that corruption, however defined, was widely practiced during the last elections the fact acknowledged even by a victorious political party, CCM. Therefore, the immediate task is not to amass additional evidence on whether or not corruption has taken or is taking place, important as the exercise is. Of special interest in this article are the motives for engaging in corrupt practices, that is, what are the causes of corruption in the Tanzanian political elections and what are the consequences.

As we noted above, Tanzania’s second elections under multi-party system have generated controversies similar to those generated during 1995 elections. The evidence, mostly anecdotal, suggests that both political parties and candidates engaged in corruption one way or the other through bribery and treating. It is because of such widespread allegations about corruption that the elections have been described by some, including participating political parties as being “free” but not “fair”. Therefore, unless deliberate efforts are made to openly address the problem the future of Tanzania’s multi-party democracy would continue to hang in balance.

Other contributors in this volume have attempted to show the nature and dynamics of corruption in different contexts. The task in this article is to provide critical analysis of Tanzania’s electoral process in order to identify potential avenues for corruption and how to deal with them. The analysis is divided into four main parts. The first part provides an overview of the electoral process as laid down by National Electoral Commission (NEC), the agency entrusted with the task of managing political elections. The second part provides description of nominating process among participating political parties, that is, how parties arrive at decisions on who should enter the contest. As will be made clear shortly, this is one area where corruption is known to strive.

The descriptions in part one and two provide a framework for identifying potentials for corruption with specific reference to Elections 2000. Use is made of publicly available information on corruption including the mass media and reports by election monitoring groups. However, it must be emphasized at this point that even though corrupt practices have been widely reported by different sources and acknowledged by participating parties they remain mere allegations. In other words, it is difficult to say for sure that corruption has taken place as Wraith and Simpkins (1963: 31), correctly points out:

“But the central troubling question of what proportion of the candidates bribe, how they do it and how much they spend are unanswerable. There are not lacking those who claim to know, but when it comes to the point they will not say”.

But this important fact of life should not stand in the way of suggesting ways of how to address the problem that has been likened to cancer. But even for the most dreaded disease on earth there are chances, however slim, of making full recovery and leading a healthy life with early detection and
treatment. Therefore, the fourth part of the analysis deals with the proposals for containing what can be described as “culture of political corruption” from becoming a permanent feature of Tanzania’s nascent democracy. There is no doubt that this is not an easy task given scarcity of data and because of some inherent difficulties in treating the problem in a systematic and scientific manner.¹⁷

To start it must be pointed out that the functioning of Tanzania’s multiparty democracy is governed by Constitutional amendments undertaken during the early 1990s on the basis of recommendations by the Nyalali Commission.¹⁸ Among the main features of the changes was the establishment of the National Electoral Commission (NEC) entrusted with the important task of ensuring the conduct of “free and fair” elections. Thus, in its efforts to create a ‘level playing field’ the Commission has put in place some rules, regulations and guidelines to be followed by participating parties. In addition, it draws out the timetable for elections; it must endorse the nominees for various political positions; and should the need arise undertake redistricting of constituencies.

For our analytical purposes Tanzania’s electoral process is divided into three distinct phases. The first phase involves registering of people eligible to vote and nomination of party candidates to contest for various positions. This is then followed by campaign phase whereby voters are talked into voting for or against one political party or candidate. This process is accomplished through public rallies, house-to-house canvassing, mass media including the internet, posters, fliers and other campaign paraphernalia (T-shirts, caps, etc.). The third phase involves the actual voting, vote counting and declaration of election results. The electoral corruption as defined in this article is known to take place in all three phases, as subsequent discussion will show.

Again, the available evidence suggests that political parties, candidates, agents and other functionaries including election supervisors are in one way or the other involved in electoral corruption. Starting with registration process there have been some allegations of people who are ineligible to vote being registered to the advantage of a particular political party or candidate. The aim is to enlist as many ‘friendly’ voters as possible. There have been few reported cases of double registration, which is illegal and punishable under the rules governing elections.

More serious, however, is the ‘buying’ and ‘selling’ of registration forms, or ‘shahadas’, a very important voting document without which one can not exercise his/her voting right. Thus, getting such documents in the wrong hands, knowingly or unknowingly, not only one forfeits his or her voting right but also amounts to electoral corruption. The transaction is intended to deny the rival parties or candidates the votes based on the merits of their ideas or policies, the very essence of democratic process.

Even though nomination of candidates to contest various positions both local and national is the internal affair of political parties, of late the process has generated much controversy because of its corrupt tendencies. The
laws governing Tanzania’s multi-party system dictate that candidates for political positions (President, Member of Parliament or House of Representative, and Councilor in the case of Local Authorities) must be affiliated with a recognized political party. In other words, there is no provision made for ‘independent’ candidacy thus forcing voters to choose among the candidates presented to them by political parties irrespective of their character or competence. In this connection, therefore, each participating political party must work out the internal mechanism for ensuring that they get candidates they can ‘sell’ to the electorate.

The conventional approach is for political parties to get contestants through relevant party machinery. Space does not permit detailed description of how political parties go about getting the right candidates. In principle the process is supposed to be transparent, participatory and, more important, democratic thus providing equal opportunity for party members to contest and win nominations. However, the experience has shown that the nomination process is prone to electoral fraud with those possessing “means of corruption” standing a better chance of winning nominations.

The good example in this case is the arrangement put in place by the dominant and ruling political party, CCM. Within the spirit of transparency and participation the party introduced a vetting system or preferential voting system (kura za maoni). Under the system those aspiring to become candidates are presented to party members who in turn must decide persons better suited to contest various positions. On their part aspirants need to provide convincing arguments to members on proven leadership qualities. They are supposed to be chosen on the basis of their competence, experience, vision and political acumen.

It is now open secret that CCM’s preferential voting during Elections 2000 was mired by widespread corruption. Throughout the exercise there were numerous reported cases of bribery and treating. Accordingly, money changed hands either directly or indirectly through people capable of influencing elections outcome. In addition, drinks and food were made available to voters as voting moved from one Ward to another. There are also reported cases of voters being taken to secret locations so that they do not come into contact with rival candidates or agents. In some constituencies the situation was so bad to the extent that the party’s top decision-making body was forced to annul the results and disqualify all candidates in what has been described as gross irregularities. Addressing CCM’s National Executive Committee meeting the party’s Chairman had this to say on corruption inside the party:

“The party will not tolerate aspiring candidates for the next general elections who would want to privatize CCM during the preferential voting through corruption.”

Unfortunately, there is limited information on how other political parties went about business of choosing their candidates for elected offices. This can be interpreted in two different ways. On the one hand, shortage of resources
(both human and financial) and lack of experience in organizational matters made it exceedingly difficult for relatively new political parties to undertake the exercise. On the other hand, however, it is possible that the situation reflects lack of transparency and absence of internal democracy especially when considering the fact that leadership for most political parties is highly personalized and lacking popular support enjoyed by the ruling party.

Indeed, endless intra-party squabbles coupled with dire financial situation are making it difficult for opposition parties to attract the kind of people capable of giving spirited challenge to CCM. More often, those CCM members who fail to secure nominations with their party are accorded red-carpet welcome in other parties further weakening internal competition. Perhaps this explains the absence of corruption of the scale witnessed within CCM where by winning party nomination increases the chances of securing a place in the Council or Parliament. This in turn explains the large-scale corruption witnessed during the party’s preferential voting.

Of all the phases of Tanzania’s electoral process, the campaign phase is perhaps the most resource-intensive and at the same time most prone to corruption. It is also the most demanding phase both organizationally and financially. For the period lasting about three months party leadership, candidates and agents criss-cross the country arguing their cases to skeptical voters as to why they should vote for them. Each political party is supposed to present to voters the so-called elections manifesto (or ilani za uchaguzi), describing how they intend to address national and local socio-economic issues once given a chance to govern. On their part voters are supposed to familiarize themselves with such party documents in addition to spending time listening to speeches by party operatives or candidates. The aim is to get voters reach a rational decision as which party or candidate deserves their votes.

Corruption in this phase comes in different forms the chief of which is ‘treating’. Unlike in preferential voting where a much smaller group of active party members is involved the campaign phase covers a much wider area and many more people. Unfortunately, very little is known about campaign financing, that is, how much money is spent by political parties or individual candidates and for what purposes. However, it is an open secret that “bribing” and “treating” are part of campaign expenses. In other words, as parties and candidates vie for voters’ attention, money is known to change hands and treating is widely practiced.

Both incumbents and challengers are equally disposed to use unfair means to win elections. On the one hand, the incumbents have at their disposal ‘political resources and goods’ they can dispose of to their advantage. They are known to provide ‘gifts’ to hospitals, schools and community-based groups without raising any suspicion to elections watchers or monitors. Such ‘gifts’ are nothing but disguised bribes as they come very close to elections time. On their part the challengers, especially the wealthy type, are also known to engage in ‘gift’ giving and other ‘contributions’ to
unsuspecting electorate well in advance of the election season. It is no wonder that accusations and counter-accusations of corruption by political parties and candidates characterize the tension filled campaign period. Indeed, the situation resemble the one described by Wraith and Simpkins (1963: 26-27):

"At the approach of an election considerable numbers of people lose their heads, and even leaders of ability and standing revert to a tender mental age. Wild and intemperate accusations fill the air. All sense of shame evaporates. The conduct of a campaign is, to put it mildly, uninhibited. This pandemonium, however, is caused by few people and by the newspapers. Small state armies of party agents, supporters and hangers-on, concerned more to draw attention, fortissimo, to the huge delinquencies of their opponents than to disseminate a creed, roam the streets and tear along the main roads, filling them with sound and fury."30

More often, Tanzania's political campaigns resemble a carnival atmosphere of sort where main attraction is entertainment, usually singing and dancing. If no debasing or character assassinating rival candidates, a rare exception, speakers direct their attention to providing wild promises. In the process serious discussion of substantive public policy issues are marginalized thus denying voters of the opportunity to cast votes on the basis of ideas or policy options presented. Combination of unsophisticated electorate and flood of "political novices" behaving irresponsibly makes it more difficult to hold meaningful policy dialogue. Either way the situation provides ample opportunity for corruption to take root and grow.

Lastly, voting, vote counting and declaration of results concludes the electoral process. We have noted elsewhere that a truly democratic process demands that voters are free to vote their conscience. However, freedom means freedom to do right as well as to do wrong and some voters decide to act the wrong way by agreeing to be willing participants in electoral corruption. Since voters are known to accept bribes or treats from more than one source, then it is plausible to assume that the vote belongs to the highest bidder. In fact, some political parties are known to encourage their members to accept bribes or treats but vote against the 'benefactors.' With secret balloting, however, it is hard to tell whether or not voters subscribe to such reasoning.

To check on voting frauds from taking place, the voting process and vote counting is supposed to take place in the presence of agents who represent interests of political parties and candidates. Among other things, they are supposed to check on the eligibility of voters and endorse the elections results once vote counting is done. However, such arrangement has done little to alley the fears of vote rigging and related electoral frauds. The situation is being exacerbated by the fact that not all participating parties could afford the services of agents because of costs involved and their weak financial base. It is no wonder that Elections 2000 are
characterized by complaints that voting and vote counting was rigged to
the advantage of the ruling party.

The preceding discussion raises some interesting questions for which
there are no readily available answers. The overriding concern here is
whether or not corruption as described in this article is an inevitable aspect of
Tanzania's electoral process. If not then what need to be done to prevent
such practices and/or eliminate them altogether? Indeed, if it is true that
corruption of political process is a characteristic feature of young
democracies as some are suggesting, does it mean that no intervention
measures are necessary or possible? What if the "culture of political
corruption" becomes a permanent feature of our democracy and what are
the consequences in the long run? Is "free and fair" elections an alien
concept to Tanzania's multi-party democracy?

So far, we have been able to establish that corruption in our electoral
process is rampant rendering elections not being "free and fair" as
democratic ethos would demand. But we have also noted that for
corruption to take place require two sets of people: those capable of bribing,
usually political parties, candidates and their agents on one hand and those
accepting bribes, the voters, on the other. Even though the motives for
doing so are numerous there is no doubt wealth and status that comes with
political offices is the main driving force for engaging in electoral corruption.
Voters who accepts bribes or treats are concerned with short-term material
gains that can partly be attributed to widespread poverty.

The situation has been further complicated by a controversial decision
to revisit Elections Act of 1985 that criminalizes "treating". According to
Section 98(1) of Elections Act, No. 1 of 1985 as amended by Act No. 8 of 1995
the following persons are deemed to be guilty of 'treating':

"(a) every person who corruptly, by himself or any other person, either before,
during or after elections directly or indirectly gives, or provides, or pays, wholly or
in part, the expense of giving or providing food, drink, entertainment or provisions
to or for any person, for the purpose, or for any other person, to vote or to refrain
from voting at such election and

(b) every person who corruptly accepts or takes any such food, drink,
entertainment or provision" (TEMCO II, 2000).

There is no doubt that the law is very clear about what constitute 'treating' in
the electoral process. Interestingly, however, prior to Elections 2000 some
changes were introduced to the law that more or less redefined the
concept. Thus, 'treating' is being distinguished from the so-called
"traditional hospitality" or takrima. The later is taken to mean any provision of
drink, food or other entertainment as part of socializing process and not as
means to political ends. Unfortunately, the distinction between the two is not
as clear as black and white and what is a "treat" to one person can be a
'takrima' to another person and vice versa. Some clever politicians have
used the loophole to engage in corruption with impunity in the name of “traditional hospitality”.

Of course, one cannot completely rule out genuine cases of ‘takrima’. There are instances when people are forced to travel long distances either to listen to candidates or to exercise their voting rights especially during preferential voting. In such situations drinking or feasting together would appear to be a normal occurrence. For example, cases documented by Tanzania Election Monitoring Committee (TEMCO II) can either be dismissed as acts of “traditional hospitality” or as “political bribery” at its best (TEMCO, 2000). Whichever way one decides the changes to electoral law raises serious legal, ethical and public policy dilemmas that need to be looked into so that the process does not denigrate into unmanageable political genie.34

**Implications for public policy**

We note elsewhere that corruption in general, corruption of electoral process in particular, have serious implications for public policy. On the one hand, rampant corruption in public life affects not only the decision-making processes but also the rationale of decisions made. More often, public policies are manipulated to the advantage of those controlling political resources and goods. On the other hand, however, it is possible to check on the growing “culture of political corruption” with the help of carefully designed and implemented public policies despite some inherent limitations.35 The first aspect has been dealt with above. In this section we explore the potential for public policy to deal with the problems of corruption in the electoral process.

What emerges from the preceding discussion is undeniable fact that corruption, electoral or otherwise, is a complex, multi-faceted phenomenon and therefore any attempt to address it through public policies must be multi-pronged at best. The experience elsewhere has clearly demonstrated that it is just not enough to promulgate laws against corrupt practices especially of political nature. For example, political purges, trial and executions of key perpetrators including Heads of States and other populist measures have done little to stem the wave of corruption in Africa.36 Similarly, no amount of shouting that the country is engulfed in corruption will help if no appropriate measures are put in place to check on its growth and spread.

Of course, this is not to suggest that as a nation we should remain oblivious to the scourge of corruption that allows few well-connected individuals to manipulate the system to their own private ends, financial or otherwise. What we must emphasize at this point is the need for integrated approach to the problem. In this article we identify a number of policy initiatives that can help in stemming the tide of electoral corruption. However, it must also be made clear that the discussion only highlights some potential areas for action and is in no way intended to be the answer to the problem. It is hoped that future research on electoral corruption should provide us with concrete proposals on how best to tackle the problem.
Perhaps the first and most immediate task is to revisit the decision to amend the Elections Act of 1985 that, by accident or design, made the distinction between ‘treating’ and ‘takrima’ rather razor thin. Indeed, what happened during CCM’s preferential voting and during the campaign phase is clear indication that in future it is going to be increasingly difficult to have ‘free and fair’ elections. It must be made crystal clear to political parties, candidates, agents and, more important, to voters that ‘treating’ whether we call it by its real name or other names such as ‘takrima’ or ‘gifts’ is nothing more than influence peddling, covert attempt to buy votes. Alternatively, more efforts are needed to refine the meaning of ‘takrima’ and its role in Tanzanian politics short of which more surprises should be expected.

Secondly, campaign financing also needs to be revisited. During the 1995 elections political parties were eligible for subsidies from the central government to participate in election process. Unfortunately, very little information is available on how subsidy money was spent. However, we know for sure that its absence during Elections 2000 had negative impact on the electoral performance, especially among opposition parties. For lack of reliable data it is hard to tell with much confidence the influence of subsidies on electoral corruption. It can be speculated that availability of subsidies makes it easy for parties and candidates to engage in corrupt practices. On the other hand, however, it is also the possibility that subsidies have the potential of leveling the playing field so that no party or candidate can campaign from position of strength due to strong financial base. Even so, more research is needed in this area to delineate the role of subsidies on political corruption.

More important, the way political parties mobilize resources to finance their political campaigns and other party activities need to be addressed before the next elections cycle. As we noted elsewhere, availability of large sums of unaccounted money in the hands of few individuals encourages corruption of electoral process. Political parties and candidates must be required by law to make public the sources of their finances and how money is spent. This should include taxpayer’s money given as subsidies to political parties with representatives (MPs) in the national Parliament. To ensure that public interests or national security are not compromised it should be made illegal for a political party or candidate to solicit and accept money from foreign sources or known criminals.

On the other hand, political parties must be encouraged to finance their political activities through donations from members and general public thus reducing excessive dependence on governmental subsidies that come with strings attached. But even these sources of funding require strict accounting. Of course, we cannot expect foul-proof system given the fact that the functioning of our financial system leaves much to be desired. Even mature democracies with their relatively disciplined financial markets are not immune to political scandals involving campaign financing. But given the scale of corruption witnessed in the conduct of Elections 2000 we need to put
in place appropriate financial regulations if democratic creed of “free and fair” elections is to be safeguarded.

We have also noted elsewhere that corruption of electoral process is quite different from other types of corruption especially of ‘rent-seeking’ type where perpetrators already occupy public offices. Participants in the electoral process are motivated by prospects for control over political resources and goods that come with occupying public offices. Perhaps the best way to prevent corruption of this nature is to raise both political and economic costs of engaging in corruption. This can be achieved in a number of ways depending on nature of the problem being addressed.

The conventional approach to the problem entails marshalling sufficient evidence that can be used in successful persecution of those who attain political positions using unfair means, be it bribery or treating. The experience has shown that allegations of electoral corruption are hard to prove in the court of law. Of course, there are cases of successful persecution when courts have annulled elections results because of irregularities but these are few compared to perceived nature of the problem. It is possible to substantially increase costs of corruption by raising chances of successful persecution of perpetrators be it political parties, candidates or agents. However, this should go hand in hand with efforts to provide scientific basis of understanding corruption to avoid ‘witch-hunt’ or unwarranted fishing expeditions that are associated with complaints about electoral corruption.

It should also be noted that laws and law enforcement efforts by themselves are not sufficient in fighting electoral corruption. Thus, to safeguard democratic process from corrupting tendencies emphasis should be on educating the electorate as well as facilitating emergence and development of responsible political parties. On the one hand, it can be assumed that with education in the sense of understanding basic civic rights and responsibilities comes sophistication in dealing with social, economic and political issues. On the other hand, as political parties mature and become more responsible to the electorate it is possible that candidates will compete on the basis of ideas or policies on how to address societal problems instead of alienating voters with their good for nothing elections time promises.

**Sum-up and concluding remarks**

In this paper we have attempted to show that corruption in general, electoral corruption in particular, is a serious social, political and economic problem and must be addressed by all those interested in promoting democracy and good governance. From the discussion in this article we can draw two main conclusions. Firstly, that corruption has been a feature of Tanzania’s multi-party democracy. Secondly, that concerted efforts are needed to understand the functioning of electoral corruption so that appropriate policy measures can be designed and implemented to stop such menace to the society.
Indeed, it is unfortunate that corruption is emerging as the most troubling issue in Tanzania’s democracy under multi-party system. It is noted that social, political and economic changes of the past two decades have engendered new attitudes towards corruption in general, electoral corruption in particular. The Warioba Report is very specific on how corrupt practices have entered political arena whereby wealthy individuals are better positioned to influence electoral outcome.

In this article we have provided, among other things, the conceptual framework of corruption where it is noted that corruption comes in different forms depending on prevailing social, political and economic conditions. However, ‘rent-seeking’ is the most prevalent type involving abuse or misuse of public office. More important, the article outlines the main causes of corruption and it notes that discretionary power and lack of transparency in decision-making encourages corrupt tendencies among public officials.

As far as corruption of electoral process is concerned, the information presented in this article paper suggests that Elections 2000 were characterized by widespread corruption (political bribery and treating) perpetrated by political parties, candidates, agents and some voters. This raises the questions on whether the elections were ‘fair and free’. The emerging consensus is that the Elections 2000 were ‘free’ but ‘not fair’.

