

Emergence And Development of The Political System in Tanzania

Sarah Hussein Lafta

Email: sa972807@gmail.com
Mustansiriyah University/ College of Political Science
Department of Political Systems and Public Policies

Prof. Dr. Abduljabbar Isa Abdulal

Email: abduljabarsdu@gmail.com
Baghdad 2022

ABSTRACT

After decades of occupation and conflict with poverty, unemployment and ignorance, Tanzania was able to reach the threshold of independence and adopt a new political system that aspires to achieve political and societal stability, growth and economic prosperity in an independent, sovereign state.

Introduction

Tanzania is one of the most important countries regionally and internationally, as it has a distinguished geographical location and huge untapped economic potential, as well as the size of the workforce and the renewable human force. Portugal and then the Germans, and thus Tanganyika and Zanzibar (present-day Tanzania) went through difficult colonial conditions, especially the United Republic of Tanzania was officially recognized as a union between two sovereign states at the beginning, Tanganyika and Zanzibar, formed on April 26, 1964.

Importance of the Research

The importance of the research can be described through the importance of the title it bears, as the political system adopted a set of reform goals and some of them were achieved, and the political system adopted the change individually without referring to the other parties that expressed their discontent with this measure.

Research Objectives

The research aims to show the importance of the political system in Tanzania and its role in achieving political goals and advancing the Tanzanian society in accordance with

international standards and following a policy of containment that depends on partisan pluralism in order to prevent cases of violence and political tension in the country and thus the difficulty of achieving the goals adopted by the ruling political system in Tanzania.

Research Problem

Tanzania is going through a transitional phase in order to stabilize its political system, and this raises the following question:

Has Tanzania achieved its desired goals as an existing political system with specific goals and future plans among the set of stability factors that the Tanzanian society hopes to achieve through the elected political system?

Research Hypothesis

The research assumes that the political system in Tanzania has relatively achieved the goals set by it, and the representative of the Tanzanian political system has ensured that those goals are achieved individually without referring to the political consensus.

Research Methodology

The research relied on the functional method of analysis by analyzing the political facts and

events experienced by the United Republic of Tanzania.

Research Structure

The structure of the research is divided into an introduction, three demands, a conclusion, and conclusions. In the first requirement, we address the emergence and development of the political system in Tanzania, as it represents the basic variable in this study. Then, we address in the second requirement the constitutional framework of the federal system in Tanzania. As for the content of the 3rd requirement, it evolves around the institutional structure of the federal system in Tanzania to determine the rules, foundations and stages in the light of which the political system in Tanzania is formed.

THE FIRST TOPIC: THE EMERGENCE AND DEVELOPMENT OF THE POLITICAL SYSTEM IN TANZANIA

THE FIRST REQUIREMENT: THE EMERGENCE OF THE DEMOCRATIC SYSTEM IN TANZANIA

After the First World War, the symbols of nationalism became clear, as African associations were formed in Tanganyika and Zanzibar, especially the African Unions were established in Tanganyika in 1929 as a discussion club among intellectuals, and later in 1948 turned into the Tanganyika African Association for short (TAA). After World War II, national sentiments and spirits continued to grow, leading to resistance to British control. In 1953, under the leadership of Mwalimu Julius Kambaraj Nyerere, TAA was recognized as a political party and changed its name in 1954 to Tanganyika African National Union (TANU), Nyerere became Minister of Tanganyika under British administration in 1960 and continued as Prime Minister when Tanganyika became officially independent in 1961, it became a republic in 1962, after which Nyerere was elected the first president of Tanganyika in 1962 (.). Before the 1964 revolution, Zanzibar was turbulent due to political factions, as the political competition between the Afro-Shirazi Party (supported by the majority of Africans) and the Zanzibar Nationalist Party (supported by the colonialists) was at the height of political

