



## **National Integrity Systems**

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If there are any merits in this report, we dedicate them to our people, who are determined to wipe out corruption in our country.

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## Currency

The currency in Tanzania is the shilling (TZS) and the rate of the shilling to the US dollar in December 2003 was around TZS 1,066.00 to one US dollar.

## Abbreviations

CBOs	Community-Based Organisations
CCM	Chama cha Mapinduzi
CHADEMA	Chama cha Demokrasia na Maendeleo
CTI	Tanzania Confederation of Industries
CUF	Civic United Front
DANIDA	Danish International Development Agency
DCs	District Commissioners
DPP	Director of Public Prosecution
ESRF	Economic and Social Research Foundation
EU	European Union
FACEIT	Front Against Corrupt Elements In Tanzania
FAO	Food and Agriculture Organization
FINNIDA	Finnish International Development Agency
GDP	Gross Domestic Product
HIV/AIDS	Human Immuno-deficiency Virus/Acquired Immune Deficiency Syndrome
IGP	Inspector General of Police
IPTL	Independent Power Tanzania Limited
TI	Transparency International
LEAT	Lawyers Environmental Association of Tanzania
LGA	Local Government Authority
MCT	Media Council of Tanzania
MP	Member of Parliament
NBC	National Bank of Commerce
NEC	National Electoral Commission
NCCR	National Convention for Construction and Reforms
NGO	Non-Governmental Organisation
NIS	National Integrity System
NMB	National Micro-Finance Bank
PAC	Parliamentary Account's Committee
PCB	Prevention of Corruption Bureau
PO-RALG	President's Office, Regional Administration and Local Government
RCs	Regional Commissioners
TAMWA	Tanzania Media Women Association
TANROADS	Tanzania National Road Agency
TANU	Tanganyika African National Union
TBC	Tanzania Broadcasting Commission
TGNP	Tanzania Gender Networking Programme

TLP	Tanzania Labour Party
TRA	Tanzania Revenue Authority
TZS	Tanzanian Shillings
UDP	United Democratic Party
UK	United Kingdom
UNDP	United Nations Development Programme
UNIDO	United Nations Industrial Development Organization
URT	United Republic of Tanzania
USD	US Dollar
ZEC	Zanzibar Electoral Commission

## Executive Summary

Tanzania is a unitary republic with multiparty democracy. The constitution of the United Republic of Tanzania (1977) provides that the country aims at building a democratic society founded on the principles of freedom, justice, fraternity and concord, in which the executive is accountable to the electorate through the legislature. The constitution also provides for judicial instruments to ensure that justice and equality before the law prevail. In recent years, Tanzania has enjoyed political stability and has not suffered from the internal conflicts that have undermined political, social and economic development in some African countries. The government of Tanzania has intensified macro-economic policy reforms with the aim of creating a more stable macro-economic environment. These reforms are being pursued with the understanding that such stability is necessary to achieve sustained growth, which is required to reduce the pervasive poverty in the country.

There is a structural link between corruption and poverty in Tanzania. The causes of corruption are many and complex and may include a combination of economic or bureaucratic factors; inflexible and unprofessional monitoring, control and auditing by officials; poor incentive/motivation packages; quality of political life in the country; levels of democracy; and limited and inadequate basic service delivery. Various types of corruption exist in the country, including grand corruption and petty corruption, and these may manifest themselves in many forms, such as graft, patronage and even sexual abuse. The individuals who engage in corruption, as well as its volume, intensity and frequency vary in different situations. The nation incurs enormous losses as a result of a few individuals engaging in different forms of corruption.

The current Third Phase Government of President Benjamin W. Mkapa (since 1995) has shown great and serious determination to consolidate the democratisation process on all fronts, including decentralisation by devolution. The goal is to empower ordinary citizens to become the masters of their own social and economic development, thus serving as a reliable and committed force against corruption. Government efforts since 1995 have begun to bear fruit. The Transparency International (TI) Corruption Perceptions Index score for Tanzania has improved from 1.9 in 1998 to 2.7 in 2002 on a scale of 0 (highly corrupt) to 10 (highly clean). There has been a clear positive trend of improvement since the publication of the celebrated Warioba Report of 1996. Corruption, however, is still a serious and pandemic problem in the country. The key pillars of the state have all been affected in one way or another.