Having established the fact that ‘culture of corruption’ is getting entrenched in Tanzania’s political system thus challenging the efficacy of democratic process some suggestions have been proposed on how best to address the problem. These include revisiting the controversial decision to amend the law that criminalizes ‘treating’ in electoral process and to rethink the role of subsidies in political activities. Others include the adoption of different strategies of ‘educating’ voters on the dangers of corruption in politics and, more important, creating an enabling environment for emergence of more responsible political parties.

More important, politics need not be a ‘dirty game’ as some of us have been made to believe. Neither is competitive politics a ‘zero-sum game’ where ‘win’ for one political party or candidate is a ‘loss’ for the other if the common goal is to advance public interests. For sustainable democracy and democratic process we need to learn the culture of accepting political victory or defeat with grace. As human beings we do not have to agree on each and everything all the times. In fact it is impractical and against human nature. There are times when we will be in total agreement on some issues and yet disagree on many others. There are times when because of our ideological and philosophical differences we will have to agree to disagree on some issues. It is the price of democracy that as nation we must come to terms with and the sooner the better.

What is important at this point in time is to have national/public interests deep in our hearts and minds. People should not be made to believe that voting for one political party or candidate is the same as voting for instability or against peace. Neither should we as voters turn political elections into auction mart where political resources and goods are sold to
the highest bidder. More important, voters need not be forced into believing that the only good Tanzanian politician is the dead one. We do not have to wait for the “beautiful one to be born” because they are with us today. What is missing is the right mechanism, free of corruption, for identifying and promoting them. Time for talking about political corruption is up and now it is time for doing something about it through the power of the ballot box. It is time for walking the walk, time for action. One can only pray and hope that Elections 2005 will be truly “free and fair.”

ENDNOTES

1. The paraphrased quote from the Bible is linked to Kwame Nkrumah, Ghana’s first President who had it inscribed on his statue erected outside the Law Courts buildings in Accra. It has been interpreted by some as condoning corruption in Ghana’s post-independence politics (See Wraith and Simpkins, 1963:14).

2. The Constitution of the United Republic of Tanzania empowers the President from time to time to establish special Commissions to look into matters of national importance – socially, politically and economically and advise the President on the appropriate measures to be taken. However, the President is not bound by their recommendations.

3. The two volumes, 450 pages report (excluding 30 plus pages Executive Summary) provides a wide coverage of corruption or corrupt tendencies in all spheres of public life. These include performance of ministries and local authorities; law and law-enforcement; public procurement and tendering procedures; public service delivery including education and health and, above all, national and local politics.

4. The case in point is the resignation of Minister of Finance and his deputy over tax exemption scandal. Two other Ministers were forced to resign under more or less similar circumstances. However, since the allegations have never been proven in the court of law they remain mere allegations.

5. The new law requires Members of Parliament to declare their private properties within six months of being elected. However, in the absence of appropriate mechanism for tracking down personal wealth among political and bureaucratic elite public declarations of properties may turn out to be a mere public relations exercise with little influence on the nature and dynamics of corruption.

6. Tanzania’s Elections 2000, the second elections under multi-party system. Tanzanians re-elected President B. W. Mkapa for the second term; CCM Amani Karume was elected as the new President of Zanzibar government; re-elected or replaced representatives to the Parliament, Zanzibar’s House of Representatives and Local Authorities (Councils).

7. A definition offered by India’s Report of the Committee on Prevention of Corruption as quoted in Myrdal, (1968: 37). Of course, this perspective of corruption fits well when involving people already occupying public offices. However, the problem arises when trying to relate it to the process of acquiring political positions, that is, corruption of electoral process even though the two are not mutually exclusive as subsequent discussion will demonstrate. Also see Chachage (1997) and Cooksey (1998).

8. Subsequent analysis will show that the motivating force to engage in corruption is access to ‘political resources and goods’ that comes with political positions.
9. In the context of economic law of supply and demand ‘economic rent’ is defined as any payment received for the use of a resource or factor of production that exceeds its opportunity cost (Gwartney and Stroup, 1987). In corruption literature, however, ‘rent-seeking’ is the action by public officials who take advantage of scarcity of goods and services by demanding payments over and above the true prices of such goods and services.

10. The term ‘speed money’ is used to rationalize the use of corrupt means to get things done in those circumstances where discretionary powers by political and bureaucratic elite proves an obstacle to development. The proponents of this perspective on corruption include Leff (1964) and Nye (1967). However, the evidence suggests that the social and economic costs of corruption far outweigh purported benefits. See Heidenheimer (at al., 1989) and Chachage (1997).

11. In this connection one is reminded of Kwel Armah’s The Beautiful Ones Are Not Yet Born, a political satire depicting life in post-Nkrumah’s Ghana with men in uniforms holding the reign of power (Armah, 1966).

12. The time-tested adage that ‘power corrupts, absolute power corrupts absolutely’ applies here as well. Indeed, Africa’s violent take-over of power is premised on the promise to end corruption in all its forms but only to find themselves engaged in corruption on grand scale. In those places where democratic elections are held on a regular basis corruption is always at the top of agenda during political campaigns but relegated to a back seat once elections are over and political dust settled.

13. In fact, the framers of the U. S. Constitution made no provision in the governmental structures for the functioning of political parties because these were considered as a source corruption and impediment to freedom of the people to judge issues on their merits. Wraith and Simpkins (1963), provides detailed account of political corruption in 19th century Britain.

14. Thus, to some observers the ‘lobbying’ and ‘interest groups’ politics entrenched in American political culture are nothing but institutionalization of political corruption. We shall return to this point below.

15. According to report by Legal and Human Rights Centre, which participated in elections monitoring, the media reported 178 stories on corruption in the month of July alone as reported in The Guardian, December 23, 2000.

16. The Tanzania Election Monitoring Committee (TEMCO II), the largest local monitoring group, citing numerous irregularities including cases of corruption has characterized Elections 2000 as being “free” but not “fair.” Other foreign and local monitoring groups echo more or less similar position. So far, one political party, the United Civic Front (CUF), has refused to recognize elections results in Zanzibar. Perhaps, varying interpretations of elections outcome is clear indication of complexity of the electoral process.

17. Despite ongoing efforts to understand corruption research on political corruption raises not only conceptual but also methodological and ethical issues. The case in point is the time frame for studying the electoral process, that is, at what point in time does the process starts. To some the end of one election season is the start of the next. While to others the electoral process lasts only a couple of months. More important, since corruption is a discrete affair it is difficult to build-up enough evidence to prove it unless one is lucky to have willing collaborators itself a rare exception.
18. After nearly three decades of one-part rule Tanzania made a switch to a multi-party system. Accordingly, even though majority of Tanzanians preferred the continuation of one party system the Commission recommended that the country switch to multi-party system in accordance with overriding internal and external factors (See URT, 1992).

19. Under Political Parties Act of 1992 and subsequent amendments Registrar of Political Parties is entrusted with the task of registering political parties once satisfied that they meet the laid down procedures and regulations. Political parties can be de-registered if evidenced that they have contravened laws and regulations governing their operations.

20. Prior to the introduction of multi-party system CCM was the only party allowed to operate. It came into being in February 1977 following the merger of Tanzania African National Union (TANU) operating in the mainland and the AFRO-SHIRAZ Party in Zanzibar. For these historical reasons it remains the most dominant party controlling the two governments and legislatures, and over 95 per cent of the Local Authorities.

21. The CCM’s National Executive Committee (NEC) annulled elections results and ordered the repeat of the process in three Constituencies. These are Morogoro Urban; Singida Rural and Msolwa in Shinyanga Region. Definitely, they could make quite interesting case studies on electoral corruption.

22. Quoted in The Guardian, 12/8/2000. The Party is now rethinking the whole process in the hope of making the process corruption proof and may be eliminating it altogether.

23. Political parties in opposition camp have been on the scene for less than ten years; most of them are under-capitalized, deficient in human resources and without reliable sources of funding and, perhaps, no meaningful agenda to sell to the electorate.

24. This is reflected in frequent intra-party squabbles as members jockey for leadership positions thus sending wrong message to the electorate.

25. Even though any person is free to be associated with any political organization of his/her choice there is no doubt that belonging to a dominant political party has become the best way of acquiring power, wealth, and certainly, high social status. It is no wonder that ‘boat-jumping’ is emerging as popular pass time among politicians with some leading figures in opposition “re-joining” CCM ranks and they are being rewarded accordingly for such “heroic” change of mind.

26. It is hard to tell the usefulness of much touted election manifestos since such documents lack crucial details needed to monitor and/or evaluate their implementation. In other words, issues in such areas as education, health and poverty eradication are presented in broad/general terms without giving specifics thus making it difficult for inquisitive voters to question their validity.

27. In the complaints lodged with the courts challenging election results incidences of “bribery” and “treating” are often cited as compelling reasons for annulling the results. The case in point is when the court annulled results for Ubungo Constituency in Dar es Salaam held by NCCR-Mageuzi following 1995 elections where “treating” emerged as the major bone of contention.

28. The recent decision by the government to pay the MPs gratuity amounting to millions of shillings at the end of the five-year term has provided more resources to their political war chest thus fuelling speculations that the money is used for buying “gifts” for Constituencies. Again this is one area requiring more research.
29. This is true for challengers within the party, that is, those wanting to win party
nomination as well as the outsiders – opposition camp. Even if the incumbents are
supposed to be challenged on the basis of their records as representatives one can not
rule out deliberate attempts to misinform voters on many issues including incompetence.

30. Accordingly, unsophisticated electorate that tends to believe in anything that
newspapers print is aggravating the situation. More troubling, however, are the
allegations that some journalists are willing collaborators and they are being paid for their
“services” in what has been described as “envelop” journalism. Efforts by the media
to have their own watchdog to ensure fair reporting of political matters during

31. Missing in the process is organized political debates even for those vying for the highest
on land – the Presidency. Such debates are important features of political campaigns in
most mature democracies. One was expecting the repeat of 1995 elections when public
debate was held involving presidential candidates. Perhaps are needed to research on
the potentials for such forums in emerging democracies.

32. We are often reminded of the fact that poverty and democracy are strange bedfellows.
Where poverty is widespread and deeply felt it provides enabling environment for
corruption to take root. The scale of bribery and treating witnessed during Elections 2000
can be attributed to abject poverty where even token ‘gifts’ is more important and
relevant than rosy promises of a better future.

33. The subsequent amendment (Act No. 4 of 2000) stipulates that something given in “good
faith” as an act of normal or traditional hospitality can not be regarded as “treating”.
Thus, according to additional subsection (3): “Normal or ordinary expenses spent in good
faith in the election campaign or in the ordinary cause of election process shall be
deemed not to be treating, bribery or illegal practice.” (See URT, 2000).

34. The recent development in Zanzibar raises some troubling questions. What happened
during 1995 elections and then during Elections 2000 and subsequent social, political and
economic consequences may turn out to be just the tip of iceberg capable of sinking
the Titanic.

35. Of course, there are some limitations in the use of public policies to induce changes in

36. Military-led takeovers of civilian governments in Africa are often accompanied by
summary executions of political leaders in the name of fighting corruption as the with
Ghana and Liberia during the 1980s only to find that the new rulers themselves get
involved at much grand scale. See Armah (1966) and Riley (1998).

37. It is now open secret that access to subsidies is the major source of troubles among
political parties in the opposition camp. There has been numerous reports of
embezzlement or outright thefts of taxpayers money given to political parties as subsidies
to help in undertaking party activities and in so doing broaden democracy and
democratic processes.

38. There is no doubt that Africa’s nascent multi-party democracies are heavily depend on
external material and moral support, therefore, the suggestion should not be construed
as supporting total ban on such support. A well-intentioned support that contributes to
strengthening and/or deepening of democracy and democratic process should be
welcome. However, direct support to parties or candidates for any public office should
be discouraged if not criminalized. Contributions to political parties and candidates must
be well documented and subjected to professional auditing and reports made public. This will help to instill some financial discipline in our political system.

39. Recently, the U.S. Senate overwhelmingly approved the Bill on campaign finance reform aimed at curbing the growing influence of “soft” money in American politics over the past few decades. On the other hand, U.S. Supreme Court voted 5 to 4 to upheld restrictions on the campaign expenditure that political parties can make on behalf of their candidates. The majority thinking is that unconstrained campaign contributions do have the capacity to corrupt politics or create the appearance of corruption (The Washington Post, June 26, 2001). Similar restrictions are now in place in England through Political Parties, Elections and Referendums Act of 2000. Among other things, the law provides regulatory framework for reporting donations, the ban on foreign donations and controls on campaign spending at parliamentary and other elections (Akumanyi, 2001). Whereas, political parties in Germany and Japan have been rocked by scandals over improper fund-raising for political activities.

40. These include Ubungo Constituency in Dar es Salaam region; Kibaha Constituency in Coast region; Sengerema Constituency in Mwanza region following 1995 elections. Unfortunately, no information is available on the total number of cases lodged with the courts and their outcomes.

41. “Voter education” is fast growing industry in emerging African multi-party democracies. Unfortunately, much of the efforts to “educate” voters on the matters of democracy and democratic process are undertaken during the last few months before elections. This was true in 1995 elections as well as during the Elections 2000. It is estimated that over 3 billion shillings mostly of donor money were allocated for the task and with many groups competing for share of the money there was no shortage of service providers. May be we need to adopt a long-term view of the situation instead of treating “civic education” as part of elections pastime.

42. Of course, this should go hand in hand with deliberate efforts to raise the general welfare of the population especially poverty eradication. Experience elsewhere has shown that the costs of electoral corruption rises significantly with rising affluence as more resources will be needed to satisfy voters unlike in poverty situation where even food and soda or piece of khanga/kitenge can make a difference.

43. The recent decision by the Tanzanian government with financial support from the UNDP to take stock of the situation on a regular basis – the annual “State of Corruption” report, comes at opportune moment. One can only hope that the exercise will contribute towards better understanding of the dynamics of corruption and how to deal with it.
CORRUPTION IN THE 2000 LOCAL AND PARLIAMENTARY ELECTIONS IN MOROGORO URBAN DISTRICT CONSTITUENCY: THE LOCAL PEOPLES’ PERSPECTIVE

I. H. Kawa

Introductory Remarks

It is probably enormously difficult to prove with exhibits that there was corruption in Tanzanian local and general elections of 2000. However, corruption practices in these elections were reported to be rampant. There have been wide claims that contestants used a wide range of means to tempt the electorate to vote for them. News media reported people’s grievances about corruption at all levels of the elections and in political parties particularly in Chama Cha Mapinduzi’s (CCM) preferential elections. The national Executive Committee (NEC) and the Central Committee (CC) of CCM) even disqualified some aspirants from contesting despite ‘winning’ the preferential votes on grounds of, among other things, corruption. Therefore, there is obvious need to investigate into the persistence and rampanty of corruption in all spheres of social life from the electorate’s point of view because they are often the victims of corruption while others might be beneficiaries of it.

Morogoro region represents a unique and interesting case in Tanzania 2000 elections because it had the largest number of cases where, preferential voting results were nullified by the NEC of CCM. Morogoro urban constituency and Morogoro South results (where prominent businessmen had ‘won’) were rejected by CCM’s top decision-making organs (NEC and CC). Also, Morogoro region is the only place where one of its District Party (CCM) Secretaries was removed from his position immediately after the nullification of the constituencies’ voter preferential results. The information contained in this article is based on a case study conducted by the author in Morogoro Urban District constituency. The purpose of the study was to examine ‘electoral corruption’ which was presented to the interviewees as a social evil that needs massive open discussions to tackle.

Data Collection Procedures and instruments

The problem of corruption is inherently delicate and sensitive. Thus, investigative studies into problems such as this require innovative methodologies. Conventional research methodologies of social surveys would often generate misleading information because respondents tend to be suspicious of the interviewer and the purpose of the whole study. Rural people tend to be more sceptical than their urban counterparts about
talking to strangers on sensitive matters such as corruption for fear of ‘assisting the police’.

Furthermore, interviews using formal questionnaire surveys guided by structured (often close-ended) questions were avoided. This is due to the fact that they over-emphasize on statistical precision while the study sought qualitative information that required only ‘trends’ and ‘orders of magnitude’.

In view of this, PRA\(^3\), FGD\(^4\) and III\(^5\) were chosen for this study and corruption was presented to discussants as a social evil that needed massive and open discussions rather than as a means to arrest culprits. This was the reason why informants in FGDs and III were free to speak of about corruption.

Two PRA groups of up to 15 very ordinary people without any public portfolios were formed and worked in Mbuyuni and Mji Mkuu wards. Both men and women were involved in the teams. There were also two FGDs each of eight people. Members of campaign teams formed for two prominent contestants. IIs were carried out for some selected political party officials, election officers, retired polititical party and government officials and at least one of the contestants who was willing to discuss the past openly and freely.

The interviews in IIs adopted an informal and conversational approach. A great deal of tactical reordering of questions was done particularly when cheating in answering questions was suspected.

The use of PRA and FGD was based on the fact that ordinary people are knowledgeable on many issues/subjects that touch their lives. The main question was how to tap their knowledge most effectively. More often useful information in research process comes coincidentally and informally during dialogue rather than through formal processes.

**The Purpose of this article**

The purpose of this article is twofold: first, to present the views, perspective and understanding of this problem by the local people who were victims of corruption which probably denied them of the right to vote for the candidate of their choice. Second, to present people’s own views on how to eradicate corruption. To that end, the study examined the following:

- How did they define corruption? What were its manifestations?
- Did the local people frown from upon and resist bribery and corruption in elections or did they tend to regard it as irreversible and inevitable?
- Did they seem to draw a line between ‘Takrima’ (customarily done under our traditional practices) on one hand and bribery and corruption on the other hand by those holding positions of trust? What levels of corruption were there?

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\(^3\) PRA=People  
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- Is corruption likely going to be perpetuated and reproduced in future elections?
- What are the possible options or solutions to tackle it?

**Theoretical Perspectives on Corruption**

There are different perspectives on corruption. These differences are not only semantic but they also have serious implications on the kind of interventions that are to be formulated to combat the problem. Broadly, two perspectives emerge: the Bourgeois and Marxist paradigms.

Within the bourgeois paradigm, three conventional approaches to the analysis of corruption stand out: functionalist, ethno-centric and evolutionist. All three approaches have strengths and weaknesses. For example, the structural functionalist theory has practical utility in spite of its conceptual weakness (and lacks class analysis and is static). It also attempts to analyse corruption problems only in developing countries particularly in India and Africa.

Theories within the Marxist paradigm have inherent glaring gap between explanation and policy (limited practical utility) but have more explanatory strength than bourgeois theories. Most of them seek explanations of corruption in and solutions to curb them in the socio-economic structure (Shao, 1996; Kyuule, 1996; Mpangala, 1996). These theories can therefore safely be used to complement the analysis of corruption in Tanzanian elections in order to make up for the shortfalls of the functional theory.

The structural functional theory justifies some forms of corruption in developing countries because of morality inherent in some forms of corruption though such forms are illegal. Werling (1972) and Van Roy (1970) purport that: “Corruption is not a problem to be concerned about in so far as it has utilitarian manifestations”. That is, it has such positive effects as:

- Satisfying the unfulfilled needs of particular groups (e.g. religiously based or tribally oriented groups or business needs). So access to political positions means ability to influence policies or legislation in favour of the group.
- Offering an alternative to political violence: (a) A system of patronage or clientelism (instead of a political system based on normative integration) functions, i.e. is not seen as a form of corruption. Nepotism and tribalism prevails as they are not only popularly respected and even expected for example in India and African countries (Apter, 1968). (b) Allowing groups to access positions by which rulers may satisfy the private needs of the social elite to maintain power.

Structural functionalist theories outline situations or prevailing conditions in developing countries that often perpetuate and facilitate corruption in public offices as:
a) Legislation, and policy formulation generally, is often poorly done.
b) Statutes may be nothing more than the impulsive whims of a dictator (head of state).
c) The administrators responsible for drafting legislation tend to be inept or inadequately assisted, and their work is seldom properly supervised and corrected by cabinet members, legislators or judges.
d) Administration tends to be slow, costly and inflexible.

The structural functional theory on this subject classifies three levels of corruption:

- Low-level systematic pilfering or incidental bribes (e.g. to police for traffic offences may be condoned), i.e. corruption that arises out of ‘hunger’ and one that is real which is more harmful and damaging the country’s economy.
- High-level corruption that is systemic and involves top-level decision-makers. The two types are analogous to a scenario of grass eaters versus meat eaters (Gould, 1983).
- The main distinction is mainly between top-level and systemic on one hand and one-of misappropriation of development resources (low-level fiddling) on the other. But one can identify a clear continuum of corruption where:
  a) At one end, public officials utilizing the perks, privileges and technical advantages afforded by office while obeying the rules surrounding that office.
  b) At the other end of the continuum might be located activities, which involve clear criminal behaviour, such as the theft of resources by officials.
  c) In between can be found such activities as patronage, nepotism, improper use of state resources, the abuse of power for individual enrichment and the levying of charges for undertaking services already incumbent on the official (Gould, 1983).