tensions, as well as the formation of the Zanzibar and Pemba People's Party in 1959 and Ali Muhammad was appointed Shen Chairman of the Board of Directors. While each of these parties entered into tensions and political bickering, the colonial government made plans to hold a second election. Elections were held on January 16, 1961, and a day before the elections, the colonial government announced that the party that wins the elections will have a mandate to form its own government and control. After all, the British government granted independence to Zanzibar on December 10, 1963, and the Zanzibar People's Republic was declared. After a period of Zanzibar Revolution, the Republic of Tanganyika and the People's Republic of Zanzibar entered into the General Union Agreement of 1964 to form a new sovereign state in the United Republic of Tanzania, as the agreement to unify the two states was signed by the late first president of Tanganyika, Mwalimu Julius Kambaraga Nyerere, and the first Zanzibar president, the late Sheikh Obeid Amani Karume on April 22, 1964 In Zanzibar, the Tanganyika Parliament and the Zanzibar Revolutionary Council ratified the articles of union on April 26, 1964, and on April 27, 1964 the leaders of the two countries exchanged the legal documents of the union at Karenji Hall in Dar es Salaam on October 28, 1964 Thus, Tanzania became a federation of a two-tiered system of government.

Level One: The Government of the United Republic of Tanzania, whose sovereignty is to deal with all federation and non-union matters in mainland Tanzania as provided for in the 1977 Constitution of the United Republic of Tanzania (as amended).

Level Two: The Zanzibar Revolutionary Government that deals with non-federal matters in Zanzibar Thus the island republic of Zanzibar became semi-independent with its president and parliament. Tanzania under Nyerere eventually became a one-party state that nationalized key industries.

THE SECOND REQUIREMENT: THE CONSTITUTIONAL FRAMEWORK OF THE FEDERAL SYSTEM IN TANZANIA

Tanzania prior to the present incorporation had three constitutions and they can be mentioned as follows:

First: The Independence Constitution (1961-1962):

When Tanganyika became independent on December 9, 1961. It was a sovereign state, as it was under the rule of Her Britannic Majesty, especially independent Tanganyika consisting of the Governor General who represented Her Majesty, the Prime Minister as the leader of the indigenous people, the Cabinet and the public service, As Her Majesty the British Queen was still in control of Tanganyika, the struggles that resulted in the establishment of the Republic of Tanganyika on 9 December 1962. Tanganyika became a republic, and the Republic of Tanganyika had its own constitution in 1962.

Second: The Republican Constitution (1962-1964):

Article 11(1) of the 1962 Constitution of the Republic provided for the creation of the position of Vice President and the Vice President was appointed by the President of Tanganyika Republic, Julius Nyerere, from among the members of Parliament meaning that the Vice President was a Member of Parliament first and then became the Vice President by presidential appointment. The Vice President was the principal assistant to the President of the Republic of Tanganyika and the leader of government business in Parliament, Article 11(2) of the 1962 Constitution of the Republic granted the President of the Republic of Tanganyika the power to elect ministers and junior ministers, ministers and junior ministers exercised the executive functions of government business subordinate to their ministries, there was also a secretary The Cabinet, the Office of the Comptroller and the Auditor General However other offices such as the Attorney General's Office, the Director of Public Prosecutions, and the Permanent Secretary were established by a relevant Act of Parliament and not the 1962 Constitution of the Republic, the Tanzanian Parliament was formed in the year 1962 composed of candidates of the Tanganyika African National Union Party. In a Constituent

Assembly and radically revised the 1961 constitution with the establishment of a strong presidential system, the new President of Tanzania was given the powers of the previous roles, the Governor-General and the Prime Minister, serving as head of state as well as the Commander-in-Chief of the Armed Forces and the right to appoint a vice president and the right to impeach Parliament under certain conditions.