The government is leading the way towards remedying the situation by deliberately enacting tough laws against corruption, revisiting various administrative directives, circulars and procedures to ensure real and potential loopholes are sealed. Nevertheless, the government alone cannot win the anti-corruption war. Given the nature and complexity of corruption and the secrecy in which it takes place, the whole of Tanzanian society must rise up against corruption. Thus the private sector, civil society and individuals have an important role to play to augment the ongoing government efforts to fight corruption. Undoubtedly, limited resources, including finance, equipment, infrastructure and trained manpower, continue to threaten even the modest achievements Tanzania has registered in this field. Equally important is the necessity to build and maintain a qualitatively different mindset among the leaders and the people, in order to recognise the extent, complexity and seriousness of corruption in the country, as well as the importance of such a change in mindset for Tanzania's survival, security and prosperity as a nation. Corruption may erode the social fabric of the nation if it is not arrested. In this situation, Tanzania needs the support and goodwill of people and institutions, not only from within the country, but also from overseas, who can enhance the government's efforts in capacity development at all levels and on all fronts, to reduce the existence of corruption in the country.

## Overview

The United Republic of Tanzania (URT) consists of the area formerly known as Tanganyika, which is now mainland Tanzania, and Zanzibar, which is made up of the islands of Unguja and

Pemba. Tanganyika became a sovereign state on 9 December 1961, and a republic the following year. Zanzibar became independent from the United Kingdom on 19 December 1963, and was renamed the People's Republic of Zanzibar after the revolution of 12 January 1964. Tanganyika united with Zanzibar on 26 April 1964 to form the United Republic of Tanganyika and Zanzibar, renamed the United Republic of Tanzania on 29 October 1964. Meanwhile, Zanzibar maintained some of its previous autonomy by forming the Revolutionary Government of Zanzibar. (Although this study does not include Zanzibar, for the purposes of necessity and relevance, several sections may refer to Zanzibar where convenient.)

As already mentioned, Tanzania is currently a unitary republic with multiparty democracy. However, the inherited Lancaster House constitution was changed and in 1965, Tanzania effectively became a one-party state, which was consolidated through various amendments. During this time, for instance, there were only two party-owned media corporations and a government-owned one. Tanzania experienced years of one-party state rule under the late President J.K. Nyerere. The celebrated Nyalali Commission was formed in 1990 to find out whether the majority of the people still wanted a one-party or a multiparty state. Interestingly, 80 per cent stated that they would prefer a one-party state. However, in the nineties, the tide for political pluralism was sweeping through the continent, and so the constitution was amended once more; on 1 July 1992, Tanzania became a multiparty state.

All state authority in Tanzania is exercised and controlled by the government of the URT and the Revolutionary Government of Zanzibar. Each of the two governments has three organs with powers over the conduct of public affairs: the executive, judiciary, and legislature. Each sphere of government has stipulated functions to perform, while each sphere complements what the other spheres are doing. The government of the URT has authority over all union matters in the United Republic and over all other matters concerning mainland Tanzania. The Revolutionary Government of Zanzibar has authority in Zanzibar over all matters that are not union matters. The preamble of the constitution provides that Tanzania aims at building a democratic society founded on the principles of freedom, justice, fraternity, and concord, in which the executive is accountable to the legislature, composed of elected members and representatives of the people, as well as a judiciary that is independent and dispenses justice without fear or favour, thereby ensuring that all human rights are preserved and protected. The constitution provides for legislative supremacy of parliament and independence of the judiciary. It also embraces the principles of rule of law, separation of powers, and a pluralistic political system.

In recent years, Tanzania has enjoyed political stability and has not suffered from the tribalism, factionalism, and internal conflict that have undermined political and economic development in other African countries. Tanzania is endowed with a rich natural resource base and has easy geographical access to the international market. The country has managed to forge a cohesive national identity around a common language called Kiswahili. The second multiparty general election took place in October 2000 with a significant win on the mainland by the ruling Chama cha Mapinduzi (CCM), but with a number of opposition members of parliament (MPs) also elected. (See Table 2 for details of the results for each political party that participated in the elections.) Currently, there are 16 registered political parties in the country and at least two more are in the offing.

The government has intensified macro-economic policy reforms with the aim of creating a more stable macro-economic environment. As a result, Tanzania has made significant progress in re-establishing macro-economic stability. Inflation has fallen from levels in excess of 27 per cent in 1995, when the current President Benjamin W. Mkapa took office, to 4.2 per cent in 2002. The exchange rate has remained reasonably stable, despite the 15 per cent depreciation in 1999. The amount of foreign exchange reserves has climbed, from around six weeks of merchandise imports in 1995, to the current level of six months. And the overall fiscal balance, including grants, has had a reasonable surplus of gross domestic product (GDP) in the last three years, and is projected to remain in the low range of fiscal deficit, and thus facilitate pro-poor spending. In parallel with the macro-economic reform, the government has also carried out structural reforms focusing on realigning the incentive structure towards increased exports, using scarce foreign exchange more efficiently, liberalising the economy, and reducing the involvement of the government in commercial services. A large part of gross economic distortions has been dealt with effectively. The markets are relatively free, the

parastatal sector and the civil service are considerably smaller, and significant fiscal discipline has taken place, particularly in enforcing cash budgets. Tanzania's intention to build on the strengths of peace, unity and self-esteem and to break with past weaknesses is outlined in Tanzania Vision 2025 and the various reform programmes pursued in the last 17 years. Tanzania Vision 2025 expresses both hope and determination in ridding the country of poverty, disease and ignorance. It seeks to do so by achieving high and sustained growth at an average of 8 per cent, halving abject poverty by 2010, and eliminating it by 2025.