The conventional thinking of the organs of the state that are responsible for combating corruption in the country seem to be heavily influenced by the functional theory which is basically techno-managerial in approach and strategy, i.e. that corruption can be rooted out through improved state control mechanisms. In the recent times, however, there has been innovative thinking where civil society empowerment is seen as the basic foundation for building a national strategy for containing corruption (Hosea, 1996a; and Hosea, 1996b).

For the purposes of this article, corruption is used in a much broader sense to include nepotism, ethnicity and social networking as important dimensions of corruption. This broad conceptual framework will be used to
Electoral Corruption In Morogoro Urban District Constituency

I The Local People’s Perspective of Corruption

Major findings of the study on perceptions of corruption are classified into two groups: (a) People’s perception and definition of corruption in elections and (b) The forms and manifestations of electoral corruption.

a) Perception of corruption

A few statements or quotes reflect peoples’ notions of corruption in elections: For instance: ‘No one can win elections without offering kitu kidogo’. ‘Candidate A offered dau kubwa than the other candidates’.

The local people think that corruption can be defined as an ‘illegitimate use of power for private ends’ and this power might be monetary, religious, tribal or social influence. Also, like structural, nepotism (though may be illegal) is considered to be a form of corruption although it is not considered immoral.

Local people in the study area thought that corruption is bad because it:

• is unauthorized behaviour, though frequently sanctioned by those in power,
• subverts resources away from the poor and acts against the wider interest (e.g. in allowing some people to jump the queue while others are denied access, c.f. through screening for preferential voting).
• Weakens institutional performance by voting into political positions persons who may be under-qualified, incompetent, corrupt, suspected bandits, etc.
• Subverts policy goals and undermines political legitimacy (see also Ward, 1989 who supports this view).

b) Manifestations of corruption

To the local people, corruption manifested itself in many forms:

• Provisional of cash bribes
• Provisional of materials such as caps, badges, T-shirts, kanga, corrugated iron sheets, and foodstuffs
• Racial, religious and ethnically induced corruption
• Some candidates during the CCM preferential votes could purchase and distribute hundreds of membership cards and free transport to electorates. The source of those cards is not known
and is definitely one of the open cracks in the CCM system that needs urgent plugging up

a) Foreign funded initiatives to win parliamentary seats: It is alleged that the ambassador of Yemen visited Morogoro Municipality Aboo and SAS industries and encouraged all Arabs of Yemen origin who happen to be the richest Arabs in Morogoro (Aboo, Awadh, SAS, Islam, Saad, etc.) to take part in the local and parliamentary elections. He emphasized to them that being in political positions will enable them: easy access to regional and national leaders; to protect and safeguard business interests and open up new business avenues; to get personal Government security and protection easily when necessary; to be in a position to influence decision-making with regard to tax reduction, acquisition of property and other permits; and to represent interests of the Arab community in the localities. In short, he encouraged them that these measures would enable them to usurp land and economic ventures because Tanzania, following liberalization policy, is open to scramble. The ambassador made a substantial financial contribution of about Tshs. 100 million to the Yemen Arab elections fund in Morogoro. Most of the Yemen prominent Arabs, either as a result of the ambassador’s drive or as a mere coincidence, came out aggressively seeking out to contest the local and parliamentary elections except one who had a Government tender to supply fuel to TPDF and did not want to clash with Ahmed Mazora, the incumbent MP for Morogoro urban and chairperson of the Parliamentary Defence and Security committee.

This type of corruption threatens national security and national unity. It is organized corruption with long-term goals of gaining political power so as to influence decision-making at higher levels of state machinery. The ultimate goal is to suppress local people and to protect economic interests of the partisan groups.

b) Ethnically-based corruption

This was reported to be more rampant in opposition parties in Morogoro Municipality although it might have been equally rampant in CCM else where in the country. For example, the notion and slogan of the Waluguru word “Twimanye” (literally translated as “Waluguru brotherhood” was used to campaign against non-Waluguru contestants and was engineered by the District CCM chairperson. However, research participants this was gaining prominence nation-wide as in the case of TLP, for instance, where the Wachagga constitute about 80% of its membership and they have more sophisticated forms of organizing such as contributions to finance campaigns/campaigns for Wachagga candidates only.
All these take advantage of the Election Act that allows for canvassing for such night meetings.

c) Religiously motivated corruption

This was more rampant in the opposition parties particularly CUF (Mbuyuni ward) and TLP (throughout the Municipality) where CUF was predominantly Moslem and TLP was Lutheran. Campaigns were even held in mosques and churches. The Bohra community also supported campaigns to ensure that Bohra Indians get parliamentary seats as motivated by Adamjee.

II Magnitude of Corruption in the General Elections in the Constituency

Respondents were of the view that corruption was so obvious and open particularly in Kingo, Mbuyuni, Kichangani and Mji Mkuu wards. They pointed out nullification of results of preferential voting involving famous names such as Abood, Mazora, Shamim Khan and Kingu as illustrating the magnitude of the problem. Corruption was more rampant in the preferential voting because it was easier to bribe the few ‘wajumbe’ who would be deciding and influencing decisions (e.g. Wajumbe 10 wa kata in local elections).

Recipients of bribes

The following were recipients of bribes:

- Campaign teams: Some of the campaign teams (e.g. The Abood Campaign Team) were heavily financed. It had vehicles, mobile phones, sound systems and money to throw around.

- “Wajumbe wa mashina, matawi na kata”: FGD data showed that for this category of leadership, bribes ranged from 10,000/=, 5,000/=, and 1,000/= depending on the weight and social status of the ‘mjumbe’.

- For the local elections, councillors in all the 19 wards offered bribes of between 1,000/= and 3,000/= to ‘ward leaders’ and ‘members of the Ward Executive Committee’, and between 20,000/= and 100,000/= were given to ‘chairpersons of ward branches’ and ‘Ward Executive Committees’.

- District Party Officials: These were bribed because they could assist in ‘screening’ the names of contestants. Some officials in this category were reported to have received up to 500,000/=. One of the district Party Secretaries was repeatedly mentioned in PRAs, FGD and even Ill was easily and bitterly associated with corrupt practices because he was openly campaigning and supporting prominent businessmen.

Through Ills, it was revealed that those who offered bribes were businessmen either directly by themselves or through campaign managers. One District Commissioner disclosed that some of the businessmen were so arrogant that there even dared to walk into Government and Party offices in the company
of ‘municipal elders’ and campaign managers and attempt to offer bribes in ‘broad daylight’. This was a bit surprising and signified the arrogance of those with money.

Most of the businessmen were neither, until recently, party members nor were they any closer to the ordinary people. Suddenly these people started to take part in funerals of ordinary people, rehabilitation of hospital buildings and providing mosquito nets to the regional hospital.

III Peoples Views On Levels Of Corruption

a) PRA data showed that notions of ‘takrima’ (traditional hospitality) were dangerous. As a reaction to the Prime Minister’s statement justifying customary practices such as offering meals and drinks as takrima, people were disappointed with the Prime Minister at his attempt to justify some forms of corruption in the name of takrima.

b) A chapatti (cake) drawing showed that more than two-thirds of the people were of the view that there is no justification for any form of corruption. Neither should it be allowed to operate at any level of the so-called ‘allowable degree’. But most of them seemed to have resigned in despair that corruption has crept so deep into society that it needs a great deal of efforts to root it out. They also thought that corruption has become so entrenched in Tanzania that politicians and officials who do not cooperate in corrupt procedures might find themselves in serious trouble.

However, one-third of them, mostly belonging to the business community in Morogoro (as noted by Huntington, 1968) as a “solvent” or “lubricant” to overcome excessive bureaucratic inflexibility in Party and Government or bungling of Party and Government officials. For example, one former Senior Regional Security Officer was reported to have been approached by one of the prospective contestants for ‘assistance’ for which he would receive Tshs. 10 million. But he declined to accept the offer more for technical rather than ethical reasons.

c) At what level was corruption most rampant? PRA, FGD and III all showed that there was more corruption in CCM’s preferential voting and screening of contestants than during the actual elections. During the preferential voting, some contestants offered hundreds of CCM cards to non-members or defunct members, free of charge, in their constituencies. This tend to indicate that cards could be printed by syndicate means or that there is no control in issuance of cards.

d) What perpetuates and reproduces corruption in elections? i) The Law: Preferential votes are a problem because the Acts for both local and parliamentary elections are too loose. For example, the Local Authorities Election Act No. 4(2) of 1979 as amended in June 2000 stipulates that “in order to be validly be nominated to stand as candidate for a ward, a person must be nominated in writing by not less than ten registered voters in the ward for which one is a candidate”. It has been proven in the case of Morogoro elections that it is possible for rich business persons to bribe all 10 of them.

The Elections Act No. 11 (section 6) of 1994 and Elections Act No. 10 of 2000 2(a-i) spells out qualifications of candidates for elections and the qualification section (h) specifically mentions that one has to have lawful means of livelihood. Yet the results or outcomes were really disappointing in that it is alleged that people who were openly known not to have lawful means of livelihood such as suspected leaders of organized banditry and suspected drug dealers were elected as councillors. At least one who won in one of the wards in Morogoro was disqualified.
Further more, the Election Campaign Act No. 3 of 1993 section 32, Act No. 7 of 1992 section22 and Act No. 11 of 1994 (section 8) all allows for door-to-door canvassing. This canvassing is usually done at night. This practice, the 2000 elections show, was used to distribute bribes and to organise religiously or ethnically motivated meetings.

The Misconduct of Elections Officers Act (No. 4 of 2000) as an amendment from Act No. 7 of 1992 (section 29), discourages any official discouragement of persons from seeking nomination. It further states, “any person(s) holding an office or acting in any official capacity who in the exercise of the functions of that office or in that capacity makes a statement or does any act with intent to discourage any person who has been nominated to withdraw his candidature commits an offence”. It is suspected that it was for this offence that the Morogoro district CCM Party secretary was removed from his position before the elections came to an end. He was accused of openly acting with intent to discriminate in favour of Abood at the preferential voting. In so doing he was deemed to have committed the offence or of exerting undue influence.

ii) Poverty of Party and government officials, low salaries and poor incentive schemes makes them accept (cheap) bribes.

Outcomes Of Electoral Corruption

Electoral corruption has a lot of negative implications. The major outcomes of corruption during the 2000 elections were as follows:

- Justice was not done for some members of different political parties who were denied their constitutional right to contest for leadership positions as a result of corruptly induced withdrawals.
- There has occurred a big rift, particularly in CCM, as a result of anomalies in preferential voting.
- Ultimate elections (following suspect nominations) of persons with suspect qualifications such as persons with illegal means of livelihood, corrupt people and or people with eroded social values.
- People’s faith in party elections has been greatly eroded. People (the informants) thought that there is obvious danger that if corruption is not eliminated, it will enable the rich people to hijack politics at the expense of putting at stake the social, economic and political life of the majority of the poor people.

Options for curbing Corruption

People’s Views on solutions to the problem of corruption were as follows:

- People rejected the philosophy of self-regulating mechanisms for correcting immoral behaviour that is inherent in corruption (as functionalists tend to suggest). This, they argued, will not provide a lasting solution to the problem of corruption in the country. Instead this, a great deal of advocacy, mass mobilization and sensitisation should be done to fight the ideals of corruption and to promote values of decency.
- Use of state machinery to combat high-level corruption is by itself inadequate because even the institution may be subsumed into corruption. Massive involvement of the civil society in the fight against corruption is the only meaningful strategy.
- The relevant laws or legislations should be amended to make it very difficult to bribe and institute more effective mechanisms for enforcing election laws. For example, a penalty should be spelt out for persons (officials) who nominate or approve the name of a candidate with questionable means of gaining livelihood. There is no need for exhibits, suspect behaviour should be enough deterrent.
- Making use of people’s views by taking into account the questions they ask contestants in preferential campaign meetings. Screening Authorities should learn to read the feelings of the people about the candidates.

Sum-up Remarks

Regarding the 2000 elections, the local people’s outcry was that corruption was rampant and was almost seen as an irreversible social evil that threatens the future of Tanzanian elections and political life in general. However, some voices of optimism suggested that corruption can be minimized if the civil society is fully involved in the fight against corruption in general and electoral corruption in particular.
CORRUPTION IN THE 2000 LOCAL AND PARLIAMENTARY ELECTIONS IN MOROGORO URBAN DISTRICT CONSTITUENCY: THE LOCAL PEOPLES' PERSPECTIVE

I. H. Kawa

Introductory Remarks

It is probably enormously difficult to prove with exhibits that there was corruption in Tanzanian local and general elections of 2000. However, corruption practices in these elections were reported to be rampant. There have been wide claims that contestants used a wide range of means to tempt the electorate to vote for them. News media reported people’s grievances about corruption at all levels of the elections and in political parties particularly in Chama Cha Mapinduzi’s (CCM) preferential elections. The national Executive Committee (NEC) and the Central Committee (CC) of CCM even disqualified some aspirants from contesting despite ‘winning’ the preferential votes on grounds of, among other things, corruption. Therefore, there is obvious need to investigate into the persistence and rampancy of corruption in all spheres of social life from the electorate’s point of view because they are often the victims of corruption while others might be beneficiaries of it.
Morogoro region represents a unique and interesting case in Tanzania 2000 elections because it had the largest number of cases where, preferential voting results were nullified by the NEC of CCM. Morogoro urban constituency and Morogoro South results (where prominent businessmen had ‘won’) were rejected by CCM’s top decision-making organs (NEC and CC). Also, Morogoro region is the only place where one of its District Party (CCM) Secretaries was removed from his position immediately after the nullification of the constituencies’ voter preferential results. The information contained in this article is based on a case study conducted by the author in Morogoro Urban District constituency. The purpose of the study was to examine ‘electoral corruption’ which was presented to the interviewees as a social evil that needs massive open discussions to tackle.

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For the purposes of this article, corruption is used in a much broader sense to include nepotism, ethnicity and social networking as important dimensions of corruption. This broad conceptual framework will be used to illustrate how corruption in its multi-faceted dimension manifested itself 2000 general elections in Tanzania.

**Electoral Corruption In Morogoro Urban District Constituency**

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• Some candidates during the CCM preferential votes could purchase and distribute hundreds of membership cards and free transport to electorates. The source of those cards is not known and is definitely one of the open cracks in the CCM system that needs urgent plugging up

a) Foreign funded initiatives to win parliamentary seats: It is alleged that the ambassador of Yemen visited Morogoro Municipality Abood and SAS industries and encouraged all Arabs of Yemen origin who happen to be the richest Arabs in Morogoro (Abood, Awadh, SAS, Islam, Saad, etc.) to take part in the local and parliamentary elections. He emphasized to them that being in political positions will enable them: easy access to regional and national leaders; to protect and safeguard business interests and open up new business avenues; to get personal Government security and protection easily when necessary; to be in a position to influence decision-making with regard to tax reduction, acquisition of property and other permits; and to represent interests of the Arab community in the localities. In short, he encouraged them that these measures would enable them to usurp land and economic ventures because Tanzania, following liberalization policy, is open to scramble. The ambassador made a substantial financial contribution of about Tshs. 100 million to the Yemen Arab elections fund in Morogoro. Most of the Yemen prominent Arabs, either as a result of the ambassador’s drive or as a mere coincidence, came out aggressively seeking out to contest the local and parliamentary elections except one who had a Government tender to supply fuel to TPDF and did not want to clash with Ahmed Mazora, the incumbent MP for
This type of corruption threatens national security and national unity. It is organized corruption with long-term goals of gaining political power so as to influence decision-making at higher levels of state machinery. The ultimate goal is to suppress local people and to protect economic interests of the partisan groups.

b) Ethnically-based corruption
This was reported to be more rampant in opposition parties in Morogoro Municipality although it might have been equally rampant in CCM else where in the country. For example, the notion and slogan of the Waluguru word “Twimanye” (literally translated as “Waluguru brotherhood” was used to campaign against non-Waluguru contestants and this was engineered by the District CCM chairperson. However, research participants this was gaining prominence nation-wide as in the case of TLP, for instance, where the Wachagga constitute about 80% of its membership and they have more sophisticated forms of organizing such as contributions to finance campaigns/campaigns for Wachagga candidates only. All these take advantage of the Election Act that allows for canvassing for such night meetings.

c) Religiously motivated corruption
This was more rampant in the opposition parties particularly CUF (Mbuyuni ward) and TLP (throughout the Municipality) where CUF was predominantly Moslem and TLP was Lutheran. Campaigns were even held in mosques and churches. The Bohra community also supported campaigns to ensure that Bohra Indians get parliamentary seats as motivated by Adamjee.

II Magnitude of Corruption in the General Elections in the Constituency

Respondents were of the view that corruption was so obvious and open particularly in Kingo, Mbuyuni, Kichangani and Mji Mkuu wards. They pointed out nullification of results of preferential voting involving famous names such as Abood, Mazora, Shamim Khan and Kingu as illustrating the magnitude of the problem. Corruption was more rampant in the preferential voting because it was easier to bribe the few ‘wajumbe’ who would be deciding and influencing decisions (e.g. Wajumbe 10 wa kata in local elections).

Recipients of bribes
The following were recipients of bribes:
Campaign teams: Some of the campaign teams (e.g. The Abood Campaign Team) were heavily financed. It had vehicles, mobile phones, sound systems and money to throw around.

“Wajumbe wa mashina, matawi na kata”: FGD data showed that for this category of leadership, bribes ranged from 10,000/=, 5,000/=, and 1,000/= depending on the weight and social status of the ‘mjumbe’.

For the local elections, councillors in all the 19 wards offered bribes of between 1,000/= and 3,000/= to ‘ward leaders’ and ‘members of the Ward Executive Committee’, and between 20,000/= and 100,000/= were given to ‘chairpersons of ward branches’ and ‘Ward Executive Committees’.

District Party Officials: These were bribed because they could assist in ‘screening’ the names of contestants. Some officials in this category were reported to have received up to 500,000/=. One of the district Party Secretaries was repeatedly mentioned in PRAs, FGD and even III was easily and bitterly associated with corrupt practices because he was openly campaigning and supporting prominent businessmen.

Through IIIs, it was revealed that those who offered bribes were businessmen either directly by themselves or through campaign managers. One District Commissioner disclosed that some of the businessmen were so arrogant that there even dared to walk into Government and Party offices in the company of ‘municipal elders’ and campaign managers and attempt to offer bribes in ‘broad daylight’. This was a bit surprising and signified the arrogance of those with money.

Most of the businessmen were neither, until recently, party members nor were they any closer to the ordinary people. Suddenly these people started to take part in funerals of ordinary people, rehabilitation of hospital buildings and providing mosquito nets to the regional hospital.

III Peoples Views On Levels Of Corruption

e) PRA data showed that notions of ‘takrima’ (traditional hospitality) were dangerous. As a reaction to the Prime Minister’s statement justifying customary practices such as offering meals and drinks as takrima, people were disappointed with the Prime Minister at his attempt to justify some forms of corruption in the name of takrima.

f) A chapatti (cake) drawing showed that more than two-thirds of the people were of the view that there is no justification for any form of corruption. Neither should it be allowed to operate at any level of the so-called ‘allowable degree’. But most of them seemed to have resigned in despair that corruption has crept so deep into society that it needs a great deal of efforts to root it out. They also thought that corruption has become so entrenched in Tanzania that politicians and
officials who do not cooperate in corrupt procedures might find themselves in serious trouble.

However, one-third of them, mostly belonging to the business community in Morogoro (as noted by Huntington, 1968) as a “solvent” or “lubricant” to overcome excessive bureaucratic inflexibility in Party and Government or bungling of Party and Government officials. For example, one former Senior Regional Security Officer was reported to have been approached by one of the prospective contestants for ‘assistance’ for which he would receive Tshs. 10 million. But he declined to accept the offer more for technical rather than ethical reasons.

g) **At what level was corruption most rampant?** PRA, FGD and III all showed that there was more corruption in CCM’s preferential voting and screening of contestants than during the actual elections. During the preferential voting, some contestants offered hundreds of CCM cards to non-members or defunct members, free of charge, in their constituencies. This tend to indicate that cards could be printed by syndicate means or that there is no control in issuance of cards.

h) **What perpetuates and reproduces corruption in elections?** i) **The Law:** Preferential votes are a problem because the Acts for both local and parliamentary elections are too loose. For example, the Local Authorities Election Act No. 4(2) of 1979 as amended in June 2000 stipulates that “in order to be validly be nominated to stand as candidate for a ward, a person must be nominated in writing by not less than ten registered voters in the ward for which one is a candidate”. It has been proven in the case of Morogoro elections that it is possible for rich business persons to bribe all 10 of them.