Third: The Interim Constitution of the United Republic of Tanganyika and Zanzibar (1964-1977):

The Republic of Tanganyika and the People's Republic of Zanzibar united on April 26, 1964 to form the country that was first called the United Republic of Tanganyika and Zanzibar. In December 1964 the Parliament of the United Republic of Tanganyika and Zanzibar passed the law, which was the United Republic (Declaration of Name) Act 1964 as this law had the effect of changing the name of the United Republic of Tanganyika and Zanzibar to the United Republic of Tanzania. Tanzania had two constitutions, the first being the provisional constitution of 1965 and the second being the constitution of the United Republic of Tanzania of 1977, the Constituent Assembly of Tanzania on 26 April 1977 as the permanent constitution of Tanzania. The agreements were ratified as the Articles of Union, and became part of the new constitution as the Acts of Union. The most notable feature of the laws of the union was the creation of a dual government structure that is also part of the Constitution of Tanzania.

Fourth: The Permanent Constitution or the Fourth Constitution (Since 1977 - still effective in 2022):

In April 1977, the People's Assembly formally approved a permanent constitution for Tanzania. The permanent constitution is the constitution of the united republic of Tanzania, also known as the fourth constitution of Tanzania, ratified in 1977 and is still in force and applied in the united republic of Tanzania. Since the Constitution of the United Republic of Tanzania of 1977 was adopted, which is the main source of laws for the United Republic of Tanzania, and it applies to both parts of the Union with regard

to matters of concern to the Union, and the Constitution recognizes that the protection and promotion of human rights is an indispensable condition for the development of Tanzanian society, and since 1977 amendments have been made. A mission that reflects the social and political transformation of Tanzanian society, including the inclusion of rights legislation in 1984, and the introduction of a multi-party system in 1992.

The third requirement: the institutional structure of the federal system in Tanzania

The United Republic of Tanzania is a federation with a presidential democratic system, especially since the Constitution of Tanzania specified the form of the state as a federation. Consists of a union between mainland Tanzania (known until 1964 as Tanganyika) and the islands of Zanzibar, the largest of which are Unguja and Pemba. Described in Tanzania's constitution as "non-union matters", which includes health, education and the environment. While these organs of the federal state are responsible for state functions over the entire territory of Tanzania, including the mainland and matters of the union in Zanzibar, the seat of the Parliament of Tanzania is located in the capital, Dodoma, while the seat of government is located in Dar es Salaam, as the political and administrative structure of the United Republic of Tanzania consists From the Union Government and the Revolutionary Government of the National Unity of Zanzibar, which is self-governing in non-union matters and in accordance with Article 4 of the Constitution of the United Republic of Tanzania. The political structure of Tanzania is divided into three political institutions, namely, the executive, the legislative, and the judiciary. Zanzibar also has separate and independent powers represented in the executive branch, the House of Representatives, and the judiciary. We will discuss this in detail as follows:

Section one: The central institutions of the political system in Tanzania

First: The Executive Institution:

The executive branch of the United Republic shall be under the authority of the President, the

organ with the power to determine the policy of the Government in general, and Ministers under the leadership of the Prime Minister shall be collectively responsible in the National Assembly for carrying out the affairs of the Government of the United Republic. The executive branch in Tanzania consists of the president, vice president, prime minister and ministers, and the president and members of the National Assembly are elected by direct popular vote for a 5-year renewable term, and the constitution authorizes him to nominate 10 unelected members of parliament to obtain ministerial positions. Westminster) to the government while the presence of the president indicates that the executive branch in Tanzania is the presidential system of government.

Second: The Legislative Institution:

It consists of one house, the National Assembly or Parliament, and its headquarters is in the new capital, Dodoma, which consists of 393 seats, of whom 264 are elected by direct popular vote and their term of office is five years. The House of Representatives of the Zanzibar Province, ten members appointed by the President of the Republic, and one seat occupied by the Attorney General, through parliamentary constituencies under a pluralistic electoral system where the parties must extend across the mainland and islands. The National Assembly is responsible for enacting laws that are applied throughout the United Republic of Tanzania, which are applied in the mainland of the country only. As for the Zanzibar region, it has its own assembly, the House of Representatives, which prepares laws for the region. The House of Representatives in the region of Zanzibar includes 82 members and their term of service. Five years, the Zanzibar House of Representatives includes all matters not related to the union. There are 76 members in Zanzibar's House of Representatives, including 50 members elected by the people, 10 members appointed by the president, 5 ex officio members, and an attorney general appointed by the president.