In 2002, Tanzania's economy grew at 6.2 per cent. It was projected that the economy would grow at 6.3 per cent of real GDP in 2003 and reach 6.6 per cent in 2004. The country aimed to attain 7.0 per cent of real GDP growth in 2005 and 7.4 per cent in 2006. Furthermore, the level of capital formation reached 17.4 per cent of GDP in 2002. The economy, however, is still faced with many daunting challenges and problems, including a donor-dependent budget, poverty in urban and rural areas, the lack of a savings culture, low levels of investment, unemployment, poor infrastructure, and inadequate social service delivery. In order to address these problems adequately, the government has taken a number of measures.

Such measures have focused mainly on macro-economic reforms, in particular, policy, legal and institutional reforms. The government first explored all avenues for increasing the collection of taxes from various sources at all levels, so that the country could reduce its dependency on outside sources. It was hoped that this would enable Tanzania to fund its own development to a large extent. Second, it encouraged Tanzanians to work harder and in a more resourceful manner, by utilising existing local resources. Third, it encouraged citizens to acquire and sustain a savings culture, to enable Tanzanians to invest in various production projects and services. Fourth, it directed efforts towards the establishment and promotion of small and medium enterprises in the areas of processing locally available raw materials, together with providing sustainable services. Fifth, it improved the investment climate for both local and foreign sector investments. Sixth, it put in place an appropriate strategy for sale of finished and non-traditional goods outside the country, using existing opportunities now available, such as the Africa Growth Opportunity Act, EBA, New Canadian Initiatives, and East African Community. Finally, it has intensified efforts to harmonise the tax system, in order to remove troublesome taxes and unnecessary complaints. The recent abolition of the development levy is a welcome move. The government continues to provide adequate resources to priority (pro-poor) sectors, in addition to increasing productivity, increasing per capita income, providing social and economic services, and improving financial management systems, including management of foreign and domestic debts. These policies aim at empowering individuals to participate in the country's economic activities, as well as providing support to the private sector through the Export Credit Guarantee Scheme specifically for non-traditional crops, and enhancing the country's foreign reserves.

## The Executive

The executive of the URT consists of the president, who is the head of state, head of government and commander in chief of the armed forces. All executive functions of the government of the URT are discharged by various officers of the government on behalf of the president. President Mkapa is the third president, preceded by President Ali Hassan Mwinyi, and President J.K. Nyerere. The country's constitution allows a maximum of two terms of five years each for the sitting president. The current president will complete his last term in the year 2005, while general and presidential elections will be held around October 2005.

The vice president is the principal assistant to the president in all matters in the United Republic. The country's constitution stipulates that the president and vice president shall come from different parts of the URT. Currently, the president comes from the mainland and thus the vice president comes from Zanzibar. Tanzania has a non-executive prime minister who is also the leader of government in the National Assembly (parliament). The prime minister is appointed by the president but has to be endorsed by parliament. The president also appoints the cabinet. In 2004, Tanzania had 27 cabinet ministers, three of whom were women. All cabinet ministers must be elected or nominated MPs. Of the three women cabinet ministers, one is a constituency MP (elected) and the remaining two are special seats (nominated) MPs.

There are also 17 deputy ministers, four of whom are women. The president also appoints permanent secretaries, deputy permanent secretaries (six of whom are women), directors of ministries, and heads of executive agencies. In addition, the president appoints regional commissioners (regional governors, two of whom are women) for each of the 21 regions in mainland Tanzania. He also appoints district commissioners (district governors) in the country.

## The Judiciary

Chapter five of the constitution provides for the various judicial instruments. This chapter is one of the pillars of the country's constitution, since it provides the foundation for justice and equality of all citizens with rights and obligations, regardless of their status in society, their religion, or their tribe.

The Court of Appeal is the highest court in the republic and is led by a chief justice, who normally consults with his counterpart from Zanzibar in the day-to-day execution of duties. The Court of Appeal commands the highest respect from the public. The government itself has lost a number of cases in the Court of Appeal, for example, concerning election petitions. Currently, there are six appellate justices, including the chief justice. There are also judges of the High Court, which has jurisdiction in mainland Tanzania only. The High Court is also led by the chief justice. Currently, there are 37 judges in 11 zones in the country. Like the Court of Appeal, the High Court is highly respected by the public for its efforts to dispense justice without fear or favour. Given the heavy backload of pending cases, the president has recently appointed additional judges to the High Court bench.