The Elections Act No. 11 (section 6) of 1994 and Elections Act No. 10 of 2000 2(a-i) spells out qualifications of candidates for elections and the qualification section (h) specifically mentions that one has to have lawful means of livelihood. Yet the results or outcomes were really disappointing in that it is alleged that people who were openly known not to have lawful means of livelihood such as suspected leaders of organized banditry and suspected drug dealers were elected as councillors. At least one who won in one of the wards in Morogoro was disqualified.

Further more, the Election Campaign Act No. 3 of 1993 section 32, Act No. 7 of 1992 section22 and Act No. 11 of 1994 (section 8) all allows for door-to-door canvassing. This canvassing is usually done at night. This practice, the 2000 elections show, was used to distribute bribes and to organise religiously or ethnically motivated meetings.

The Misconduct of Elections Officers Act (No. 4 of 2000) as an amendment from Act No. 7 of 1992 (section 29), discourages any official discouragement of persons from seeking nomination. It further states, “any person(s) holding an office or acting in any official capacity who in the exercise of the functions of that office or in that capacity makes a statement or does any act with intent to discourage any person who has been nominated to withdraw his candidature commits an offence”. It is suspected that it was for this offence that the Morogoro district CCM Party secretary was removed from his position before the elections came to an end. He was accused of openly acting with intent to discriminate in favour of Abood at the preferential voting. In so doing he was deemed to have committed the offence or of exerting undue influence.

ii) Poverty of Party and government officials, low salaries and poor incentive schemes makes them accept (cheap) bribes.

**Outcomes Of Electoral Corruption**

Electoral corruption has a lot of negative implications. The major outcomes of corruption during the 2000 elections were as follows:

- Justice was not done for some members of different political parties who were denied their constitutional right to contest for leadership positions as a result of corruptly induced withdrawals.
- There has occurred a big rift, particularly in CCM, as a result of anomalies in preferential voting.
- Ultimate elections (following suspect nominations) of persons with suspect qualifications such as persons with illegal means of livelihood, corrupt people and or people with eroded social values.
• People’s faith in party elections has been greatly eroded. People (the informants) thought that there is obvious danger that if corruption is not eliminated, it will enable the rich people to hijack politics at the expense of putting at stake the social, economic and political life of the majority of the poor people.

Options for curbing Corruption

People’s Views on solutions to the problem of corruption were as follows:

• People rejected the philosophy of self-regulating mechanisms for correcting immoral behaviour that is inherent in corruption (as functionalists tend to suggest). This, they argued, will not provide a lasting solution to the problem of corruption in the country. Instead this, a great deal of advocacy, mass mobilization and sensitisation should be done to fight the ideals of corruption and to promote values of decency.
• Use of state machinery to combat high-level corruption is by itself inadequate because even the institution may be subsumed into corruption. Massive involvement of the civil society in the fight against corruption is the only meaningful strategy.
• The relevant laws or legislations should be amended to make it very difficult to bribe and institute more effective mechanisms for enforcing election laws. For example, a penalty should be spelt out for persons (officials) who nominate or approve the name of a candidate with questionable means of gaining livelihood. There is no need for exhibits, suspect behaviour should be enough deterrent.
• Making use of people’s views by taking into account the questions they ask contestants in preferential campaign meetings. Screening Authorities should learn to read the feelings of the people about the candidates.

Sum-up Remarks

Regarding the 2000 elections, the local people’s outcry was that corruption was rampant and was almost seen as an irreversible social evil that threatens the future of Tanzanian elections and political life in general. However, some voices of optimism suggested that corruption can be minimized if the civil society is fully involved in the fight against corruption in general and electoral corruption in particular.
Elections and the will of the People

Elections have a long history in human society. We can describe elections as democratic arrangements where leaders, political or otherwise, who come to assume executive powers are obtained by acclamation, filling behind a preferred contestant, a show hands or popular franchise.

Election 2000 is the second multiparty experience in post-Republic Tanzania. Like others preceding it, it was a secret ballot - cum - popular franchise type of election.

Of course there were multi-party and multiracial elections in Tanganyika towards its de-colonization process in the 1950's and 1960's. In Zanzibar there were two elections before independence but in Nyerere's words "both were a sham, in that they did not result in a government which reflected the people's expressed wishes' (Nyerere, 1973). Note that corruption is not specifically mentioned as the factor in play in those elections. This is not to deny the role forms of corruption may play. Corruption as we may note denotes venality, abuse of office, politcal putrefaction, unfaithfulness, perversion, debasement and egoism you name it. Which particular aspect or aspects characterised what Nyerere described of the Zanzibar election is a subject we dare not venture here.

Echoes that Elections 2000 have not "reflected the people's expressed wishes" have been heard after effect from cycles of opposition parties and other vested groups. Yet for all intents and purposes elections were not a "sham". Hence question may be asked, i.e. what "people" in the largely divided opposition camp, or what "policies" in the contested opposition terrain? Whose "wishes" are not reflected in the 2000 election? Suffice to say it is too early here to resolve these matters conclusively. Again, what aspects of the broad definition of corruption can be attributed to Election 2000 is subject for further debate.

It will be re-called that in June 1965 the Late President Julius Nyerere went to parliament to announce the dissolution of the "Independent Parliament". Nyerere was self-critical on the inadequacies of the Independent Constitution of Tanganyika. However, since July 1965 Tanzania had been operating on a constitution which was drawn up and devised by Tanzanians, and which was based on a realistic appreciation of the history and needs of the people (i.e. Tanzanians) [c.f. Nyerere, 1973: 174] notably, among others getting rid once and for all the sham of tripartite elections. In September 1965 first election under the one-party state constitution were held.

However, the experience of One-Party State elections are now history. The One-Party State Constitution was overturned by the same process that created it. A Multi-Party State Constitution "drawn up and devised by Tanzanian"s" superseded it. In 1992 politicking along this fashion effectively began. The October 1995 elections ushered this renewed tempo.

After what appeared to be a "fair" showing by the opposition parties in the 1995 general election hopes for the 2000 race were ignited. Yet before 2000 arrived some of the hotly contending opposition parties of 1995 election cannibalised themselves in a fit of rage and frenzy jockeying for position. What happened inside the NCCR-Mageuzi Party at Tanga during its National Convention followed it [to its dual - Mrema's Argentina and Marando's Mkwepu Street head-offices] in Dar es Salaam. By the time of Election 2000 the party had consumed itself to the bone with few embattled survivals scattered in other parties only to ignite fits of rage.
A few somersaulted back to the ruling party where they were received with a mix of clemency and scepticism. Those remaining were too weak to marshal sufficient guts to provide for presidential aspirants.

Be that as it may, it is my contention that hope of winning the race is a foregone conclusion by all contending parties. But given our constitution, we can only have one President for the country, one Member of Parliament (MP) per constituent and one Councillor per ward. Hence any one, even without horoscopic or prophetic knowledge should have predicted the out come at the end of the 2000 race to the imposing white House of Tanzania (i.e. Ikulu). Everyone should have foretold the following results at the end of the race:
Among Presidential aspiring candidates there will be three losers. 

Countrywide, there will be losers in hundreds at the level of MPs and at the level of Councillors. 

All contending parties will have a share of triumph for winning contenders and bitter frustrating dismay for loosing ones. 

There will be countless cries for foul at the end of the race in all parties pertaining to their favourite loosing aspirants.

Speaking of ignition of hopes for election 2000, an interesting scenario of the same was that hope for winning the race at any level cut across all parties. Furthermore, some of the main contending parties and or candidates of 1995 acquired an elevated sense of confidence, parading a “cock-sure” attitude of clinching victory both at the level of Councillors, MPs and the prestigious Presidential seat. The same were dead sure that the others will loose the race dismally. Unseen or unheard of in the 1995 race, this attitude was given some backing by “religious heavy weights” uttering prophetic assurance of winning the sea-side White House (Ikulu). The loss under the circumstances has been bitter while the obverse is the case for the winning contestant.

The mandate of this article is to examine elections 2000 and corruption at a constituency level. The article is a case study of the Temeke Constituency. Being post-mortem in essence the data accrued and presented here is a result of three levels of data collection and analysis notably: (a) desk top analysis from various sources (b) Interviews with officials and voters in the constituency obtained by a purposive sampling method (c) Interview with fellow researchers/observers at the constituent.

In any election contest there is bound to be winners and losers. In any single contested position there will be only one winner. How is hope nurtured in this win loose contest? As I propose to argue here, for some, hope of winning was banked on mass turn out in their rallies, oblivious of who the real voters are or would be and what their voting behaviour is. For these and others the assurance received from fervent supporting higher clergy nurtured such hopes. Yet, for others, faith as well as hope, were banked on their political machinery in place. All in all, it will be too naïve to think that “soft money” did not exchange hands between individuals and or groups to facilitate or assure success. While this has not centrally been projected, it will became common place knowledge once the plaintiff begin to cris-cross the law chambers as the case has been in past elections grievances.

My hypothesis is that corruption in election is a mater of extent, i.e. the extra mile one takes to win. All contestants or their parties strive, within reasonable frame, to convince would be voters to vote their side. Done within “reasonable and legal frame”, campaigns are acceptable. Taken an extra mile outside a “reasonable and legal frame” that one must win come rain come shine may be potentially corrupt. That extra mile can easily be traversed by desperate individual who are not confident to win based on their party’s manifesto and in stead resort poring promises that are impossible to fulfil, bribing or at worst intimidating the would be voters. Furthermore it is my hypothesis that in these infant democracy any party in power will be hysterically lamented on by those not in power. Hence, contesting of election results will be a recurrent issue as long as there will be multi-parties contesting in them.

This article will propose in the ultimate that in order to grow-up and steer away from petty complaints, a thorough understanding of “who” votes? comprehensive understanding of the voting behaviour must be known. Research and research investment by all parties on this is advised.

Election 2000 in Perspective
Election 2000, like election 1995 has come and passed with a difference. Two major ones are worth mentioning in passing here. One as hinted above, there was this air of "cock-sure" attitude of clinching victory. I mention this specifically because this attitude does not give room for the probability of the results of the elections being contested falling either way. Two, again as hinted above, unheard of or unseen in election 1995, prophetic assurances from highly placed religious office bearers backing certain parties were highly pronounced. Again I mention this because such dead assurances have the potential to corrupt would be voters by conscripting their fervent choices in the name of religion and interest of towing the line.

My mention of these two conspicuous observations is to differentiate the 1995 election from 2000 experience at the same time it is to argue that elections seem to have had no limits. If any, they have been abrogated in inadvertently or deliberately. To some degree this depends on the side of fence one is facing. The vantage point of this article is looking at election 2000 from the bird's eye-view. Speaking of sides while corruption is usually a two-way traffic in elections it is a multi-faceted one. This may be influenced by the many forces competing for one position. In elections therefore where only one contestant must win, corruption may find as many loopholes and entry points as ingenuity derives one to discover. In the economy of scarcity the electorate may take prey of aspirants and vice versa.

In Tanzania the term corruption is on everyone's lips. So much is alluded to corruption and fighting of corruption. How much of this is not lip service is unclear to many. This is on the one hand. On the other hand, whether everyone knows what they do sometimes in elections to be elected is potentially interpreted as corruption in the opposite camp is a subject for further conjecture. In order to understand corruption in elections 2000 one has to look at a number of election factors. An early approach is the complaints and what people say about it. Otherwise, a look at the character of the election itself is a telling indicator of attendant occurrences.

Elections 2000 were not soft, political war of words and juxtaposing of policies. To be very succinct, extra miles were traversed in that certain moments turned out to be threatening and tough encounters. "A tooth for a tooth" and "an eye for eye" were some such celebrated slogans. These, however, were not a monopoly of all parties. In practice, cases of physical confrontation and fracas between supporters of different parties during voter registration and campaigns were being reported in local papers now and then. Also being reported were the buying out voters registration certificates. Yet, so far there are no records of any complains by any voters regarding their registration certificates being taken away illegally from them, hence being barred form exercising their democratic right.

The contestants on the other hand were of different kinds. Some were armed with convincing powers of speech that varied from pulpit-oration to intimidation and threatening episodes. In between there were so many approaches. While marred by verbal intimidation, sloganeering and muscle showing by sheer mass of supporters and rally hang-rounds, the voting day came and passed without too much ado or fracas particularly on the mainland side. However, bickering erupted as commutative results were coming out. As of present, the loosing parties are bitterly unhappy and unwilling to share the "democratic achievements" of Tanzania's second multi-party elections of which they were a part. Their main complaint was not corruption per se but so-called "deceitful treachery" in which the winner sailed through. Does this tantamount to alluding corruption in the exercise?

Apart from a one time camera show off, there are no united front on this. This is largely due to different ways in which parties involved nurtured hope
of winning on individual basis. Given what we have, what went wrong when, where and how? It is noteworthy that in past mono-party elections aggrieved contestants were quick to file corruption charges and prove them in courts of law. This time around things are different and the question is why?

There are no hard and fast answers to these pertinent questions. At any rate with all the intents and purposes we may not be able to resolve them here conclusively. Nevertheless a thorough discussion is worthy of any attempt. Temeke district is a unique case in point that may yield some leads.

Rationale for Selecting The Temeke Constituency

The Temeke Constituency is one of Seven constituents in Dar es Salaam. Others are Ilala, Kawe, Kigamboni, Kinondoni, Ubungo and Ukonga. Election 2000 results for the seven Dar es Salaam Constituents show that the party which has won in most constituents has lost in only one of them namely Kigamboni. At Kigamboni, CCM's Veteran Politician and former eminent Mayor of Dar es Salaam Mr. Kitwana Kondo lost to new comer Mr. Frank Magoba of the Civic United Front. The winner, i.e. Mr. Magoba was making only his second attempt after floundering in election of 1995 as a CHADEMA candidate. In election 2000 he switched to the Civic United Front.

Interestingly, it was the opposition parties which offered own explanation of the loss, taking severe pain on the loss instead of triumph for clinching the only constituent closest to the seat of power. But why? It is difficult to interpret the position of the opposition on this. For what ends they took such a position we may never know.

As a hinted above, Temeke, like the remaining Five constituents has been won by CCM. Also the Temeke Constituency is one of CCM's twin constituents where first time women contenders clinched the much strived for constituencies. This is one of the rationale for selecting Temeke for the case study.

The selection of Temeke has other broad telling interests for our present study. Among others, it is interesting to study Temeke because once it comprised a parliamentary constituency of a hotly presidential contending aspirant of NCCR-Mageuzi-CCM fall out (Mr. Augustine Mrema) before his second abdication from a party that he voluntarily chose to enter. Not that the constituent was taken as a walkover in the general election of 1995. On the contrary, CCM had won the seat in the popular franchise, only to loose in the aborted court process. The point is, in the election of 1995 CCM had fielded a winning candidate, i.e. Mr. Kihiyo who it was claimed had accorded himself one controversial academic qualification too much. In the unseating process, one of the first of such cases in election 1995, the opposition deployed one of its vocal lawyer MP and staunch supporter of Mrema. The later tore the winning MPs credibility leading to his untimely resignation from the house premature to the court proceedings.

As if that was not enough, in the re-run the incumbent ruling party fielded a candidate on propinquity relations of being a native of the area. Leaving no stone unturned, the party put its heavy weight in an attempt to prop their choice (at some point anointed Ndengereko chief) to re-capture the vacant seat.

What is even more interesting about Temeke is that the same staunch courtroom lawyer also climbed the Temeke platforms to campaign for Mr. Mrema before the two were on to each others throat. What's more, two opposition parties namely NCCR-Mageuzi and UDP merged forces to prop the battered NCCR-Mageuzi Chairman Augustino Mrema to the Parliament. The UDP chairman Mr. John Cheyo personally went to the platform to campaign for Mrema. This did not happen in his own Magu constituency when he was
attempting to get to parliament in a by-election. It was Mrema personally who disowned the unwritten UDP-NCCR arrangement which assured him a parliamentary seat of the Temeke Constituent. This small incidence indicate that the opposition camp is more divided on party lines than united against their so-called adversary.

Finally, of Dar es Salaam Seven Constituents, Temeke has projected itself as a strong base for opposition parties. In 1995, through a by-election it went to the now almost eclipsed NCCR-Mageuzi. In election 2000 things looked prosperous for the Civic United Front or “Ngangari” - a term by which it has popularized for itself. Literally translated, “Ngangari” is a Kitandengereko term meaning “Never say die” or “point of no return”. In itself, the term was very promising. Yet listening to all hearsay after the election, the presumed hardliner did not hold so steadfastly to the “cute” party slogan. Come to think of it, how did they vote? Perhaps there is a lesson we can learn from one of the embattled presidential hopeful who once got bitter with the masses attending his political rallies and not voting for him on the material day.

**Election 2000 in Temeke Constituency**

Three main contending parties in Temeke, like elsewhere in the past election were the incumbent ruling party-Chama Cha Mapinduzi (CCM), Civic United Front (CUF) and Tanzania Labour Party (TLP). Other parties which fielded contestant in the constituent i.e. United Democratic Party (UDP), NCCR-Mageuzi, Tanzania Peoples Party (TPP), etc posed no threat to the aforementioned forerunners.

As noted earlier, corruption is multifaceted discourse. To determine corruption from results or to tease it after the fact out of an election which all parties participated without voting day reported incidence is by no means an easy task. This was an election process whereby just as the polls were closing, it was highly praised by some staunch contestants from the opposition side as the best in Tanzania so far. What went wrong where and when is a subject for individual parties to research upon. In the remaining discussion it will be instructive to permit the available data (results) to tell the story of Temeke in particular the Temeke constituency.

Temeke, the district has two parliamentary constituents notably Kigamboni and Temeke itself. The data that we utilize here derive from CCM district office – they are used here because they are comprehensive if not complete. The same could not be obtained from other parties hence the bias of the report. Nevertheless, all the other parties have a system of obtaining contestants even if not as rigorous as CCM’s. Compared to other political parties, CCM conducted preferential votes for aspiring Councillors and Parliamentarian throughout the country. Hence a look at its process will be instructive for our present purposes.

In conducting preferential votes CCM had set for itself the following criteria to be met by competing aspirants:

(i) Experience or experience in the place of work  
(ii) Experience in the party  
(iii) Discipline  
(iv) Performance record.

Limits to any of the qualities above are not strictly set. However ranking of each aspirant was done. The ranking ranged from “A” implying excellent to “D” which implicitly is the far extreme of the divide desired.
By way of a digression, deploying the above criterion the following voting and selection obtains in Temeke’s Kigamboni Constituency on the MPs race.

In table 1 below ranking by CCM was in agreement with preferential votes cast. A small exception is with candidate serial numbers 1 and 6. While candidate serial No. 6 edged candidate serial No. 1 by preferential votes, CCM ranked the latter slightly above. This is where the party set five criteria come in play.

### Table 1: Preferential vote and ranking in the Parliamentary Race Kigamboni Constituency.

<table>
<thead>
<tr>
<th>Aspirant name</th>
<th>Votes given</th>
<th>CCM Ranking</th>
<th>Nominated</th>
<th>Winner results 2000 Election results</th>
</tr>
</thead>
<tbody>
<tr>
<td>Deodatus Kinawilo</td>
<td>1 5</td>
<td>5</td>
<td>–</td>
<td>–</td>
</tr>
<tr>
<td>Kitwana Kondo</td>
<td>1 4 2 9</td>
<td>4</td>
<td>1 v</td>
<td>Lost</td>
</tr>
<tr>
<td>Masood A. Masoud</td>
<td>3 7</td>
<td>7</td>
<td>–</td>
<td>–</td>
</tr>
<tr>
<td>Remidius Leonard Mbawala</td>
<td>1 0 7</td>
<td>0</td>
<td>3</td>
<td>–</td>
</tr>
<tr>
<td>Mwinchumi, A. Msomi</td>
<td>1 2 5 2</td>
<td>2</td>
<td>–</td>
<td>–</td>
</tr>
<tr>
<td>Jonah Simon Mwangomango</td>
<td>1 8</td>
<td>8</td>
<td>6</td>
<td>–</td>
</tr>
<tr>
<td>Ali Said Nyombela</td>
<td>8 7 . 5</td>
<td>7</td>
<td>–</td>
<td>–</td>
</tr>
<tr>
<td>Kasim M. Seif</td>
<td>8 7 . 5</td>
<td>7</td>
<td>–</td>
<td>–</td>
</tr>
</tbody>
</table>

**Source:** CCM Office Temeke District, December, 2000

Admittedly, their best candidate overall with ample job experience, long service e.g. long time incumbent Mayor of Dar es Salaam and experience in the party, as well as undisputed performing record compared to the rest was nominated. However, in the popular franchise where constituent votes were divided between several parties with different ideologies and ideological stresses, the CCM choice did not emerge the final winner. Be that as it may Kitwana Kondo’s loss should not be overly dramatized. The difference in votes between him and the winner is too close to call. We shall return to these reflections later.
If we were to take this as a measure of democracy and party discipline we can conclude that contrary to hearsay elsewhere, CCM did not influence the election results and that a peoples choice had prevailed. In other words we have to exonerate CCM of corruption or pilfering of the election votes it is accused of. If the party was a vote pilfer, how would a candidate of Kitwana Kondo’s calibre lose in the general election? How would CCM allow that to happen so close to the seat of power? With this background we can now proceed to consider the Temeke constituent results.