Third: The Judicial Institution: It consists of:

- 1- High Courts (President): The highest judicial authority in Tanzania is the Court of Appeal

of the United Republic of Tanzania, which consists of the President of the Court and 14 judges, and there is the Supreme Court of the United Republic of Tanzania (mainland only), which consists of a chief judge assisted by 30 judges distributed over the courts. There are commercial and land ownership courts, and labor courts as well as the Zanzibar High Court, consisting of a chief court, and 10 judges.

- 2- The judges of the Court of Appeal and of the Supreme Court are appointed by the President after consultation with the Judicial Service Commission of Tanzania, which is a judicial body consisting of first-class judges and two members appointed by the President of the Republic. The term of office of judges is mandatory until they reach retirement age of 60 years, which can be extended. Judges of the Zanzibar Supreme Court appoint them. The President of the Republic after consultation with the Zanzibar Judicial Service Commission, judges may serve until mandatory retirement when they reach the age of 65.
- 3- Sub-courts (minimal or partial): They are magistrates' courts, judges of courts for Muslim family affairs, district courts, and first instance courts.

Section Two: Local Government of the Federal System in Tanzania

The British colonialists established local governments in Tanzania in the year 1926. Since the country's independence in 1961, decentralization has gone through various stages. During the first phase of decentralization, the government abolished local governments and cooperative unions and merged central and local government functions, according to the speech of the ruling Chama Cha Mapinduzi Party (CCM). As the authority was "decentralized" by directly involving citizens in centrally coordinated planning, and the second phase witnessed the re-establishment of local governments, the economic crisis in the late seventies and eighties led to a rapid deterioration in basic services, which prompted the ruling party CCM to reconsider the political system,

especially the reconsideration of the political system. Local governments were constitutionally recognized in 1983–1984, village councils, municipal authorities, and county councils in rural areas, and city and town councils in urban areas were created by a series of laws. Local government authorities are divided into rural and urban authorities, rural authorities are county councils, municipal authorities, neighborhood development committees, and village councils, urban authorities consist of city councils, municipalities, and towns.

First: The Zanzibar Constitution of 1984:

It is a primary source of law in relation to non-federal affairs in Zanzibar, as Chapter III provides for the legality of rights similar to those provided for in the Constitution of the Federation. Section 80 (a) of the Constitution states that the provisions contained in the legality of rights may not be amended without a referendum, and Section 25 (a) thereof sets out business procedures for fundamental rights and duties in Zanzibar. In particular, the Zanzibar constitution provides for the election of the President of Zanzibar by universal suffrage, as the election cards are secret and the term of his presidency is five years, renewable for one time. The 53-year-old studied medicine at Marmara University in Istanbul, Turkey, where he served as the former defense chief in Tanzania and is the head of the Revolutionary Council, while the prime minister is Saif Sharif Hassan, who served as the first vice president of Zanzibar.

Second: Local government and people's councils:

Tanzania is divided administratively into 26 regions, 21 on the mainland and five in Zanzibar, three in Unguja and two in Pemba, to increase local authority or people's government, 99 districts (states) were created, each with at least one council, councils are also known as authorities within the local government, there are 114 councils operating in 99 districts, 22 of which are urban and 92 are rural, and 22 urban units are classified as city councils.