Tanzania has also 108 resident magistrates, 206 district courts, and 653 primary courts. Public complaints against the primary courts are endemic and persistent. There are many and varied reasons for this situation: inadequate training (and re-training); poor infrastructure and work environment (lack of proper houses for courts, writing materials, transport, etc.); overwhelming number of cases for the limited number of primary court magistrates; inadequate supervision and poor incentive scheme; and general poverty of the people that tends to induce criminality. These problems encourage and provide temptations to those dispensing justice to become involved in immoral and illegal activities, such as demanding and receiving bribes. The constitution prohibits any justice of the Court of Appeal, a judge of the High Court, or a magistrate of any grade from joining any political party.

The constitution also provides for a Judicial Service Commission for magistrates and other judicial officers in mainland Tanzania. The members of the commission include the chief justice (chairman), the attorney general, a justice of the court of appeal of Tanzania, the principal judge of the High Court, and two members appointed by the president. Although the power to appoint magistrates and other judicial officers is vested in the president, the exercise of disciplinary power over such persons and the power to remove them from office is vested in the Judicial Service Commission (Article 112 of the constitution). This stipulation is meant to ensure that the executive does not interfere with the independence of the judiciary.

Apart from sharing the Court of Appeal of the United Republic with mainland Tanzania, Zanzibar has a distinct and separate legal system. The constitution of the URT makes clear that the High Court of Zanzibar is not a union matter. Article 114 of the constitution of Tanzania expressly reserves the continuance of the High Court of Zanzibar institutions with their jurisdiction. Similarly, the attorney general's chambers of Zanzibar fall outside the purview of union matters; they are a department of the Revolutionary Government of Zanzibar.

## The Legislature

The constitution of the United Republic provides for parliament, constituencies, election and appointment of MPs, and procedures, powers and privileges of parliament and speaker. The National Assembly, in discharging its functions, is assisted by the Parliamentary Services Commission, standing committees, and the secretariat of the National Assembly. The National Assembly consists of four categories of MP. There are 231 directly elected members (electoral

constituencies). There are also five members elected by the House of Representatives of Zanzibar from among its members. The attorney general is an ex-officio member of parliament by virtue of his position. The constitution empowers the president to nominate a maximum of ten members, from ruling or opposition political parties. There are a total of 296 MPs, 60 of whom are women. Out of these, 12 were directly elected from constituencies, 47 from special seats and one nominated by the president. There were only 70 women contestants from all political parties. Table 1 shows the three branches of government in Tanzania.

## Civil Society

The country has recorded some positive achievements in civil society. There are more than 10,000 registered civil society groups in the country, ranging from those dealing with gender, environment, small businesses, and HIV/AIDS, to legal and human rights protection.

## Media

The country has 422 registered newspapers, journals and magazines. Of these, 17 are dailies. Currently, there are 30 radio stations and 13 television stations. There are 19 cable television stations in the country. In addition, 11 local government authorities (LGAs) provide television services to their respective citizens. More requests are on the table for consideration and approval.

**Table 1 Three Branches of Government**

Executive	Legislative	Judiciary
<p><b>President of the United Republic</b></p> <p>Vice President</p> <p>Prime Minister</p> <p>Cabinet (27 Ministers and 17 Deputy Ministers)</p> <p>21 Regions led by Regional Commissioners</p> <p>106 Administrative Districts led by District Commissioners</p>	<p><b>National Assembly</b></p> <p>Headed and presided over by Speaker</p> <p>231 directly elected members (Electoral constituencies)</p> <p>5 members elected by Zanzibar House of Representatives</p> <p>49 women members elected by political parties by proportional representation</p> <p>1 Attorney General (Ex-Officio)</p> <p>A maximum of 10 members nominated by the president</p> <p><b>Total: 296</b></p>	<p><b>Court of Appeal</b></p> <p>Chief Justice and Appellate Justices: a total of 6 Judges (Chief Justice inclusive)</p> <p><b>High Court</b></p> <p>37 Judges in 11 Zones</p> <p><b>Regional Magistrate Courts</b></p> <p>108 Resident Magistrates</p> <p><b>District Magistrate Courts</b></p> <p>206 District Courts Magistrates</p> <p><b>653 Primary Courts</b></p>

**Source:** United Republic of Tanzania (1998), The Constitution of the United Republic of Tanzania 1997 (English Version), Dar es Salaam.

## Corruption Profile

The causes of corruption are many and complex. They may include simple human greed, immoral and unethical social behaviour, and a lack of human and political integrity.