Having made a brief excursus to look at neighbour Kigamboni preferential votes for parliamentary aspirants we can now zero in on councillor aspirants of the Temeke Constituents. This aspirants group has been associated with a lot of political graft and or putrefaction. For instance soliciting votes through bribing preferential voters with cash money "Vitenge/Khanga" presents, paying for their beer, etc. However hard and fast corroborative or tangible evidence have not been surrendered. One explanation of this could be all involved hands are soiled with blood (i.e. all have practised graft). Or alternatively since no evidence are marshalled then what we have is an extended political campaign terrain where we are having to listen to the version of the loser vis-a-vis that of the winner on the end results. The preferential votes for CCM councillor aspirants by wards in the 11 wards was as below:

Table 2: Councillors Preferential Votes – Miburani Ward.

<table>
<thead>
<tr>
<th>Aspirants</th>
<th>Preferential votes</th>
<th>CCM Ranking</th>
<th>Nominations</th>
<th>Election results</th>
</tr>
</thead>
<tbody>
<tr>
<td>Shaban S. Mchumila</td>
<td>389</td>
<td>1</td>
<td>V</td>
<td>Won</td>
</tr>
<tr>
<td>Ibrahim Madenge</td>
<td>370</td>
<td>2</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Mashindo Mkeyenge</td>
<td>61</td>
<td>3</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Sadik Mwiga</td>
<td>53</td>
<td>4</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Charles Mtandu</td>
<td>26</td>
<td>5</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Julius Nyolavyeya</td>
<td>16</td>
<td>6</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Col. E.S.L.Y. Mwakyambiki</td>
<td>*</td>
<td>*</td>
<td>*</td>
<td>*</td>
</tr>
</tbody>
</table>

* Candidate withdrew at an advanced stage of the process.

Again, ranking performed by CCM fairly corresponds to preferential votes cast. Nevertheless the preferential votes separating the first and second runners up is too close to call. How much this may have been influenced by the candidate who dropped out we can not tell for a fact.

Acts of resignation can be deemed to indicate democratic maturity, that is if no other explanation is given. The scenario is different at Keko ward where the aspirant voted highest (one) Mr. Day Okech) was not CCM final nominee. The party’s nominee was (one) Mr. Isa Manyalu. The nominee sailed
through in the popular franchise to clinch the councillor's seat. Full data for preferential in Keko Ward were not obtained.

**Table 3: Councillors Preferential Votes Chang’ombe Ward**

<table>
<thead>
<tr>
<th>Aspirants</th>
<th>P/vo tes</th>
<th>CC M Ran king</th>
<th>CC M No min ee</th>
<th>Electi on Resul ts</th>
</tr>
</thead>
<tbody>
<tr>
<td>S.S. Nkamba</td>
<td>402</td>
<td>1 V</td>
<td>V</td>
<td>Won</td>
</tr>
<tr>
<td>A. Kyando</td>
<td>16</td>
<td>4 -</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Rehema Halahala</td>
<td>9</td>
<td>5 -</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Kipimo Edward</td>
<td>60</td>
<td>3 -</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Ayubu Chamshama</td>
<td>330</td>
<td>2 -</td>
<td>-</td>
<td>-</td>
</tr>
</tbody>
</table>

*Source: CCM Office Temeke District, December, 2000*

CCM ranking in this ward also seem to be consonant to the preferential votes cast. Note that two candidate serial Nos. 1 and 5 scooped the highest preferential votes compared to the three whose votes put together are only 25 percent of the second runners up or merely 6 percent of the party’s choice. A total of 72 votes separate first and second choice candidate.

**Table 4: Councillors Preferential Voters Mtoni Ward**

<table>
<thead>
<tr>
<th>Aspirant</th>
<th>P v o t e s</th>
<th>C C M ra nk in g</th>
<th>C C M n o mi n ee</th>
<th>2000 Election Results</th>
</tr>
</thead>
<tbody>
<tr>
<td>Habibu Shukurumungu</td>
<td>8 2 3</td>
<td>1 v</td>
<td>V</td>
<td>Won</td>
</tr>
<tr>
<td>Yasin R. Msema</td>
<td>3 2 8</td>
<td>2 -</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Ali Chaurembo</td>
<td>2 1 0</td>
<td>3 -</td>
<td>-</td>
<td>-</td>
</tr>
</tbody>
</table>

*Source: CCM Office Temeke District, December 2000*

Of the three candidates, the overall winner collected over 61 percent of the preferential votes. A total of 613 votes separate the first runners up and the last, while a total of 495 preferential voters separate him and the second runners
up. The preferential votes here seem to have greatly determined the final outcome.

Table 5: Councillor Preferential votes in Temeke Ward 14.

<table>
<thead>
<tr>
<th>Aspirant</th>
<th>Preferential votes</th>
<th>CCM Rank</th>
<th>CCM Nominee</th>
<th>2000 Election results</th>
</tr>
</thead>
<tbody>
<tr>
<td>Abdalla Lejohi</td>
<td>7</td>
<td>5</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Grace Kisiya</td>
<td>365</td>
<td>2</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Hakim S. Nsombo</td>
<td>124</td>
<td>3</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Issa Shangai</td>
<td>111</td>
<td>4</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Roma Chenga</td>
<td>682</td>
<td>1</td>
<td>v</td>
<td>won</td>
</tr>
</tbody>
</table>

Source: CCM Office Temeke District, December, 2000

The overall winner in the contest obtained nearly 53 percent of all votes cast while the second runners up who is also a female candidate obtained 28 percent of the total votes. A total of 317 votes separate these two candidates. The range between the highest and lowest score of votes in Temeke Ward 14 was a full 675 votes. In short therefore the preferential votes were a good telling indicators for CCM candidates.

Table 6: Councillor Preferential votes in Tandika Ward.

<table>
<thead>
<tr>
<th>Sr. No.</th>
<th>Aspirant</th>
<th>Preferential votes</th>
<th>CCM Ranking</th>
<th>CCM Nominee</th>
<th>2000 Election Results</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Abdalla Zane</td>
<td>87</td>
<td>2</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>2</td>
<td>Abushiri Kirungo</td>
<td>704</td>
<td>1</td>
<td>V</td>
<td>Lost</td>
</tr>
<tr>
<td>3</td>
<td>Charles Chikaka</td>
<td>36</td>
<td>3</td>
<td>-</td>
<td>-</td>
</tr>
</tbody>
</table>

Source: CCM Office Temeke District, December, 2000

In spite losung the seat to the Civic United Party, the winner in preferential votes obtained 85 percent of all the votes cast. The choice as far as CCM had made was thus tallying with a peoples preference. In spite of losing he is separated with the next contending aspirant by 617 votes. His position vis-à-vis the bottom candidate in the list is a difference of 668 preferential votes. This is a case whereby success in preferential votes are not to be wholly relied or predict final results in election 2000.
Table 7: Councillor Preferential Votes in Azimio Ward

<table>
<thead>
<tr>
<th>Aspirant</th>
<th>P Votes</th>
<th>CCM Ranking</th>
<th>CCM Nominee</th>
<th>2000 Election Results</th>
</tr>
</thead>
<tbody>
<tr>
<td>S. Kinyogoli</td>
<td>69/7</td>
<td>1</td>
<td>V</td>
<td>Lost</td>
</tr>
<tr>
<td>Ali S. Mcheka</td>
<td>37/1</td>
<td>2</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Salum B. Rwambo</td>
<td>24/7</td>
<td>3</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Mzee H. Pakora</td>
<td>N.I</td>
<td>4</td>
<td>-</td>
<td>-</td>
</tr>
</tbody>
</table>

N.I: Not indicated

Source: CCM Office Temeke District, December, 2000

CCM’s choice candidate in the ward that coincided with the people’s choice in preferential votes. The winner obtained 53 percent of all the votes indicated. However on election 2000 the aspirant lost to Civic United Candidate.

Table 8: Councillor Preferential Votes in Yombo Vituka

<table>
<thead>
<tr>
<th>Aspirant</th>
<th>CCM Ranking</th>
<th>CCM Nominee</th>
<th>2000 Election Results</th>
</tr>
</thead>
<tbody>
<tr>
<td>Athumani Ngayonga</td>
<td>1</td>
<td>V</td>
<td>Won</td>
</tr>
<tr>
<td>Salum Msumi</td>
<td>2</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mangonyale Ngonyani</td>
<td>3</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Harun J. Msuya</td>
<td>5</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Capt. Christopher Rwiza</td>
<td>5</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Nyarusonyo Mfwati</td>
<td>4</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Peter Chando</td>
<td>6</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Source: CCM Office Temeke District, December, 2000

Voters had too many candidates to decide on but their choice coincided with CCM ranking. The first runners up is separated by the next-best by a full 192 preferential votes. He is also separated by 710 votes with the aspirant who collected the least votes.
Table 9: A Councillor Preferential Votes in Makangarawe Ward

<table>
<thead>
<tr>
<th>Aspirant</th>
<th>CCM Ranking</th>
<th>CCM Nominees</th>
<th>2000 Election Results</th>
</tr>
</thead>
<tbody>
<tr>
<td>V. M. Mwakasendile</td>
<td>1</td>
<td>V</td>
<td>Won</td>
</tr>
<tr>
<td>Ali H. Rwambo</td>
<td>4</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Mohamed S. Malula</td>
<td>3</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Enock Mahende</td>
<td>2</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Bakari Mawinga</td>
<td>5</td>
<td>-</td>
<td>-</td>
</tr>
</tbody>
</table>

Source: CCM Office Temeke District, December, 2000

The polling looks straight forward enough. Party preferential candidate also scored the most votes from its preferential electorate. During this survey we learnt that the second runners-up had passed away.

In Sandali Ward two names of aspirants were obtained i.e. that of first runners-up one Mr Wilbord Tarimo who obtained a total of 1280. The second runners-up Mr. Issa B. Mchapo obtained 249 preferential votes. The two are separated by a full 1031 votes. In terms of CCM ranking the preferential votes determined their positions. The party's nominee who was also the people's choice won the race in the general election.

Table 10: Councillors Preferential votes in Kurasini Ward.

<table>
<thead>
<tr>
<th>Aspirants</th>
<th>P. V.</th>
<th>CCM Ranking</th>
<th>CCM Nominee</th>
<th>Election 2000 Results</th>
</tr>
</thead>
<tbody>
<tr>
<td>Shaaban M. Kiero</td>
<td>50</td>
<td>3</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Wilbord M. Kimati</td>
<td>18 5</td>
<td>2</td>
<td>V</td>
<td>Won</td>
</tr>
<tr>
<td>Mohamed R. Rashid</td>
<td>20 1</td>
<td>1</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Ephreim Luambano</td>
<td>25</td>
<td>4</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Rajab H. Mtunguta</td>
<td>6 10</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Idah Marik Temu</td>
<td>9 8</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Juma S. Kivasa</td>
<td>7 9</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
</tbody>
</table>
Of the 11 Wards in Temeke district, Kurasini had the most aspirants vying for the councillors seat. This is also the only ward where we have the data indicating that CCM did not nominate the aspirant who obtained the most votes. This also the first ward where a fourth placed aspirants pulled out after voting was completed. On contrary terms, CCM nominated the second runner up for the race. At play, must have been the criteria CCM set for itself. Their nominee however, who was second runners-up, separated by 16 votes with voters first choice, won the October general election. Therefore, while the preferential votes for councillors have been fairly consistent, CCM has not always been obliged to follow the whims of the preferential votes. This appears to be the case in the parliamentary race for the constituent to which we shall now dwell on. The parliamentary preferential votes for Temeke were as here below.

As already hinted in the foregoing analysis, in the preferential votes for the seat of parliament, CCM dropped the candidate with the most votes. The second runners-up who was 354 votes below the first runners up was their nominee. The party’s choice is therefore a massive leap backwards. The incumbent who took the third position in preferential votes was 183 votes below the second runners up and 537 behind an aspirant voted first. The candidate elect went over to win the October 2000 general election to clinch the much strived for Temeke constituent. Interestingly in the October 2000 general elections both the top winner and immediate looser disbelieve the final results differently. On the one hand Richard Tambwe Hiza (CUF’s) who has contested the seat five times claims it does not register in his brain that Hadija Kusaga (CCM) was capable of defeating him. He also disputes the voting population arguing there are no 65,000 CCM followers who can qualify as voters (c.f. WIKI HII No. 63 Nov. 3-9, 2000). Of course other blamed are directed to CCM and its top leadership.

Table 11: Parliamentary Preferential Votes in the Temeke Constituency

<table>
<thead>
<tr>
<th>Aspirants</th>
<th>P.V.</th>
<th>CCM Ranking</th>
<th>CCM Nominee</th>
<th>2000 Election Results</th>
</tr>
</thead>
<tbody>
<tr>
<td>Farid Ahmed Bazar</td>
<td>171</td>
<td>5</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>John Kibasso</td>
<td>464</td>
<td>3</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Hadija K. Kusaga</td>
<td>647</td>
<td>2</td>
<td>Nominee</td>
<td>Won</td>
</tr>
<tr>
<td>Inayat M. Raza</td>
<td>1001</td>
<td>1</td>
<td>-</td>
<td>-</td>
</tr>
</tbody>
</table>

Source: CCM Office Temeke District, December, 2000
On the other hand, his counterpart, Hadija Kusaga also admits that her victory is like a dream. She argues the constituent had strong rivalry. Being a woman she received threats and had nearly given up hence the way she perceives victory as a kind of dream (WIKI HII No. 63 Nov. 3-9, 2000). Kusaga attributes her party’s success to the negative and mud slinging from CUF. We shall return to the two perspectives to consider the voting population and voting behaviour.

The dropping of best performing candidates in CCM preferential votes has been strongly associated with the party internal cleansing. The party did not want to go to the general election with aspirants whose hands are soiled with corruption. Where this has occurred in Dar es Salaam other constituents is a case in point.

Corruption involves a violation of a public duty or a departure from high moral standards in exchange for (or in anticipation of) personal pecuniary gain, power, or prestige. Such conduct may be illegal or may constitute departure from ethical standards without violation of Law (Aikin and Gould, 1968: 142). Thus having set its own criteria for party discipline CCM dropped those it deemed lacked credibility.

Overwhelmingly, its choice, based on standard set for itself worked out positively.

Overall, in the Dar es Salaam based constituencies CCM has done better. This seems to be the case even where it has been defeated (e.g. Kigamboni) where the margin is too close to call. Surprisingly, here the rumbling is on the other side of the fence.

Being the first in championing conceding defeat John Momose Cheyo of UDP—one of the poorest performing presidential hopeful came with alarmist front page lament “Jinamizi” (no close translation) “limeiba kura zetu”. “Jinamizi” can mean “nightmare” or witchcraft asphyxiation of the sort affecting already used ballot papers. To paraphrase Cheyo* their votes have disappeared in some bizarre fashion i.e. have in his calculation switched over to CCM. (Nipashe No. 018784 November 4th 2000). Again even by the assessment of this presidential hopeful that he volunteered to the press for the general public, local and international included, corruption is not as a cause of their defeat is insinuated.

Similarly, a party without a presidential hopeful, i.e. NCCR-Mageuzi conceded defeat. Interestingly, its leader (one) James Mbatia who took leadership from its embattled founding leaders lost in his Vunjo Constituency (WIKI HII No. 63 November 4th. 3-9, 2000).

Before we conclude by looking at the character of the Election 2000 a cross section of election results at parliamentary level will be in order beginning with the Temeke Constituency.

Table 12: Polling Results at Temeke Constituency

<table>
<thead>
<tr>
<th></th>
<th>Manji</th>
<th>Dr. Kiyabo</th>
<th>Abas Z. Mtemvu</th>
<th>Mwarami A. Pipa</th>
<th>Chacha Rukwi Magoko</th>
<th>Hamed A. Sijaona</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>19</td>
<td>8</td>
<td>434</td>
<td>21</td>
<td>21</td>
<td>10</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>4</td>
<td>6.5</td>
<td>6.5</td>
<td>9</td>
</tr>
</tbody>
</table>
| Source: CCM Office Temeke District, December, 2000

* Citing the few voted that UDP pulled from Selemani Street (4) and Igoma (50) in Mwanzu when he claims big following.
Ranked together with top four contenders, Kussaga (CCM) gets 44.5 percent of the votes while Hiza (CUF) gets 41.1 percent. Maximilian Lyimo of TLP and Monica Edward of UDP get 13.5 percent and 7 percent respectively. Ranked with second runners up and NLD national leader, Kussaga gets 52 percent of votes while Hiza and Emmanuel Makaide of NLD get 48 percent and 0.6 percent respectively. Even though the gap between her and CUF contender is moderate, the votes are decisive enough.

Ilala Constituency
In Ilala incumbent Iddi Simba got 26,646 votes an equivalent of 64 percent compared to the aspirant next in line Ahmed Mnyanga of CUF who got 14,776, an equivalent of 36 percent.

Kawe Constituency
Ritha Mlaki (First time around) of CCM obtained 43,450 (81%) votes while next in pursuance Omari Mandari of CUF got 10,070 (19%) votes. The gap separating them is enormous.

Kigamboni Constituency
In Kigamboni, Fank Magoba (CUF) got 41,272 (51%) to win the seat while Kitwana Kondo (CCM) veteran politician and leader got 38,998 (49%) votes. Though defeated, the margin is just too close. The two are separated by a small percentage of votes.

Kinondoni Constituency
Peter Kabisa of CCM emerged a winner with 68,416 (61%) votes over Suleiman Hasan of CUF who scored 44,209 (39%) votes. Again the gap is wide.

Ubungo Constituency
In the Ubungo constituency, the gap between Charles Keenja (CCM) top contender and Emanuel Kitika of CUF is much wider. IPP-records show that Keenja got 78,462 votes while Kitika got 36,822 votes. Adding the votes of Dr. Alex Humphrey Che-Mponda (1,643) national leader of TPP, Keenja (CCM) obtained 67 percent of votes while Kitika (CUF) obtained 31.5 percent Dr. Che-Mponda (TPP) scored 1.5 percent of the votes in the national franchise.

Ukonga Constituency
CCM’s Makongoro Mahanga compared with closely contesting John Maina of CUF scooped a massive win. Makongoro obtained 82,806 (65%) votes while his opponent obtained 44,962 (35%) votes. Here the margin separating the two is a yawning gap.

Thus, the Dar es Salaam outlook has looked more prosperous for CCM. To have a peek on others with a national clout in their parties, an experience of Vunjo (Kilimanjaro) and Rorya (Mara) constituencies should save as experiences for many. As already hinted in Vunjo constituency, James Mbatila NCCR-Mageuzi National leader lost to Jessy Kakundo of TLP. The latter got 27,461 (65%) votes compared to the former who got 15,002 (35%).

In Rorya constituency former NCCR-Mageuzi powerful secretary general lost in the hands of first time contending Professor Philemon Sarungi of CCM. The former got 20,287, i.e. 36 percent of votes while the latter got 36,678 an equivalent of 64 percent of votes.

Looking at TEMCO’s preliminary data for the constituent two sets of complaints seem to be stigmatized, notably: Campaign short comings and Registration short comings. On the one hand the campaign short coming reflected in the data include:

<table>
<thead>
<tr>
<th>Candidate</th>
<th>Party</th>
<th>Votes Accrued</th>
</tr>
</thead>
<tbody>
<tr>
<td>Khadija Kusaga</td>
<td>CCM</td>
<td>65,973</td>
</tr>
<tr>
<td>Tambwe Hiza</td>
<td>CUF</td>
<td>60,875</td>
</tr>
<tr>
<td>Maximillian Lyimo</td>
<td>TLP</td>
<td>20,111</td>
</tr>
<tr>
<td>Monica Edward</td>
<td>UDP</td>
<td>1,115</td>
</tr>
<tr>
<td>Juma Ally*</td>
<td>NDL</td>
<td>989</td>
</tr>
<tr>
<td>Emmanuel Makaide</td>
<td>TPP</td>
<td>846</td>
</tr>
<tr>
<td>Salaam Nainiwa</td>
<td>UPDP</td>
<td>408</td>
</tr>
<tr>
<td>Karima Ally</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

* National Leader of his party

Inadequate/opportunity to ask questions
• Inability to finance campaign meetings
• Non-compliance with electoral code of conduct
• Meeting time-table complaints
• insecure in campaign meetings

On the other hand, registration short coming included:

Registration personnel related
(a) corruption related;
(b) registration material;
(c) Party agents related
(d) People (voters) related

The details of this can be obtained from TEMCO, but looked critically no stories seem to be forth coming as yet. If any, they may likely surface in the court of laws as has often been the case in the past. Again, most of the campaign related short comings observed by election monitors seem not to have attendant corroboration evidence. Otherwise, why have they not gone beyond the concerned constituents to be challenged in other platforms? Not that they are unimportant observations, certainly they may likely improve the political terrain if taken to platforms where they can be brainstormed to nuance better future performance. Again none of the above have hinted on the deficit of the constitution, an area often times capitalized by the opposition since election results were out. An area if and when effected will likely give more elbow-room for all parties on the political terrain.