- 1- The Village Council and the Urban Council: they are the two main bodies of the village administration. It is made up of all adult

members. A village council consisting of 15-25 members is elected in addition to the head of the council. The village councils have no legislative or executive powers, except for the elected president and members of the village councils. The village council consists of Of all the Swahili (vitunguji) chiefs in the village, at least a quarter are women council members. The village has a chief executive appointed by the district executive who acts as a non-voting secretary to the council A village with a population of over 9,000 or the transfer of district authority to the city council can be classified as a town The town authority consists of the Vitongoji chiefs in its district and no more than three members They are appointed by the county council, and women appointed according to political proportionality to constitute at least one-third of the power.

- 2- Urban Level: The city has an institutional structure similar to a village except that there is no grouping that is governed by law. Instead of a council, the council has a committee made up of six elected members. It has an executive office headed by an executive appointed by the supreme urban authority along the lines of Vitongogi, especially the Swahili (meta) that serves as a forum for mobilizing community participation and support rather than as organs of local government. and female members. Up to three members are appointed by the Minister and the Executive Director who is the administrative head, the Legislative President is the mayor elected by the members of the Council. At the regional level in Tanzania, it has a decentralized regional secretariat that includes a Regional Administrative Secretary who is appointed by the President and is based in the office of the Regional Commissioner.

The sole purpose of the Regional Commissioner is to facilitate local bodies in the planning and implementation of local development, and to ensure the efficient delivery of local government services.

Third: Institutions in Zanzibar:

Zanzibar enjoys its own legal status within the federation. It has its own legislative and executive institutions within the federation. Zanzibar has its own constitution through which the powers of the island are determined, leaving the rest of the powers to the federal state. In the provinces and higher urban authorities, the council is the political decision-making body, the administrative structure of the council is the management team of the council which usually consists of department heads, moreover and to facilitate the implementation of their functions the councils operate at the district and urban level through a system of standing committees, when conducting the work of the council goes through Departmental plans through standing committees before reaching the council, besides these standing committees councils may decide to appoint subcommittees to standing committees or committees with specific mandates. Councils can also form service councils with delegated powers within key sectors in practice, particularly district and village local governments and upper urban councils have legislative powers and are empowered to make regulations, raise revenues, and prepare development plans and budgets, but because of the ambiguity surrounding the role of government authorities Decentralization of local government decision-making The central government can intervene, both the minister and the district council have the power to make regulations, but in the case of a dispute between the council and the minister, the minister has the say and the final, and those appointed by the central government at the local level play an inconsistently large role Ordinary in local administration leading to a distortion of law-making powers against local government, 2006 amendment of local government laws to establish the district advisory committee whose chair is the district commissioner, and its secretary is the executive director, as the mandate includes examining council plans and budgets before submitting them to the council. With the exception of the executive and legislative branches at the subnational level, there are circuit courts that are administratively subordinate to the county assembly but are

functionally part of the judicial structure, their primary function being to secure peace and harmony in their areas by mediating disputes.

Conclusion

The political system constitutes a set of codified practices and behaviors, which play an important role in regulating the work of institutions and forces in a single society legally, as they represent legal regulations and rules that a state works to apply to the people it rules. In pursuit of the welfare and security of the state internally and externally, and thus achieving the largest number of interests that are in line with the interests of the people, and the institutions that make political decisions are responsible for implementing this political system.

Results

1. The need for the main authorities in the country to have an active and influential role in making important decisions for society, represented by the legislative and executive authorities and the judiciary.
2. It is important that the competent authorities in the state, in cooperation with the supporting authorities such as international organizations and local community organizations, have a major role in developing and spreading the spirit of cooperation and acceptance of others despite differences in race, religion and others.