First, economic factors must be considered. Some economic policies in Tanzania have contributed to distortions, especially in the late 1970s and early 1980s, that may have intensified corruption. The enactment of the Economic and Organized Crimes Control Act of 1984, which replaced the 1983 Economic Sabotage Act, has its background in this cause, since rigid restrictions on trade can be a subject of abuse. Centralisation of the economy through nationalisation meant that the few powerful elites had a monopoly on the allocation of resources; in this situation, corruption was inevitable.

Second, bureaucratic causes, such as red tape and rigid rules and regulations imposed by central and local government, contribute to increased corruption. Public officials were tempted to subvert these rules or were pressured into subverting them for individual or group gain, despite the fact that such acts were illegal. For example, one could not acquire a plot to build on in Dar es Salaam unless one oiled the hands of bureaucrats.

Third, inflexible and unprofessional monitoring, control and auditing by officials induce corrupt practices. For instance, auditors demand "KK" (Kitu Kidogo, literally meaning paying for a service that is supposed to be given for free), in order to refrain from taking a particular official to court for not balancing the books.

Fourth, social attitude can encourage corruption. Strong extended family or tribal ties can increase opportunities and pressures for nepotism and favouritism, or induce people to search for additional income to assist extended family members with basic needs. For instance, if people without a job go to stay with a relative whose income is not enough to feed everybody in the house, the situation could lead to corrupt behaviour.

Fifth, legal, regulatory and compliance frameworks may not be strong enough to fight corruption; instead, those who engage in corrupt practices are becoming more and more subtle and sophisticated in their ways. For example, it is becoming increasingly difficult to obtain concrete evidence, in order to prosecute effectively an alleged corrupt official, because of the nature of corrupt acts which are normally very secretive, as well as the existing laws which require too much evidence.

Sixth, the linkage between levels of corruption and the quality of political life in Tanzania is one of the causes of corruption. Civil society and the private sector are fragile. Thus, for example, only recently have civil society groups begun protesting against corruption, which shows the extent to which the latter could go unchecked.

Seventh, natural resource endowment, such as precious minerals, oil, wildlife, and forestry can contribute to increased corruption domestically and internationally, especially grand corruption. For instance, it is claimed that the allocation of mining plots in Mererani, the only place in the world where Tanzanite is found, involves corruption.

Eighth, a materialistic conception of success, in which power, money and status ostensibly play a leading role in the society, can contribute to corruption. That is, some members of the public feel that those who engage in corruption lead "better" lives, with a conspicuous pattern of consumption. If ethical practice means that clean and strictly professional public officials become beggars after retirement, this may contribute to increased corruption. For example, it is claimed that those who choose not to engage in corruption retire with nothing other than poverty, while government retirement benefits are very low.

Ninth, simple human greed, due to lack of integrity, as well as ethical nurturing and education, among other factors, contribute to increased corruption. Low civic competence implies that there are fewer whistle blowers against corruption.

Corruption in the country takes different forms, varying in volume, intensity, frequency, and the individuals who engage in it. The three pillars of government – executive, judiciary and legislature – are all affected in one way or another and at various levels. According to the

Warioba Commission (1996), each pillar tends to blame the other pillars, regarding the existence of the evil practice and how best to reduce it. Likewise, corruption exists at the local government and sub-municipal/district levels as well. Individual officials engage in the malpractice, using subtle and at times complex and sophisticated means to accomplish their misdeeds, for example, at the primary courts, health centres, etc. Unnecessary delays in locating a file or seeing a medical attendant may induce corruption. Given limited service delivery especially in the rural areas, some individual service providers take the opportunity to demand or induce illegal payment from those who need and deserve such services.

The main theme of President Mkapa's campaign in the first multiparty elections in 1995 was his own, his party's (CCM) and his government's determination to fight corruption. Immediately after taking power, the president formed the now celebrated Warioba Commission in 1996 to look into the main causes, sources, and loopholes of all forms of corruption, and to suggest effective means to fight it. The main findings of the Commission included the following. First, corruption had reached pandemic levels and nearly every aspect/sector of the social fabric had been affected. Both public and private institutions had become victims. Second, both grand and petty corruption existed at varying levels within the country. Third, some people had lost hope; they did not believe that they would receive the services they deserved without giving "KK". Fourth, the general poverty of the country had paved the way for increased corruption. Given poor and inadequate public services, such as education, health, water, electricity, etc., certain individuals entrusted with power and decision-making on these crucial pro-poor sectors, were either engaged in corrupt practices, or were simply perceived to be corrupt, or both. Fifth, endemic and persistent corruption intensified poverty, eroded many efforts to build good governance, and induced some people to lose hope and faith in themselves and in their government. There is evidence of individual service providers demanding bribes in order to speed up services, such as electricity provision, obtaining a plot to build on, securing employment, transfer or refusing transfer to another place, securing training opportunities inside and/or outside the country, etc. It is important to note that corrupt practices involve more than money; they also involve sexual abuse and harassment. Some citizens see corruption as an entrenched culture. Thus, when one wants to obtain a service one deserves, one immediately looks for a way to "oil" the individual/system (Warioba Commission 1996).