From this short excursus on TEMCO's preliminary data processing, what general conclusion can we arrive at about the election process in the constituent for data that we have?

Concluding Remarks

Winners as well as losers in the Election 2000 have expressed their achieved status in various ways. Half the time they have pointed fingers to their adversaries. For example, a handful of winners pointed at mud slinging from the other side as an impetus for them to win. In other words, voters saw something else in them contrary to what they were being painted by their rivals. The other more controversial issue is the votes already cast swapping position through “sorcery”. If any this is as mysterious as mystery. Both of these strong allegation do not elevate corruption, even though echoes of cheating seem to be prevalent on the end result and not the process. As of present, however, full stories have not yet emerged, but soon may occur for genuine cases especially if court proceedings start. Given the dissatisfaction expressed one would have expected such occurrences sooner than later. Given this gap one thinks some marshalling of evidence that does not seem to be there is craftily in the making. To what conclusion therefore are we led?

Given the fore said, it is the conclusion of this analysis that the level of preparation for the multi-party 2000 election was not uniform in all parties that fielded candidates, hence what we currently observe, notably:

1. There will be a lot of bickering about election 2000, but this is not to claim any solid understanding on who votes, how they vote and what is the voting behaviour of the potential voters.
2. This also applies to the limited knowledge we have on the masses hanging around a party political rally or campaign.
3. Furthermore can it be claimed that we have some understanding on whether the potential voters buy momentous promises of “empty paradise” preached in campaign rallies?
4. Do we know if the potential voters are likely to trust everything aspirants say about their opponents?
5. Are we knowledgeable whether potential voters are likely to vote one because one claim “Sainthood” “blessedness” one has and what have you?
6. Are they likely to vote one because:
   • somebody says one is the chosen one?
   • one call so much sympathy?
   • one has given them something “small”. Are they likely to vote one when they realize one has fabricated issues?

This small list is by no means exhaustive. It suffices to say that contesting parties are privy to strategies they employed in the race. Perhaps a critical inward looking, may begin to shed light on the various loop holes and if the party was on the right path. Parties should therefore invest in research to understand “who votes”? “how” and if they are likely to succumb to what we are now learning of the Election 2000 race. Finally, even in politics, “the truth” seem to have set some free.
THE CASE STUDY OF MKURANGA CONSTITUENCY IN COAST REGION

Sinda Hussein Sinda

Background

This article/study is concerned with the bribery and corruption of the electorate for the benefit of candidates in parliamentary and divisional elections in Tanzania. The process of ensuring free and fair elections until recently has constituted a major stumbling block in Tanzania’s repeated transitions and attempts at democratic governance. The reported cases of massive rigging, electoral fraud and marred elections neither reflect the true choice of the electorate nor are they accepted. The exercise of national elections is rife with political corruption right from the village or ward level to the national level.

Despite the fact that election corruption is widespread in Tanzania, as well as in other developing countries, studies and documentation on political corruption in both district and national spheres are/is very scarce. Sedigh and Muganda (1999:151-205) reported that there has been widespread acceptance of corruption among large sections of the population in public and private sectors. These dis-honorable practices that had become commonplace in Tanzania by the 1990s, ranged from the big bribes of business people and bureaucracy to the petty corruption of office clerks and traffic police seeking to earn extra income for their benefits.

Scanty inquiry dealing with election corruption and corrupt practices has involved official search for causes of political corruption. The effort to determine causes and effects of political corruption in general and election corruption in particular has led to the discovery of the cause-effect-cure nexus in order to establish credible cause-and effect connections and provide a set of curative recommendations. However, the legal procedures and appeal conditions laid down by the Election Commission disable the poor ordinary contestants to forward their cases of corrupt practices. Similar to reported models from other African countries, the net to catch the corrupt people had been made in the special Tanzania way that allows the really big corrupt people to pass through it. Investigations,
regulations, decrees have had very little effect on the incidence of corruption.

Theories put forward to explain why people vote the way they do include the social group theory, the cue theory and the rational choice theory. The social group theory contends that the voting behaviour may be led by class interests of workers, peasants or traders in order to bargain for and materialize their main issues pertaining to the improvement of their working and living conditions versus other dominating classes in the society. In such conflicting relations, there may be objectives of curbing or removing socio-economic structures of exploitation and subordination. The cue theory explains that the voting behaviour depends on signaling devices indicating ways a voter could follow. For instance, party programmes or policies and ideological positions prompt or cue the voter to vote in a particular way. The rational choice theory sees the voter as a consumer with resources to expend, the resources in this case being his vote. The objective function of the consumer is to maximize power, status position, wealth or some special interest, such as protection of minority groups or civic associations.

Le Vine (1975) defines corruption as the abuse of public power for personal gains or for the benefit of a group to which one owes allegiance. Corruption is a social process for illegitimate accumulation of power, wealth or status. Thus, political corruption is unsanctioned, unscheduled use of public or public resources and goods for private or nonpublic ends and interests.

Theories explaining why people become corrupt or adopt corrupt behaviour identify several causes. Wraith (1963) indicates that bribery and corruption arise from private desire for wealth or fortune, political power, status or social prestige or military force. Other causes include spiritual or religious force, the working or labouring force (embodied in the Trade Unions), the rising force of technical knowledge or the tyranny of the Expert. In his study of Britain, Wraith (1963) argues that power, wealth and status had always tended to be in somewhat different hands, and the number of people possessing all three is very small. He illustrates that many professional people (doctors or professors) have little wealth or power but they have considerable status, while financial speculators and promoters have considerable wealth but almost no status and little power. And civil servants and higher technologists wield very great power, but they have only modest wealth and obscured status. However, he observes that in developing countries, with their highly disparate societies, there is a remarkable concentration of power, wealth and status in the hands of a few, among whom politicians are predominant.
Causal Factors of Political Corruption in Africa

Corrupt practices in elections in many African countries have been reported from early days of independence period (1950s and 1960s) through one party or military regimes (1970s to 1980s) to current multi-party system (Wraith, 1963; Le Vine, 1975; Stapenhurst and Kpundeh, 1999). There have been common allegations that elections in Nigeria, Ghana, Sierra Leone Zaire, Sudan, Uganda, Kenya, Zimbabwe, just to mention a few African countries, have always been marred with vote buying, rigging and prevention of the electorate from registering or polling.

Corruption undermines good government, and poor government provides an environment in which it grows. Most acts of corruption are attributed to individuals, while both private sector and government absolve themselves of any responsibility. However, corruption is made possible, if not encouraged, by systematic problems. Lack of accountability in the political process, in the performance of civil servants, and in the control of public resources enables corruption to flourish. Furthermore, a lack of appropriate balance among various areas of government-political, administrative and judicial- may undermine the possibility of preventing or mitigating wrongdoing. Thus fiscal management cannot be analyzed in isolation from good governance and participatory democracy.

The Evolution of Corruption in Tanzania

Corruption in Tanzania has its roots during the colonial rule, and it gained pronounced growth in the 1970s and it grew to a massive problem in the 1980s and early 1990s. By applying the historical approach of the modes of production in the study of the root causes and consequences of corruption in Tanzania, Shaidi (1975) observes that slavery, feudal and capitalist modes of production have the material base for corruption in Tanzania. He explains that corruption is a socio-economic question depending on the mode of production in any society. Thus, Tanzania’s socio-economic structure, which is largely neo-colonial and capitalist in nature, is conducive to corruption. There are three contexts of particular relevance to causes of political corruption in Tanzania. First, traditional political values were bent or lost under the impact of colonialism. There was a clash between old customs and new or colonial and post-colonial forms of government. Second, corruption was intensified in the class differentiation in Tanzania and the rise of new men along neo-colonial economic structures. Third, bureaucratic transitions, institutional-structural factors and expansion of governmental activity led to the growth of corruption.

Although factual evidence that corruption is rampant in Tanzania may be difficult to get, there are all indications of general and particular corruption scandals which have been observed by the Warioba Report (1996). The Warioba report stated that the colonial-era
law on corruption, which was adopted in 1958, was full of loopholes and that the public institutions charged with wiping out corruption, including the judiciary, were corrupt. According to the report, the trend of growing corruption in Tanzania stemmed partly from low wages and inadequate fringe benefits that failed to satisfy workers' needs. Public servants were forced to demand bribes in order to make ends meet.

The report blamed the unscrupulous business people who corrupted top officials to evade taxes and win tenders and favours. High-ranking ministers under the previous government of President Mwinyi were named as corrupt and accused of resorting to corruption because they wanted to accumulate wealth. The report did not spare the media from criticism either. The report affirms that the Tanzanian media, which should in principle help expose corruption, has been infested with "checkbook journalists".

Sedigh and Muganda (1999:151-205) indicate that it is common to learn incidences of corruption in soccer in Tanzania. Soccer seasons are marred by persistent, convincing complaints of bribery and thrown matches. This demonstrates the widespread acceptance of corruption among large sections of the population, as well as Tanzanians' seeming inability to deal effectively with the phenomenon that has exacted tremendous costs on the country's development and future prospects. Soccer improprieties are only one example of the dishonorable practices that had become commonplace in Tanzania by the 1990s. Each day the media was rife with stories of corruption and wrongdoing, from the grand bribes of rich businesspeople subverting the legal system and purchasing government favours to the petty corruption of traffic police seeking to augment their meager incomes. In 1994 the international donor community jointly suspended aid to Tanzania, largely in response to massive irregularities in the tax collection system. The government officials were accused of deliberately allowing wealthy business people to cheat on their taxes. Donors vowed not to resume assistance until the government took steps to collect evaded tax, recover exempted tax, and initiate legal proceedings against corrupt tax officials. The following year Tanzanians received another shock, when the late president J.K. Nyerere scathingly denounced the corruption and mismanagement of public affairs by the ruling party, CCM, which he helped to found many years before.

The costs of corruption for Tanzania are significant in terms of economic growth and social development. Corruption has led to remarkable economic stagnation, and it has helped to concentrate power and wealth in the hands of a few people. While it has widened the crisis in public administration, it has also lowered the integrity and dedication of the people who make up the civil service. Furthermore, it has contributed to political instability and increased ethnic tension, and it has sabotaged economic development and subverted the rule of law.
These corrupt practices have been brought to the open by President Mwinyi’s Presidential Circular No. 1 in 1990, President Mkapa’s Public Leadership Code of Ethics Act No. 13 of 1995, and the ultimate formation of the Presidential Commission of Inquiry against Corruption 1996. Attempted solutions to the corruption problem include the prevention of corruption by legislation and political endeavors since the 1970s. The prevention of corruption Ordinance was replaced in 1971 by the even stronger prevention of corruption Act, and Civil Service Act No. 16 of 1989. The judiciary and law enforcement by the police can be powerful allies or enemies in the fight against corruption in any society. Unfortunately for Tanzania, its legal profession and police force lost much of their integrity during the 1960s and 1970s up to the present moment. The key institution to guard against corruption included the Permanent Commission of Inquiry (Office of the Ombudsman) 1966 and the prevention of Corruption Bureau (originally called the Anti-corruption Squad) 1975. Others were Ethics Secretariat or Tanzania’s Code of Ethics (originally called the commission for the enforcement of the leadership code) 1995, and the Controller and Auditor General for absence of financial discipline (fraud, waste and extravagance).

There was a national integrity Workshop in Arusha in 1995 and the workshop’s themes covered wide-ranging, including the administration of justice and the roles of government, the Parliament, civil society, the media, the private sector, the police, the professional, the National Electoral Commission, and the controller and auditor general. The workshop concluded with the agreement that urgent action was required on a broad front to counter the menace of corruption and noted that the coming elections of year 2000 provided a historic opportunity for all Tanzanians to unite in tackling the problem.

Workshop participants called on all candidates for office to sign the Arusha Integrity Pledge, committing members of civil society to stop corruption. The role of the mass media was deemed corrupt as well, because it was common knowledge that many journalists participated in the corruption of the past decades (and, as it transpired, in the corruption of the October, 1995 elections). The media, it was agreed, needed to self-regulate more vigorously, provide fair and objective coverage, and refuse to accept bribes for favourable reporting or the suppression of unfavourable news. Workshop participants also recommended the removal of all unnecessary restrictions on a free press, as well as the passage of a Freedom of Information Act.

Solutions to political corruption problem in Tanzania have been not very successful because of partly the socio-economic structure, which is largely neo-colonial and capitalist in nature and is conducive to corruption. The will to effect remedies for political corruption must be accompanied with efforts to build a mode of production with no material base for corruption. Shaidi (1975) indicates that Tanzania adopted Ujamaa and Self-Reliance through Arusha Declaration in
1967, which is seen as a declaration of intention towards this direction of curbing corruption. However, some constraints in the implementation of the Arusha Declaration and the changes in socio-economic and political structures in the country under the influence of international forces (globalisation) have made it impossible to eliminate political corruption in Tanzania. We elucidate this with reference to Mkuranga constituency.

Our case study involved interviewing of various respondents in Mkuranga district headquarters and this generated more qualitative than quantitative data. Purposive sampling was applied in the selection of respondents. The list of respondents included:

- District Election Director/Assistant (1);
- Party Leaders from the five political parties which registered candidates in the 2000 national elections (5);
- The Member of Parliament (Mbunge) elected in 20000 (1);
- The Four other candidates who contested for Parliamentary seats (4);
- Divisional candidates (3 elected) and (3 not elected); a
- Focus Group Discussions with 20 citizens from all political parties.

A semi-structured questionnaire was applied to guide the interview and to record the answers.

Research Observations and Findings

Social, economic and political context of the Mkuranga constituency

The society in Mkuranga district is composed of mainly traditional coastal or Swahili tribes of Rufiji or Ndengereko, Zaramo, Matumbi, Ngindo, Makonde, Yao, Makua, Mwera, Ngoni, Nyasa and a few others from the neighboring regions. But, there are also a reasonable proportion of members from other tribes who have settled in the district for fishing and peasantry activities or employment.

The main economic activities in the district include subsistence agriculture, fishing, fuel wood and charcoal marketing, salt production, building materials extraction (poles, mangroves, coconut palm leaves, sand, stones) and handcrafts work. The market cash economy is dominated by sale of cashew nuts, coconuts, fruits (oranges, bananas, mangos), forest fuels, fishes and salt.

It is perceived that people in this district and other districts in the hinterland of Dar-es-Salaam city, despite being near the big commercial center in the country, are very
poor. They are overwhelmed by absolute poverty because of unfertile soil conducive to the production of the main cash crops for export. In the past two decades, we have witnessed decline in cashew nut production, the only cash crop for which the people depend upon for income. As well, there has been a limited market of the product due to competition from outside the country, especially from India, which is now producing her own cashew nuts in large scale. This failure in export demand for cashew nuts plus poor climatic conditions have led to a significant fall in production and left many peasants unable to meet their basic needs, thus living in precarious situation.

Political parties with registered candidates for the multi-party national elections for year 2000 included Chama Cha Mapinduzi (CCM), Civic United Front (CUF): United Democratic Party (UDP), Tanzania Peoples Party (TPP) and National Congress for Democracy (NCD). These five political parties have sizable members in the district due to the advantage of being close to Dar-es-Salaam city, where political activity and civic education are adequately accessible through mass media (news papers, radio, television, demonstrations etc.). As well, being closer to the headquarters of the party encourages regular contacts and visits by the top leaders.

Civic education in the district and the country as a whole cannot be measured by electoral returns. The level of civic education and political participation in the constituency is very low as it is in other parts of the country. Civic education and political development reflect individual adjustment to change. Mallyamkono (1995) reported that by 1961 about 20 % of school age girls and 30 % of school age boys were in school. It is difficult, however, to find parallel statistics for political development. Tanzania has been independent for 40 years but the same party that took over power at independence is in office. Although the law now permits a multi-party system, electoral returns are a very poor indicator of political participation. Except in the very early years of party formation, after World War II, when Nyerere, the first president, was organising his political following, there has been little effort to politicize the Tanzanian masses. Even then Nyerere constructed his political machine by winning the support of rural traditional leaders through whom he gained the vote and allegiance of the peasants. Therefore, there is very little politicization and civic education of the masses in the district except the campaigns during elections.

Politicization and civic education played a great role on the registration and voter turnout in Mkuranga district.
Approximately 80,000 matured people who could participate in the national elections 2000 did not register for voting in the district. Out of the 60,000 people who registered only 44,885 or 74% turned out to vote. Poor voter turnout shows the intensity of apathy among the electorate. Reasons for this low voter turnout include absence of rigorous campaigning to encourage the voters to register, lack of adequate resources for institutions and agencies working on democratization, and overconfidence of some citizens that their political parties could win easily.

The level of civic education is one of the major principles which have to be observed in order to enable the electorate to participate democratically in the elections. These principles include: democratic participation ("kushiriki kwa uhuru"), tolerance or patience ("mwafaka na uvumilivu"), transparency ("uwazi"), rule of law ("utawala wa sheria"), respect of human rights ("kuheshimu haki za binadamu"), truth ("ukweli"), competitive culture ("utamaduni wa ushindani"), civic democracy education ("elimu ya uraia kwa wapiga kura"), corruption ("uadilifu na uchaguzi usiokuwa na rushwa au hongo"), and equality of right and opportunity ("nafasi sawa kwa wananchi wote").

The measure for the realization of the above-mentioned principles is by election monitoring during and after the elections. Our observation in Mkuranga constituency indicated that inadequate planning and implementation of the principles was made. This condition affected indirectly the free and fair elections; voter confidence in the electoral process; acceptable election results; legitimacy of both the old regime and the successor regime; and the exit of one-party democracy from governance.

**Election results of Mkuranga constituency**

The election results of Mkuranga constituency for both parliamentary and divisional representatives indicate that all seats were won by the ruling party CCM. The parliamentary candidate from CCM, Dr. Hussein Ally Mwinyi won the elections by an overwhelming big majority of 31,249 or 70 percent. The second candidate from CUF scored 11,760 votes or 8 percent, and the difference of votes between the winning candidate and the second is 19,489 or percent of all the votes cast in the constituency. The third candidate from UDP won 685 votes or 02
percent, the fourth from TPP won 658 votes or .01 percent and the last candidate from NCD won 533 votes or .01 percent

Table 1: Parliamentary Election Results of Mkuranga Constituency, 2000

<table>
<thead>
<tr>
<th>No.</th>
<th>Name of Candidate</th>
<th>Political Party</th>
<th>Votes Scored</th>
<th>Percentage of Votes</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Dr. H. A. H. Mwinyi,</td>
<td>CCM</td>
<td>31,249</td>
<td>70%</td>
</tr>
<tr>
<td>2</td>
<td></td>
<td>CUF</td>
<td>11,760</td>
<td>26%</td>
</tr>
<tr>
<td>3</td>
<td></td>
<td>UDP</td>
<td>685</td>
<td>02%</td>
</tr>
<tr>
<td>4</td>
<td></td>
<td>TPP</td>
<td>658</td>
<td>01%</td>
</tr>
<tr>
<td>5</td>
<td></td>
<td>NCD</td>
<td>533</td>
<td>01%</td>
</tr>
<tr>
<td></td>
<td>TOTAL</td>
<td></td>
<td>44,885</td>
<td>100%</td>
</tr>
</tbody>
</table>

The big victory of the CCM candidate indicates acceptability and confidence of the electorate on the candidate who originates from Zanzibar by birth and whose father was the president of Tanzania for two five year periods from 1985 to 1995. Despite the fact that the former president was also a president in the past, he originates from the district and it is believed that he has made a big contribution towards the social development of the area. In the first place the area was for many years a part of Kisarawe District and it was separated from Kisarawe district to form an independent district in 1990s, a process that makes the government be closer to the Mkuranga people. Secondly, a number of social infrastructure and developmental projects have been established within a short period. The public infrastructure, such as two secondary schools, a hospital, electricity facility, posts and telecommunications, water supply and other social amenities are badly needed for the improvement of the living standard of the rural people in Mkuranga.