References

- 1 - Mahmoud Shaker, Islamic History - Contemporary History in East Africa, Volume 16, 2nd Edition, Beirut, The Islamic Office, 1997.
10. Article 9(53)(2) of the Constitution of the United Republic of Tanzania, as amended, 1977.
- 11- Local Government (Local Authorities), Law of 1982 (Law No. 7 of 1982) (2) Local Government (Urban Authorities), Law of 1982 (Law No. 8 of 1982). 3) The Local Government Finance Law of 1982 (Law No. 9 of 1982). 4) Local Government Service Law, 1982 (Law No. 1 of 1982). c) Urban Authorities Classification Law, 1983 (Law No. 2 of 1983). These laws have been continually amended in 1992, 1993, 1999, 2002, 2004 and 2006.
- 12- The directors of city councils are appointed by the president, while the directors of municipalities and municipalities are appointed by the minister.
13. The regional commissioner is the administrative head of the district designated by the president. Similar to the regional commissioner, the district commissioner is appointed by the president at the district level. In relation to the exercise of the powers and functions of local government authorities, the role of the Resident Coordinator and UNHCR is to ``investigate legality when actions and decisions of local government authorities are questioned in their areas of jurisdiction and inform a Minister or take appropriate action as required.
- 14 - Freidland, W.H. (1969) Vuta Kamba, London: Hoover Institution Press.p 86.
- 15- Karume, S. et al (2004) Dilemmas of Political Transition: Towards Institutionalization of Multiparty Democracy in Tanzania, Johannesburg: EISA.
- 16- Muoseke, I.K. (1992) "Prerequisites for a Successful Transformation to Political Pluralism" A Paper Presented to Eighth National Economic Workshop Held in Dar es Salaam on November 30.
- 17- Lofchie, M. (1963) "Party Conflict in Zanzibar" Journal of Modern African Studies
- 18- Shivji, I.G. (1990) The Legal Foundations of the Union in Tanzania's Union and Zanzibar Constitutions, Dar es Salaam: Dar es Salaam University Press.
- 19-Othman, H., Bavu, I. and Okema, M. (1990) Tanzania: Democracy in Transition, Dar es Salaam: Dar es Salaam University Press.
- 2- Lutfi Jaafar Faraj, a study on the personality of President Julius Nyerere - African Personalities Series: Study No. 1, Institute of

Asian and African Studies - Al-Mustansiriya University, Baghdad, 1984.

20- Hyden, G. 1980. Beyond Ujamaa in Tanzania: Underdevelopment and an Uncaptured Peasantry. London: Heinemann.

21- Karume, S. et al, Dilemmas of Political Transition: Towards Institutionalization of Multiparty Democracy in Tanzania, Johannesburg (2004), 143.

22- The Articles of Union established in 1964 covered 11 areas, but domestic and regional changes resulted in additions to the number of issues considered to be union matters. In the constitution of 1977, 22 areas were listed as union matters

23- Anyimadu, A., Politics and Development in Tanzania: Shifting the Status Quo, Research Paper, Africa Programme, 2016, p. 6.

24-Egboh, E.A., Okeke, V.O.S. and Aniche, E.T. (2010) Comparative Federalism: A Systematic Inquiry, Nimo: Rex Charles & Patrick Publications.

25-Dagne, T. (2011) Tanzania: Background and Current Conditions, Confessional Research Service (CRS) August 31.

26-Women representatives should not be less than one third of all the elected ward councilors and the MPs.

should be confirmed by a primary court

27-Another example is in Karatu DC where funds were shifted from construction of a dispensary which citizens had asked and planned for, to the

3- Abdul Salam Ibrahim Baghdadi, The Political System of the Federal Republic of Tanzania 1964-1985, Institute of Asian and African Studies, Baghdad, 1986.

4- Law No. 61 of 196.

5- Article (3) of the Constitution of the United Republic of Tanzania, amended in 1977.

6- The amended Constitution of the United Republic of Tanzania of 1977.

7- Zanzibar Amended Constitution of 1984.

8- Tanzania achieved independence from British rule in 1961.

9. There are 30 provinces and more than 105 provinces.

28-central government mandate of construction of a school. To appease angry citizens, councilors promised to eventually construct a school, but this is yet to be undertaken (Orgut Consulting, 2009).

29- Claims under Tsh. 10,000 (one US Dollar 1300 Tanzanian Shillings).

30- In the latter case, their decision s