The nation incurs enormous losses as a result of some individuals engaging in various forms of corruption. It is not easy to provide exact figures, but based on the controller and auditor-general's report of 2001/2002, the costs may run into billions of Tanzanian shillings (see Tables 3-7). These resources deny innocent citizens the opportunity to obtain better social services, such as clean and safe water, quality education and medical care, roads, a clean environment, easy access to fair justice, etc. As a consequence, government efforts to fight poverty become diluted and the majority continue to suffer at the expense of the few. Below are examples of some financial and political costs the nation suffers as a result of individuals who are indulging in various types of corruption (not in any order of priority):

First, some citizens completely lose faith in their leadership and the leadership itself may be locked in endless wrangles. The government's legitimacy is therefore eroded. Thus, despite government efforts to fight corruption, there are some people who do not take the government seriously. Second, social cohesion may be shaken in the country, due to an increased gap between the 'haves' and the 'have nots', leading to an increase in mass poverty, despair, and even social agitation. Thus, public insecurity and political instability may increase. For example, the country has seen increasing urban violence and armed robberies, including banks in Dar es Salaam and Arusha. Third, inadequate resources and social services may hinder government attainment of good governance and improved service delivery. As a result, some people are forced to engage in corruption by not following the specified procedures, as in school enrolment and admission to clinics and hospitals. Fourth, a rise in administrative costs due to corruption in turn may force the government to increase taxes, while provision of service delivery remains poor. For example, it is claimed that certain government offices have more labour than necessary and therefore higher costs. This has social and political implications for the country. Fifth, corruption can lead to the erosion of courage and resolve to adhere to high standards of probity. Already it is argued that those who adhere to a high standard of probity are atypical. Sixth, loss in overall productivity results as more time and

energy are devoted to ripping off the government system, rather than enhancing its ability to serve the public and fight poverty. As evidence of this, annual reports of the controller and auditor-general indicate that millions of Tanzanian shillings (TZS) remain unaccounted for (see Tables 3–7). Seventh, these costs can make a mockery of the country's judicial system, since those who are corrupt buy justice and in some cases decisions are weighed in purely monetary terms, rather than in human values. This effect is more widespread at the lower courts and primary courts. Eighth, corruption can lead to environmental degradation due to pollution, which results when projects are not in line with the Environmental Impact Assessment (EIA). This has become a barrier to development due to unpopular decisions and their enormous side effects. It is claimed, for example, that the leather factory at Kibaha is a cause of concern in the neighbourhood, due to the terrible smell coming out of the factory. Finally, apart from the financial loss, there are also enormous psychological, political, and social costs that the government and innocent citizens have to suffer.

The current Third Phase Government of President Mkapa has focused serious attention on intensifying the democratisation process on all fronts and on decentralisation (by devolution), in order to empower ordinary citizens to become the masters of their own social and economic development. The government is maintaining and sustaining macro-economic stability, restoring fiscal discipline, improving its capacity to deliver basic services, and creating an institutional base for supporting a transition to a market-led economy. The government has also reviewed various laws, regulations, and directives, in order to provide an enabling and conducive environment for private sector and civil society to participate in the economy. These reforms are pursued with the understanding that such stability is necessary to achieve sustained growth, which is required to reduce the pervasive poverty in the country. Meanwhile, the latter phenomenon is likely to impinge on government efforts to sustain democratisation and decentralisation by devolution.

Government efforts since 1995 have begun to bear fruit. According to Transparency International's Corruption Perceptions Index (CPI), Tanzania has shown improvement over recent years. The CPI score improved from 1.9 in 1998 to 2.7 in 2002, on a scale of 0 (highly corrupt) to 10 (highly clean). There has been a clear trend of improvement since the Warioba Report was published. The findings of the current report entitled "The State of Corruption in Tanzania", a study conducted by the Economic and Social Research Foundation (ESRF) and the Front Against Corrupt Elements in Tanzania (FACEIT), have indicated that the levels of corruption have declined somewhat between 1996 and 2002, with some variations among sectors (ESRF/FACEIT, 2002: 123). In addition, the institutional framework for fighting corruption in the country has been put in place to a large extent. For instance, various anti-corruption laws and regulations have been passed, and civic education is being intensified in order to enhance civic competence. These institutional changes are consistent with reducing monopoly and enhancing transparency and accountability at all levels. More needs to be done by the government, the private sector, civil society and individuals, however, in order to coordinate and intensify the fight against corruption (ibid).