Another important feature is that CCM is well entrenched firmly at the grassroots and the opposition parties had not been able to establish themselves in the constituency. However, the ruling party, CCM, had several advantages over the opposition parties. One of the most crucial advantages was the presence of operating branches or offices of CCM at almost every village and ward beyond the district headquarters. The number of members belonging to CCM was the largest compared to other parties, which were having members only at the district headquarters. Thus having the largest following and having succeeded in mobilizing them to vote there was no way CCM could lose in the elections. Apart from having large number of members, another advantage CCM enjoyed over the other parties was the fact that officials from its government arranged, supervised and conducted
elections. Lastly, it was observed also that the political environment or atmosphere at the time of elections favored the ruling party CCM given the overwhelming weight of the institutional and systematic factors governing the election under multipartyism. For instance, much of the opposition parties were still young and unpopular to the masses at the grassroots. Further the ruling party controlled the government machinery and instruments of mass communication, like the radio and major newspapers. The message in the radio and papers was urging people to be careful with opposition parties, which might spoil the peace, unity and stability of the country. Some propaganda was indicating that the opposition parties were stooges of foreign forces that were aiming to destabilize and create bloodshed wars in the country.

Reported Causes and Impact of Election Corruption

This section reports on the causes and impact of election corruption in Mkuranga constituency during the national election 2000. First, our findings which relate to the general question of whether the society in Mkuranga district has developed a culture of political corruption or not, indicate that 60 percent of the respondents confirmed the general impression that election corruption has become commonplace among the government officials and citizens. It was reported that the government and party leaders themselves clearly are directly involved in a variety of bribery and corrupt transactions, during the election period. The respondents argued that the election corruption is only the ‘tip of the iceberg’ because corruption has developed strong roots in the district just as it has developed in other parts of the country particularly after the collapse of Arusha Declaration in 1985. This observation agrees with the remarks of Shivji (1999) that, an analysis of the social character of the political system and its ideological legitimacy becomes more crucial in the wake of the economic liberalisation of the last decade. The inauguration of the Zanzibar Declaration freeing leaders from the leadership conditions of the Arusha Declaration and the current debate on multipartyism opened loopholes for corrupt practices. The Arusha Declaration disallowed party and government leaders from earning two incomes, holding directorships or shares in private firms, renting houses etc. some of these restrictions were lifted in early 1990 by the National Executive Committee of the ruling party, CCM, sitting in Zanzibar.

It was observed that the main causes of election corruption in Mkuranga district are embodied in a matrix of social differentiation and economic poverty that has been developing from colonialism through independence period to the present times. Need for wealth property, political power and social status has led to deterioration of economic
and financial discipline, lack of transparency and accountability, lack of political will and commitment, and a lack of good leadership. The dominant rich classes have maintained their upper status through corruption and exploitation of the masses without any strong law enforcement machinery to pin them down to the ground. Furthermore, there has been too much politicization of the government and a growing political patronage in the district, as a legacy of one-party system and "Ujamaa" ideology. The bureaucrats accumulated too much power of the party and government, thus resulting in the growing personalization of politics and economic benefits in the district. Sometimes, the technocrats and politicians were transferred from one government section to another or from one position to another even without clearly defined roles. And low salary scales for public officials justified the bribery and corrupt practices of the civil servants. This observation of poverty of civil servants has been endorsed by the Budget Speech of year 2001 in the section of Social Welfare: “Mr. Speaker, the Government recognizes the unsatisfactory living conditions of public servants due to low pay. This situation not only lowers employees' morale and productivity in the work place, but it also leads some of the public servants to involve themselves in dubious behavior such as soliciting bribes and embezzlement of public funds” (The Guardian, Saturday, June 16, 2001, page 7-8).

One greatest danger of election corruption is that it weakens trust in government and its officials. There is loss of trust among the leaders, administrative officials and the citizens. Election corruption gives negative impact on democratic institutions and on the voting process as a whole. These weaknesses lead to lack of good governance and administrative inefficiency.

Existence of Election Corruption in Mkuranga Constituency

This section will report on the existence or non-existence of election corruption in the constituency during the national elections of year 2000. Our effort is directed to examine the extent to which the elections in the Tanzania multiparty system were or were not democratic, and whether the elections involved corruption.
Generally, the elections have been declared to be fair and free of violence. However, cases of corrupt use of official powers and bribery were reported by many respondents from both the ruling and opposition parties. Electoral practices, within the larger political system of state and party patriarchy have indicated that politics cannot be divorced from economic interests and neither can economic interests exist free of politics.

Recruitment and Selection of Candidates

Our study tried to investigate the pattern of recruitment and selection of candidates in Mkuranga district. It was reported that with the introduction of the multiparty system, each contesting political party urged its members to pick up nomination forms. Recruitment and screening of the aspirants was done by each participating party, despite the fact that in some opposition political parties new members joined and stood for election on their own because the elections were declared partisan, i.e. the contestants must be party members and the names of the aspirant have to be endorsed by the respective parties. The criteria of screening was based on a few important aspects, such as mature age of eighteen years and above, legal source of income or decent livelihood, and ability to read and write either in Kiswahili or English, leadership potential or popularity and electability of the aspirant. Those individuals who came up forward and expressed interest to stand were accepted to fill forms by their political parties. However, it was reported that the condition of paying T shs. 100,000 by aspirants for CCM Member of Parliament seats blocked those who could not pay the sum from taking the forms.

It was observed that the pattern of the recruitment of candidates for members of parliament for CCM in the constituency did not differ from the national system that was used during the one party system. The main sources were civil servants, teachers, health workers, clerks, armed forces, trade unions, cooperatives, bureaucrats, traders, priests, farmers and peasants. The incumbent Member of Parliament was originally a primary school teacher, and the new
candidates included a medicine doctor and some civil servants. The winning candidate Dr. Hussein A. H. Mwinyi, who has been practicing as a physician in a private hospital at Mikocheni in Dar-es-Salaam city was not very much known, but he gathered fame from the popularity of his parents.

In the selection process in the various CCM meetings there were reports that the candidates violated rules of campaigning by bribing the electorate from the various wards. Selecting the candidates for elections in the different opposition political parties was not very difficult and less competitive because there were sometimes single candidates without competitors. Most of these candidates were more or less self-supported. However, the selection process in the CCM political party had rigorous competition. The votes scored by the different candidates were not available, but Dr. Hussein A. H. Mwinyi emerged the selected candidate overthrowing the incumbent Member of Parliament.

It was reported that unofficial campaign strategies were used in order to meet the candidates’ interests to win the elections. In campaigning for elections, candidates used the overt legal channel but also underground campaigns which are illegal, mostly secret, and difficult to verify. The general corruption in the campaigns involved existence of gifts and presents ("fadhila na takrima"). It was revealed that senior leaders in the CCM party acknowledged and defended that it is common practice that many people have been receiving gifts ("fadhila na takrima") like drinks and food in an effort to get votes (Majira, August 9, 2000). Observations of Mkuranga were not different from what was taking place across the country. Complaints about gifts ("fadhila na takrima") by the candidates was a pronounced problem in the CCM elections of the local leaders in local government elections and President Mkapa warned of the dangers of some rich candidates intending to monopolize and privatize the party through buying the votes. The divisional local government elections were dominated with corruption, dictatorship and forgery of votes in some wards. Some wards developed hatred and threats of fights and insecurity, which
led to postponement of elections. In some case the candidates refused to conduct elections due to increased number of voters by illegitimate voters. It was observed that corruption within the party was undertaken not only by the candidates but also by the administrative officers.

**Election Campaigns and Sources of Funding**

Election campaigns were organised by each party independently, but there were particular timetables drawn from the District Election Committee. Each political party was responsible for financing its candidate's campaigns. Funds for campaigns and other costs came mostly from three sources: self-sponsorship or by member's own contribution of funds; the respective political party's contribution; and the other members' contribution directly to the candidate or indirectly through the political party. The capacity of campaigning differed from one party to the other depending on resources on hand and popularity at the grassroots. Of course, it was reported that, CCM enjoyed many advantages over the opposition parties in terms of experience in conducting campaigns and remarkable accumulated financial or material resources from government subsidies (“ruzuku”) and other social networks for grassroots election machinery.

There were complaints from some candidates of all political parties that the campaigns were rife with corruption. The rich and bureaucratic candidates paid for the transport, accommodation, food and drinks of the election committee members. The kinds of reported gifts were of many forms including clothes, bicycles, lunch offers, watches, trips to the city, school fees for children and festive presents. Trivial gifts and excessive hospitality of some candidates to the powerful leaders or district officials made them work overtime in campaigning for the candidates, and led the officials in the district to become unwittingly ensnared by donors. The gift placed the recipients under some obligation to the gift-givers.

The focus group observed that no notice by the authorities was made on the corrupt activities that are
deemed illegal. The country’s electoral law prohibits campaigns outside the official activities arranged and presided over by governments. Therefore, bribery, treating or undue influence by or on behalf of the candidate are regarded as illegal. As well, the use of economic power in elections was generally brought discrimination. However, the usual strategies used to beat the regulations included informal or unofficial campaigns, throwing parties or dinners on behalf for candidates, giving treats, mainly in the form of free drinks at drinking places, hiring people to undertake door to door canvassing for votes, organizing campaign committees headed by skilled campaigning managers, etc. Also the business community seemed to campaign for the CCM candidates with the expectation to promote the interests of the community after the victory of the elections.

The focus group also emphasized on the existence of corruption during the campaigns. Assets which were reported to be used for corruption included campaign clothes or uniforms (like T-Shirts, khanga, shirts); foodstuffs (distribution of sugar, meat, rice); and money (cash gifts, investment in schools and health clinics. Over 60 percent of respondents complained of administrative threats to village and district leaders of dismissal in case of the failure of the ruling party. Some government leaders threatened to imprison the citizens in case they chose the opposition parties. Citizens were given promises of better buildings for schools and water supply. The policies for development in the election manifesto were not perfect and were not used to convince the electorate in the campaigns. Rather, the campaigns were filled with fears and warnings against the victory of other political parties. Worse still, police were escorting vehicles of the ruling party which had its flags. The opposition parties and candidates were prohibited from meetings and discussions at certain venues e.g. in government secondary and primary school playgrounds. These easily accessible common grounds were a monopoly of the ruling party for campaign gatherings and meetings.

Registration of Voters
It was also observed that the registration of voters in the constituency was reported to involve a lot of corrupt practices. The control of the books of registration had some loopholes that enabled some cheating or inclusion of extra names after the official hours in favour of the ruling party. The focus group reported that there were some inadequacies in the registration procedures and the safety of the record books at the registration centres was questionable. Vote buying was said to have started by buying off the registration forms from the clerks and the genuine holders. The forms were sold at a cheap price of Tshs. 500 each.

**Voting and Counting of Votes**

It was reported that voting took place as scheduled and all polling stations were well patrolled. Casting of ballots was done from morning to the evening until all voters at the polling centres were finished. Voting was by secret ballot and counting of votes began immediately after the last voter had cast his/her vote. During vote counting candidates were represented by agents. Some of these agents were intimidated by the police and returning officials, when they tried to verify whether the total number of votes cast tallied with the number on the electoral register.

Then, finally, vote buying took place on the election day when people were given registration forms to vote for a little reward of money, about 200 shillings in order to vote for the ruling party. It was reported that such corrupt practices were done openly and no action was taken by the election authorities.

**Evaluation of Attempts made towards Eradicating Election Corruption**

This section will report on the evaluation of attempts made towards curbing and eradicating corruption during the election processes. However, measuring election corruption and understanding its mechanisms at the constituency and national level is really a difficult task. Measuring election corruption entails the identification of vulnerable areas and signs of high-level misconduct during the election process through a number of tools such as cross-sectional and longitudinal surveys and expert assessments. Some
respondents indicated ignorance of the key variables to be analyzed in corruption practices during campaigns and voting processes. Yet, others doubted the media may be corrupt by abusing the freedom of the press, the government activities and decision-making which favour the ruling party obscured from public scrutiny. There is need to develop twin networks of nongovernmental agencies and experts (civil society) on the one hand, and the governmental media on the other as sources of information and facilitators in analyzing and developing practical reform in election corruption.

Responses indicate that incompetence and arrogance dominated the whole process of administering, supervision and monitoring of elections in the constituency. Some emphasis was put on variables such as absence of respect for rule of law and violation of potential human rights by the police and security instruments. Other variables include a bias in administrative regulations and the extent of regulatory discretion and bureaucratic red tape at the district level; and distortion of civil liberties among the voters to promote interests of the political parties they support. Abuse of professionalism and incentives in the civil service by engaging, for instance, teachers in votes counting and recording. As well the use of population characteristics as size, ethno-linguistic fragmentation, religion, income per capita, and income distribution for partisan support. These election malpractices were supported by corrupt use of official political powers plus denial of the role of civil society to address issues of election corruption.

Through our study several measures and remedies for controlling election corruption were suggested by the respondents. Strategies or measures for controlling corruption at the constituency and national levels include tactics to fight election corruption through corruption inquiries, prevention, increased public awareness, strong leadership and discipline. Suggestions were echoed by the respondents that the National Election Committee requires more rationality and commitment in bringing corruption into the open. They argued that there has been no strong mechanism for enforcing penalties for wrongdoing in election campaigns and voting stages at the district level. The legislation requires the victimized candidates in the election campaigns and voting to make appeals after having finished the election processes and the winners having been announced.
It was observed that, the cures for election corruption in the constituency and the country at large will depend on the passage of time, during which, given steady democratic progress and political monopoly will gradually move from individual family, clan, kinsmen and tribe relations to nation-state. The spread of civic education, which will enable people to understand what politics are about, instead of regarding them as a tribal or partisan form of excitement ("jazba za kisiasa"); which will help also in the development of a scientific approach to the problems of government and administration. The evolution of a public opinion, which must follow the spread of education, which rejects political corruption either because it is morally or because it is scientifically inefficient, or both.

It is further observed that, the growth of economic power among the electorate in the constituency through peasantry, commerce and industry will strengthen an element in the voting power of the masses of poor people in Mkuranga district. Generally, the voting decision of poor people is at present weak, despite the fact the trend of behaviour of poor people has been opposed to corruption. The diffusion of power, wealth and status now enjoyed primarily by politicians through society as a whole may eradicate election corruption. As well, the personal witness of individuals who are opposed to bribery and corruption, the evolution of a public opinion and education, which rejects corruption either because it is morally or because its scientifically inefficient, or both may reform corrupt practices.

Elements of a successful election anti-corruption strategy will involve some underlying fundamentals such as political will, legal remedies/reforms and training. These fundamentals may involve “shot-gun approach” with long-range hit-or-miss effectiveness and “Christmas tree approach” by trying everything possible in a holistic manner. At the bottom line lines the need to fight the practice of corruption in total through various methods including making civil service salaries competitive; creating an independent anti-corruption commission and decentralizing government or good governance. In addition, there is need of establishing a code of ethics; protecting whistle-blowers and expanding public outreach or education, since an informed and angry public can be a vital tool in any anti-corruption campaign.

**Implications of Election Corruption**
In this section we intend to address the major implications of the election practice in the surveyed area, Mkuranga Constituency, and to identify a few generalisations for the whole country. Hypotheses have been seeking the consequences of political corruption, the incidence of election corruption, the conditions of corruption, and the tangible effects of election malpractices in general. Basically, there are 'toxic' versus 'tonic' effects of political corruption. Election corruption is sometimes tonic (sweet) and sometimes toxic (poisonous) depending on political development and ideological interests of the country. Political development is defined in terms of political legitimacy; and in order to maintain legitimacy the regime in Tanzania must be able to cope in three major spheres. First, it must foster social and economic development for both levels, the constituency or grass-root and nation. Second, it must push national integration of all the people of all classes, religions and races, despite of remarkable social differentiation between poor and the rich strata in urban and rural areas. And, third, it must increase governmental capacity to cope with social change under the influence of local basic needs and global pressure.

The effects of election corruption on political development may be observed through the use of cost-benefit analysis that has debit and credit sides. The debit side includes costs of election corruption: waste of resources; instability; and reduction of governmental capacity. The credit side includes advantages/benefits of election corruption: enhance social and economic development (aid local development effort); speed national integration; and increase governmental capacity. The simple matrix of the cost-benefit analysis includes grass-root and national development problems together with various types of political and economic corruption.

The main implication that can be drawn from the study of Mkuranga Constituency is that election corruption existed as a social process for monopoly and accumulation of political power, economic wealth and social status or personal prestige. The success of the ruling party in the district was marred by numerous corrupt transactions and
bribery. As well, the victory of the member of parliament in the constituency has been an outcome of the developmental effort of the parents to the poor masses in the district. Mkuranga is the poorest district in coast region, it did not have basic social services like secondary schools, hospital or electricity until in the last decade, actually more than thirty years after independence. The infrastructure is claimed to have been provided from the initiative of and big support by the ex-president Ali Hassan Mwinyi, who happens to be the father of the new unpopular member of parliament.

The second implication is that the investigations, regulations, decrees have as little effect on the incidence of election corruption in Mkuranga Constituency and Tanzania as a whole. Government agencies were used to facilitate the collection of bribes ("takrima na fadhila"), that is the money and materials which went into campaigns and votes lobbying. Many, if not most, of the respondents identified some influential people in the government and ruling party who were implicated in corrupt and illegal transactions. Some cited high incidence of misappropriation or a large public waste in terms of government transport vehicles and other resources in favour of the ruling party.

Summary and Concluding Remarks

This study/article has tried to establish the existence of election corruption in the Mkuranga Constituency, Coast region. Our observations have shown that corruption was practised, although no cases have been brought to court. Corrupt practice took place throughout the party selection, campaigns and electoral process. Effort to control corruption has not been properly effected and in most cases even the victimised candidates had no guts to appeal for election corruption. It was revealed also that it was difficult to break
through the network of election corrupt relationships because they involved some covert social and economic interests.

The experience of Mkuranga Constituency indicates that election corruption is not accidental but is a well nurtured and protected process in the society. It has linkages and blessings from the top to the bottom of the government structure. This implies that eradication of election corruption demands total cleaning up of the ranks of individualistic and bias politicians. This has to go together with effective democratization processes which will recognize and respect rights of political participation and multi-partism. The electorate in the country needs to be highly conscientized and very free in supporting political decisions, and abolishing corruption in election campaigns and voting. Civic education on elections and voting procedures must be made public well in advance in order to give equal opportunities to all political parties and the people in the constituencies. Many people did not vote due to poor dissemination of election procedures and limited period for voter registration.

For effective democratisation for election process and elimination of political corruption, there is need to review the laws and regulations that govern elections at the grassroots. Adequate knowledge of the laws and procedures in the constituencies may give opportunities to the electorate to defend their decisions if anyone wants to corrupt them because of ignorance. Therefore, free and fair elections will be justified by the extent to which the common voter believes that his/her vote has been counted. There is need to make the whole voting process more transparent than it is at the moment, and this requires a review of the election rules and regulations in order to stop corruption.
Elections, Democracy and Good Governance

Elections are an important process for maintaining democracy in any country. This is because through elections citizens with voting right get the opportunity to elect their leaders. To facilitate smooth elections, electoral laws and legislation have been enacted. Legislations governing general elections and Local government elections in Tanzania are:

(a) The United Republic of Tanzania Constitution of 1977 as amended.
(b) The Elections Act No. 1 of 1985 as amended, and
(c) The Local Authority Act No. 4 of 1979

Elections and electoral process being fundamental aspects of democracy and good governance, the Prevention of Corruption Bureau (PCB), during the year 2000 general elections, decided to carryout a study to find out to what extent corruption had permeated the electoral process in Tanzania. The 2000 elections involved Presidential, Parliamentary and Councilors elections. The study had four specific objectives:

(a) To examine Laws, Regulations and Procedures governing electoral campaigns in order to investigate corruption loopholes in the election process.
(b) To identify funding sources in electoral campaigns in different political parties.
(c) To find out whether or not there are Laws and Regulations governing funding of electoral campaigns and their expenditure.
(d) To advise the government and other responsible organs on corruption loopholes control in different elections.
Out of a total of 20 regions in Mainland Tanzania, 12 were included in the sample. These are Tanga, Kilimanjaro, Dodoma, Singida, Mwanza, Kagera, Tabora, Kigoma, Rukwa, Ruvuma, Iringa and Mbeya. In each of the 12 regions, three electoral constituencies were involved in this study.

The research was done during the last three weeks of the electoral campaigns. The main methods of data gathering were participation in different electoral campaign meetings; conducting of interviews (formal and informal) to working people, electoral officials and leaders from different political parties; and direct observations. A total of 345 villagers, 55 electoral officials and 103 political leaders were interviewed. The political party leaders involved were from nine (out of, by then, 13 registered) political parties: CCM, Civic United Front (CUF), CHADEMA, Tanzania Labour Party (TLP), TADEA, UMD, UPDP, UDP and NCCR-Mageuzi.

Electoral campaigns were conducted in three different ways: Public Meetings; Door-to-Door Campaigns (Canvassing); and the use of brochures, pictures, posters and clothes such as T-shirts and Khangas.

Public meetings: In all of the surveyed electoral constituencies, all parties conducted electoral campaigns openly in accordance with the timetable laid down by political parties in collaboration with the electoral officials (Returning Officers). These campaigns were carried out under the supervision of political parties and the police force. The duty of electoral officials was to coordinate electoral process in the constituent including harmonization of timetables to ensure no collision between parties.

Door to Door Campaigns: These campaigns were not conducted openly. Both political party agencies and the contesting candidates were passing in the streets to convince voters to vote for them and their parties. These campaigns were having no laid down timetables and were just following convenience by different actors. The electoral officials were not responsible for coordination of these door-to-door campaigns.

Brochures, pictures, posters and clothes such as T-shirts and Khangas: Brochures, pictures and posters were posted in different places where people saw and read various messages from them. Political parties’ followers had opportunities to wear T-shirt, cap and khanga clothes with color/s of their respective parties’ flags and pictures of the candidates for various positions. Campaigns of this kind were mostly used to introduce the identity of the particular party and its candidate/s to the people. Every party tried as much as it can to distribute these items to people and their followers.
RESULTS AND DISCUSSION

Electoral Laws, Regulations and Procedures

The majority (41 out of 55 or 74.5%) of the electoral officials interviewed were, to some extent, aware of the electoral laws, regulations and procedures. The National Electoral Commission conducted various seminars to them aimed at increasing their awareness on electoral process. Every electoral official was also supplied with books on electoral laws, regulations and procedures. However, in spite of these efforts, some of the electoral officials had limited understandings of the electoral laws. Six (or 10.9%) of the interviewed electoral officials were not aware of the electoral laws while eight of them (14.5%) did not answer the question (see Table A2).

As for political party leaders, 72 (69.9%) of those interviewed indicated that they knew the electoral laws, regulations and procedures. These leaders participated in awareness rising seminars carried out by the National Electoral Commission. However, most of them lacked broad awareness of the electoral laws. About 27.2% of the interviewed political leaders were completely unaware of the electoral laws and 2.9% had no answer on them (Table A3). The interviewed political party leaders included those of administrative regions, districts, wards and village levels.

Regarding ordinary people interviewed, these had the most limited levels of knowledge on the electoral laws, regulations and procedures. Only 10.1% of the 345 interviewed villagers were aware of these laws while 85.8% were not aware of them. It was also found that the main contributing factor to this low level of electoral laws awareness among the people was the language used. The laws are written in English, the language that is not understood by most of the people in Tanzania. About 4.1% of the interviewed villagers said nothing on the electoral laws meaning that they also knew nothing about them (Table A1).

The study further found that the electoral laws, regulations and procedures provide corruption loopholes. About 7.2% of the villagers, 65% of political parties’ leaders and 58.2% of electoral officials interviewed said that the electoral laws, regulations and procedures provide corruption loopholes as discussed below.

Corruption Loopholes in the Electoral Laws, regulations and Procedures
Electoral laws, regulations and procedures seem to have corruption loopholes. The loopholes were in inherent in the following:

(a) The use of normal or traditional hospitality
(b) Use of door-to-door campaigns
(c) Conditionality associated with electoral prosecution even when corruption was proved to influence voters
(d) Absence of laws, legislation and procedures regarding electoral campaigns’ funding and expenditure among political parties.

Normal and Traditional Hospitality

The study revealed that, traditional hospitality was granted inform of cash, food or any valuable goods. The concerned people were arguing that the issuing of those items to voters in good faith was not regarded as corruption. However it was not easy to distinguish between good faith and otherwise treating. This is especially true if corruption is defined as “anything issued by somebody for the reasons of convincing somebody else to do something or to provide services contrary to laws, regulations and own will”. The provider of hospitality is actually doing so to convince voters to vote for him while voters on the other hand feel indebted to pay back the hospitality inform of votes to the respective candidate. About 77% of the interviewed villagers (Table A1) said that the inclusion of normal hospitality grant in the electoral laws contributed greatly to increased corruption in various elections where candidates collude people on the umbrella of hospitality. Most of the people seem to be forced by poverty and accept bribery in form of hospitality to elect leaders who otherwise they would have not been their choice.

However 10% of the interviewed villagers said normal hospitality was not bad as it was the only opportunity for them to gain something from the candidates who after acquiring the leadership they disappear until next election. About 13% of the interviewed villagers said nothing about the issue of normal or traditional hospitality.

About 90.3% and 72.7% of the political party leaders and electoral officials respondents respectively said normal or traditional hospitality contributed significantly to corruption during elections (Table A2 & A3). In their opinion, hospitality practices during elections are but indulging in corruption. Following traditional hospitality in Tanzanian context, usually the host was responsible to provide hospitality inform of food and drinks etc. the opposite seem to be true when compared to the amendments made in the electoral laws where visitors take the position of hosts. Further more amended electoral laws are silent on the form, amount and timing of the hospitality to be provided. Seen in this light, hospitality during elections is definitely one of the elements of corruption treat.
However, 7.8% of the interviewed political party leaders (Table A3) claimed that hospitality grants provided room for good relations establishment between the electoral candidates, political parties and people although it should be granted in good faith, openly and any time not only during the election campaigns.

Door-to-Door Campaigns

Door-to-door campaigns, even if designed in good faith, contribute greatly to corruption during election campaigns through the following ways:

- No one or any organ is responsible for coordination of these campaigns
- There is no transparency
- Candidates/agents and the voters make their agreements secretly.

About 56.4% of the interviewed electoral officials (Table A2) said door-to-door campaigns contribute to corruption through the reasons mentioned above. They added that the National Electoral Commission is not responsible for coordinating and monitoring of these campaigns. Absence of an organ to coordinate and monitor the activities done through these sorts of campaigns induces corruption doubts among people.

On the side of villagers interviewed, 83.5% said these kinds of campaigns contribute to corruption since they are not done publicly and hence make it easy for candidates to easily convince, promise or even bribe voters to vote for them. About 85.4% of political party leaders also claimed the same on these campaigns (Table A3). However 12.6% of political party leaders were on the positive side of the presence of these kinds of campaigns. They pointed out that these campaigns do not contribute to corruption and that they minimize campaigning costs and save time and troubles of asking for meeting arrangements/permission from the police.

Conditionalities Associated with Electoral Prosecution

It is generally agreed that corruption must be fought using any available force supported by the country’s policies and constitution. However, this study has found out that electoral laws do not provide enough emphasis in the fight against corruption. The law demands that electoral prosecution must be opened with a fee of about five million Tanzanian shillings (5,000,000/-) and five hundred thousand Tanzanian shillings (500,000/-) for members’ of parliaments and ward representatives respectively. Most of the claims including those associated with corruption are therefore not sent to court of law due to
these high fees and hence gives allowance for some candidates and their parties to bribe voters. About 81.6% of the interviewed people admitted that there were corruption practices in the year 2000 general elections. It was also found that if this law continues to exist, only the wealthy people in the society would be the only contestants. This is simply because they know for sure that only money will place them into power and in case they are not elected they have money to file their cases into a court of law.

Sources of Electoral Campaign Funds

The research discovered that there is no law and/or regulation demanding the political parties to declare sources of funds spent in election campaigns. The political party contestants and their leaders only know the source and amount of funds spent in their campaigns. Absence of a law regarding this provides loopholes for the contestants and their party to be bought by some sponsors so that when being in power special treatments and favour should be paid back to them. These loopholes, which do not demand expenditure statement on the funds from different sources, also provides room for the contestants/party to spend the money from different sources to bribe the voters.

Effects of Corruption In Elections

Elections constitute one of the ways of building democracy and of getting leaders in various posts and levels in the society. But corruption in elections has a lot of negative social, political and economic effects. Some of theses effects are briefly discussed below.

Democracy Deterioration: About 86.7% of the ordinary people (Table A1), 96.1% of the political party leaders (Table A3), and 80% of the electoral officials (Table A2) interviewed respectively were of the view that corruption in election campaigns does not demonstrate democracy because the elected leaders will not represent peoples’ choice. Also it was further argued that corruption does affect democracy especially when some of the contestants withdraw themselves few days before the election-day. 61.8% of the electoral officials (Table A2) and 65% of the political party leaders (Table A3) interviewed indicated that, corruption led to some of their contestants sponsored by their respective parties to withdraw after receiving bribes from their opponents.

Wealth Strata in the Society: Elections carried out under corruption environment compel some competent people with ambition to contest to shy away from the race just because they do not have money, wealth or ability to
bribe people. In other words, corruption in elections allows only rich people to contest and leave poor people with no chance.

Incompetent Leaders: Corruption allows incompetent leaders to be elected and lead the nation. This is because they were elected not due to their ability to lead but due to their ability to bribe voters.

Hindering of Development: Leaders elected on corruption basis will not have ability, transparency and commitment to mobilize people in development process. These leaders will misallocate funds and accumulate wealth so as to use them in the next elections for them to win the seat again.

Drop in Leaders’ Respect: The respect of the leaders depends on their contribution to the society concerned. Their ability and contribution should be the basis of their being elected and respected. If the leaders are being elected on corruption grounds, it is difficulty for them to be respected in the society.

Rights Not Observed: One of the basic aspects in election process is that it should reflect equal rights and freedom to all parties involved. If one or some of the contestants use corruption to convince or buy voters, those contestants with no money will not have equal convincing ability and hence less chance of being elected compared to the corrupt contestants.

Receiving Bribes while in Public Services: Corrupt leaders on power, may be easily tempted to misuse their powers to receive money in terms of corruption as they did during election. They may also give special favour to people who financed them during the election process.

RECOMENDETIONS

1. Electoral laws should be reviewed and must distinguish activities which may constitute corruption elements from those which are not.

2. Electoral laws should be readily available and distributed to all people so that they can read and understand them and they should be interpreted in simple Swahili language.

3. Door-to-door campaigns should be abolished and open campaigns in terms of public meetings should be advocated and practiced.
4. Amendments in the electoral laws that introduced normal and traditional hospitality ("Takrima") should be withdrawn and instead strong measures should be imposed to those involved with corruption during elections. Those people convicted of this offense should be barred from contesting in future elections.

5. People should be educated on what are and why elections. The effects of corruption in election campaigns and the election process as a whole should also be taught to people. The education should be given regularly each year not only in the year of elections, through seminars, meetings, handouts, dramas and use of mass media.

6. The procedure of opening a charge concerning corruption in elections should be eased and fees should be reduced. This is necessary because most of the people cannot afford the current fees, something that does not provide equal rights to all people.

7. All political parties should increase transparency and laying out corruption control regulations while choosing their contestants. Parallel to this PCB should make close follow-up in the process involved in getting contestants in all parties.

8. The main objective of elections is to get leaders who can make decisions for the benefit of the nation. On this basis, electoral laws should be made to force political parties to declare their financial sources for the campaigns and the sources should be known to the government and people so that leaders cannot lead the nation as their financial sponsors instruct them.

9. PCB through its Community Education Department should increase the awareness of the people on the activities it carries out and distribution of its regional offices all over the country so that people are effectively involved in curbing corruption.

10. Government should make serious effort on poverty eradication by creating favorable economic environment thereby providing loans, market and high prices for agricultural crops, employment and good infrastructure development. This will help to a greater extent to reduce corruption.

Conclusion
Generally the year 2000 general elections were overwhelmingly by corruption activities. Some of the contestants used loopholes in the electoral laws like allowing normal and traditional hospitality and door-to-door campaigns to by voters. In principal, the Parliament should be the leading machinery in fights against corruption but the situation is not so if most of its members have been elected on corrupt basis. The government should take measures to have good governance that will fight all kinds of corruption. It is our hope that implementation of the recommendations made in this article will lead to democratic elections in the future.
Appendices

TABLE A1: Questions and Answers for Common People.

<table>
<thead>
<tr>
<th>No.</th>
<th>QUESTION</th>
<th>ANSWER</th>
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</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>YES</td>
</tr>
<tr>
<td>1</td>
<td>Have you ever seen and/or read election laws and/or regulations?</td>
<td>35</td>
</tr>
<tr>
<td></td>
<td></td>
<td>(10.1%)</td>
</tr>
<tr>
<td>2</td>
<td>Do the election laws/regulations capable in combating corruption in the elections?</td>
<td>10</td>
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<tr>
<td></td>
<td></td>
<td>(2.9%)</td>
</tr>
<tr>
<td>3</td>
<td>Does the door-to-door campaign contribute to corruption practices in elections?</td>
<td>288</td>
</tr>
<tr>
<td></td>
<td></td>
<td>(83.5%)</td>
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<tr>
<td>4</td>
<td>Does the amendment of election laws to allow normal and traditional hospitality (Takrima) contribute to corruption practices in elections?</td>
<td>266</td>
</tr>
<tr>
<td></td>
<td></td>
<td>(77.1%)</td>
</tr>
<tr>
<td>5</td>
<td>Does the people's democracy in electing their leaders fulfilled/observed if there are corruption practices in elections?</td>
<td>27</td>
</tr>
<tr>
<td></td>
<td></td>
<td>(7.8%)</td>
</tr>
<tr>
<td>6</td>
<td>Is there any relationship between the party's candidates withdrawn from competition during election campaign and corruption?</td>
<td>264</td>
</tr>
<tr>
<td></td>
<td></td>
<td>(76.5%)</td>
</tr>
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</table>
TABLE A2. Questionnaire and Answers for Electoral Official

<table>
<thead>
<tr>
<th>No.</th>
<th>QUESTION</th>
<th>ANSWER</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>YES (%)</td>
</tr>
<tr>
<td>1</td>
<td>Have you ever seen and/or read election laws and/or regulations?</td>
<td>41 (74.6%)</td>
</tr>
<tr>
<td></td>
<td></td>
<td>6 (10.9%)</td>
</tr>
<tr>
<td></td>
<td></td>
<td>8 (14.5%)</td>
</tr>
<tr>
<td>2</td>
<td>Do the election laws/regulations capable in combating corruption in the elections?</td>
<td>9 (16.3%)</td>
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<tr>
<td></td>
<td></td>
<td>32 (58.2%)</td>
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<td></td>
<td></td>
<td>14 (25.5%)</td>
</tr>
<tr>
<td>3</td>
<td>Does the door-to-door campaign contribute to corruption practices in elections?</td>
<td>31 (56.4%)</td>
</tr>
<tr>
<td></td>
<td></td>
<td>20 (36.3%)</td>
</tr>
<tr>
<td></td>
<td></td>
<td>4 (7.3%)</td>
</tr>
<tr>
<td>4</td>
<td>Does the amendment of election laws to allow normal and traditional hospitality (Takrima) contribute to corruption practices in elections?</td>
<td>40 (72.7%)</td>
</tr>
<tr>
<td></td>
<td></td>
<td>9 (16.4%)</td>
</tr>
<tr>
<td></td>
<td></td>
<td>6 (10.9%)</td>
</tr>
<tr>
<td>5</td>
<td>Does the people’s democracy in electing their leaders fulfilled/observed if there are corruption practices in elections?</td>
<td>0 (0%)</td>
</tr>
<tr>
<td></td>
<td></td>
<td>44 (80%)</td>
</tr>
<tr>
<td></td>
<td></td>
<td>11 (20%)</td>
</tr>
<tr>
<td>6</td>
<td>Is there any relationship between the party’s candidates withdrawn from competition during election campaign and corruption</td>
<td>34 (61.8%)</td>
</tr>
<tr>
<td></td>
<td></td>
<td>15 (27.3%)</td>
</tr>
<tr>
<td></td>
<td></td>
<td>6 (10.9%)</td>
</tr>
</tbody>
</table>
### TABLE A3. Questions and Answers for Party Leaders

<table>
<thead>
<tr>
<th>No.</th>
<th>QUESTION</th>
<th>ANSWER</th>
<th></th>
<th></th>
<th></th>
<th>TOTAL</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Have you ever seen and/or read election laws and/or regulations?</td>
<td>YES 72</td>
<td>NO 28</td>
<td>NO ANSWER 3</td>
<td>TOTAL 103</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>(69.9%)</td>
<td>(27.2%)</td>
<td>(2.9%)</td>
<td>(100%)</td>
<td></td>
</tr>
<tr>
<td>2</td>
<td>Do the election laws/regulations capable in combating corruption in the elections?</td>
<td>YES 5</td>
<td>NO 67</td>
<td>NO ANSWER 31</td>
<td>TOTAL 103</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>(4.9%)</td>
<td>(65%)</td>
<td>(30.1%)</td>
<td>(100%)</td>
<td></td>
</tr>
<tr>
<td>3</td>
<td>Does the door-to-door campaign contribute to corruption practices in elections?</td>
<td>YES 88</td>
<td>NO 13</td>
<td>NO ANSWER 2</td>
<td>TOTAL 103</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>(85.4%)</td>
<td>(12.6%)</td>
<td>(12%)</td>
<td>(100%)</td>
<td></td>
</tr>
<tr>
<td>4</td>
<td>Does the amendment of election laws to allow normal and traditional hospitality (Takrima) contribute to corruption practices in elections?</td>
<td>YES 93</td>
<td>NO 8</td>
<td>NO ANSWER 2</td>
<td>TOTAL 103</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>(90.3%)</td>
<td>(7.8%)</td>
<td>(1.9%)</td>
<td>(100%)</td>
<td></td>
</tr>
<tr>
<td>5</td>
<td>Does the people’s democracy in electing their leaders fulfilled/observed if there are corruption practices in elections?</td>
<td>YES 3</td>
<td>NO 99</td>
<td>NO ANSWER 1</td>
<td>TOTAL 103</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>(2.9%)</td>
<td>(96.1%)</td>
<td>(1%)</td>
<td>(100%)</td>
<td></td>
</tr>
<tr>
<td>6</td>
<td>Is there any relationship between the party’s candidates withdrawn from competition during election campaign and corruption?</td>
<td>YES 69</td>
<td>NO 28</td>
<td>NO ANSWER 6</td>
<td>TOTAL 103</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>(67%)</td>
<td>(27.2%)</td>
<td>(5.8%)</td>
<td>(100%)</td>
<td></td>
</tr>
</tbody>
</table>
REFERENCES


Akin C. and Gould J. (1968) Dictionary of the Social Sciences


Aristotle, ( ), Politics, II, ix, p.27.


Dicey, A.V ( ), Laws & Opinion, 2nd Ed.

IPP-Media Nipashe No. 08174 November 4th 2000

Langseth, P (2001), Prevention: An effective toll to reduce corruption
Paper presented to the ISPAC Conference on responding to the
Leff, N (1964), ‘Economic Development through Bureaucratic
Corruption’, American Behavioral Scientist; reprinted in R.
Williams (ed.), (2000), Explaining Corruption; Edward Elgar
Publishing Ltd.
LeVine, Victor, (1975); Political Corruption, The Case of Ghana, Hoover
Institute Press.
in Cuthbert Omari (ed.), The Right to Choose a Leader:
Reflections on the 1995 Tanzania General Elections, Dar es
Eastern and Southern African University Research Programme,
The Road to Democracy, Dar es Salaam: TEMA Publishers
Company Ltd.
the Royal African Societies. Vo. 97 No. 38.7 April (pp.157-187).
Tanzania”, Paper presented to ESURP Seminar of Political Party Leaders
and Managers, Dar-Es-Salaam 1996.
Makumbe, J (1994), Bureaucratic Corruption in Zimbabwe: Causes and Magnitude of
the Problem, in Africa Development Vol.XIX No.3 (pp.45-60).
Malawi Electoral Commission (1994), Parliamentary and Presidential
Election Report, Blantyre.
Maliyamkono, T. L (1995). WHO Votes in Tanzania and WHY?
Nairobi: ESAURP, Colourprint Ltd.
Maliyamkono, T. L (1997), Tanzania on the Move, TEMA Publishers: Dar-Es-
Salaam.
Marcus, R. and D. Balz (2001), ‘Democrats have fresh doubts on ‘soft
money’ ban’, The Washington Post; March 5.
Mkapaa, B (2000), Speech to the Parliament of the United Republic of
Tanzania Elections Monitoring Committee 21st – 22nd November.
Mmuya, M (1998). Tanzania Political Reform in Eclipse: Crises and Cleavages in
Political Parties, Friedrich Ebert Stiftung: Dar-Es-Salaam.
Mmuya, M and Chaligha, A. (1992), Towards Multiparty Politics in Tanzania, Dar-
Politics Conference May 10-11.
Mmuya, M and A. Chaligha (1994), Political Parties and
Democracy in Tanzania, Dar-es-Salaam.


Rai 12th of April, 2001 and 5th of April, 2001.


SAPEM (1995). Cover Story: Political Economy of Corruption – Vol.8 No.9 (pp.5-7).


Sunday Observer 22nd April, 2001.


TEMCO (2000), Preliminary Results Temeke Constituency.


The East African May, 2001

*The Encyclopedia of Democracy, Vol. 1*


*The Tanzanian Journalist*, vol.1, no.1, pp. 3-8.

*Transparency International Sourcebook, 1996.*


WIKI HII No. 63 November 4th 2000.

Wraith, R. and E. Simpkins (1963), *Corruption in Developing Countries*, George Allen & Unwin Ltd.