The findings of the above report have shown that general public awareness of corruption has increased since 1996. Many people are now conscious of the negative political, social, and economic effects of corruption in society. For instance, unlike the pre-1995 situation, now the public is more open and forceful in discussing corruption. In addition, the print and electronic media carries regular feature articles and people's letters about corruption. In view of these encouraging developments, the public can now be mobilized more easily to fight corruption. Nevertheless, greater efforts need to be directed to mobilize citizens into participating more effectively in the fight against corruption.

Moreover, the Prevention of Corruption Bureau (PCB) 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, political parties, institutions and the private sector (Sumaye 2001). As of 2001, there were 15 convictions against 28 acquittals (Poverty and Human Development Report 2004). The rise in reported cases is clear evidence of the rise in public confidence and cooperation in the fight against corruption.

Morale in the PCB has been very high. One successful case involved an intensive investigation carried out by the Ministry of Lands and Human Settlements, following a tip that an organized criminal syndicate was being run between land officers and a prominent businessman in the city who almost turned the land department into his own property. This businessman was charged with bribing land officers in exchange for land title deeds to prime city areas, which he then sold to different businessmen (Tanzania's Third Phase Governance Fight Against Corruption, 1995–1999: 33).

In the Tanzania Revenue Authority (TRA), the problem of corruption has been addressed widely for several years and various measures have been taken, from punitive to deterrent actions. For instance, the act establishing TRA has been strengthened to plug any loopholes. Modern equipment and infrastructure has been supplied to TRA, while salaries and fringe benefits are now more attractive than before. Civic education to taxpayers has been intensified. TRA officials have been trained to be more effective professionally, but also humane when dealing with taxpayers. Recently, TRA management formed a probe team to investigate malpractices in the handling of a container case in which it was alleged that the government lost millions of TZS. The steps taken have had a positive effect; the level of corruption in the tax administration in the country has gone down appreciably since the TRA came into being in mid-1996 (Tanzania's Third Phase Government Fight Against Corruption, 1999–2001: 22).

# The NIS

## Executive

The executive of the URT consists of the president, who is the head of state, the head of government and commander in chief of the armed forces. All executive functions of the government are discharged by officers of the government on behalf of the president. The vice president is the principal assistant to the president with respect to all matters in the URT. There is also a prime minister, cabinet and civil service. The president has constitutional powers to appoint ministers, deputy ministers, regional commissioners and district commissioners. Ministers and deputy ministers must be either elected or nominated MPs. The attorney general (government advisor on legal matters) attends cabinet meetings. There is also a secretary to the cabinet (chief executive officer in the office of the cabinet), regional commissioners for each of the 21 regions and district commissioners for each district in the country (URT, Constitution, 1977: Articles 33–61).

The executive is both the policy- and decision-making body of the government and the main implementing organ, providing oversight to other state organs or executive agencies. Tanzania, like most countries in the Commonwealth, has a two-tier system in which the executive has both a central government and a local government structure. Since 1996, the government has made concerted efforts to devolve power, authority and resources to the country's 114 LGAs. This "Decentralisation by Devolution" programme is implemented by the Local Government Reform Programme (LGRP), a technical arm of the president's office, regional administration and local government. The overall goal of the reform is to create good governance based on political and financial accountability, democratic procedures, efficient and sustainable service delivery, and public participation.

The government has direct institutional linkages in all 21 regions, 106 districts, 114 LGAs, 3000 wards (counties) and more than 10,000 registered village governments in the country. This is because there is a unitary system of local government in the country and the President's Office, Regional Administration and Local Government (PO-RALG) maintains institutional linkages from the village, ward (county), district and region (province). Implementation of government policy is done by the civil service headed by permanent secretaries appointed directly by the president. The country's constitution prohibits senior civil servants from openly demonstrating their political party affiliation. The perception by some members of the public, however, is that these are cadres of the ruling party. At the same time, regional commissioners and district commissioners (governors in their respective areas) are representatives of the president and thus are political executives. The public perception, particularly among the opposition, is that these could not be impartial; the government insists that this is not the case. In any case, there are clear laws, rules and regulations on the manner in which these functionaries should discharge their duties in serving the public, regardless of their political party affiliation, tribe, religion or status in society.

The government deserves commendation for articulating strong policies and establishing key institutions for good governance. But policies, institutions and reforms are only as good as the change they manage to bring about in the lives of ordinary citizens. Undoubtedly, there is more to do to maintain sustainable progress towards good governance in the everyday experience of ordinary people. The executive is perceived by some people as an area where the corrupt are protected. This perception is due to the fact that some members of the public claim that it is only the "small fish" that are being prosecuted, while the "big fish" are allegedly allowed to get away with it.

The government has also taken various measures to ensure that the executive delivers quality services, is more transparent, and is accountable to its citizens. The government formed an independent Human Rights and Good Governance Commission to provide citizens with a legal institution that is also less bureaucratic, where they can lodge complaints, and solutions can be found out of court, and where necessary, in a court of law. The commission is headed by a high court judge. Some people, particularly in urban areas, have already begun using the

services provided by the institution. Parliament also amended the Public Leadership Code of Ethics Act in February 2001, to empower its secretariat to handle complaints of abuse by leadership at various levels. Every ministry, department, directorate, or executive agency has been directed to prepare and execute its own anti-corruption plans, using the national guidelines, but adapted to its own situation. Regions and districts are doing the same. Some modest results are visible. For example, it is increasingly common to hear members of the public accusing officials of creating an environment that breeds corruption. This was not the case a few years ago. In addition, each ministry, department, directorate, region, district, and executive agency produces a quarterly report on the status of corruption in their respective areas and these are compiled into one comprehensive report that is made public. The next step may be for the public to have more courage to come out in the open in great numbers and reject demands for corruption from any public official.

In a statement of the non-governmental organisations (NGOs) on governance during a Consultative Group Meeting in Dar es Salaam on 2–5 December 2002 – an annual event when the government, donors and civil society come together in a dialogue on issues of good governance – some people complained that cases of alleged major corruption had not been brought to court for reasons not made public. In the NGOs' view, phrases such as "zero tolerance of corruption" ring hollow for many citizens. Statements that grand corruption is not a problem or that outsiders exaggerate the level of corruption in the country only further reinforce the public impression that the government could be more serious about the issue (NGO Policy Forum 2002: 5). The NGOs complained that certain senior government officials retired "in the public interest", i.e. under presidential discretion, but had not been taken to court. For example, a minister of natural resources and tourism and a minister for industry and trade lost their positions in such circumstances. Although it is very difficult to verify, there is a general public feeling that since 1997, following the publication of the report by the Warioba Commission, more than five cabinet ministers have lost their positions on the basis of corrupt allegations whose details have yet to be made public. However, lack of concrete evidence to prosecute those alleged to have engaged in corruption is still a problem. Given the public's hatred of corruption, most corruption allegations made in the media are widely believed, even though such allegations in most cases fail to stand the weight of the law in the courts.

## Legislature

**Table 2 Results of Multiparty Parliamentary Elections, 2000**

Party	Total no. of seats	Percentage
CCM (Chama cha Mapinduzi)	239	86.9
CUF (Civic United Front)	21	7.6
CHADEMA (Chama cha Demokrasia na Maendeleo)	5	1.8
TLP (Tanzania Labour Party)	5	1.8
UDP United Democratic Party	4	1.5
NCCR (National Convention for Construction and Reform)	1	0.4
<b>Sub-total</b>	<b>274</b>	<b>100.0</b>
Attorney general	1	
Presidential nominees	10	
4 constituencies pending	8	
3 women's seats (CUF)	3	
<b>Total</b>	<b>296</b>	

Source: [www.tanzania.go.tz](http://www.tanzania.go.tz) and the Electoral Commission

**Note:** The number and proportion of women who aspired to contest the parliamentary and council seats in the last election (2000) from different political parties, was very low (6.65 per cent). The law stipulates special seats for women in proportion to the number of seats which their political parties obtained.

According to the constitution of the URT, the legislature is one of the three organs vested with the right to exercise and control state authority in the republic (Constitution of URT, Article 4).

The Public Leadership Code of Ethics Act 1995 stipulates, among other things, that elected and nominated public leaders shall not engage in any activity or situation that will erode public confidence or violate the constitution and its attendant laws and regulations. The act has been criticized, among other reasons, for the fact that the draft code was not published, input was not taken from civil society, and certain categories of assets are exempt from disclosure. Some people argue that the lack of a specific code of conduct for MPs, beyond the demands made by the Leadership Code of Ethics, is a weakness that could result in corruption on the part of politicians. This could bring about a state of affairs in which being a member of parliament may be regarded as one of the least trustworthy professions (Seushi, 1996). As a result of the Warioba Commission, certain elected members of parliament were accused of spending huge amounts of money during campaigns that were far above their known income; however, nothing has happened to them (Mukajanga, 1996).

Following the switch to a multiparty political system in 1992, a review of the constitution to expunge the notion and supremacy of the CCM was undertaken. The result was the passing of Act no. 4 of 1984, or the 8<sup>th</sup> amendment. This amendment changed or modified at least 40 of the 152 articles of the constitution. The most notable changes occurred in the articles that previously made reference to the supremacy of the party and its monopoly of politics. This paved the way, at least in the formal constitutional sense, for a plural and competitive system. As regards the checks and balances, the amendment introduced a few new instances of power sharing among the three branches of government. In Article 37(2), for example, the amendment elevated the speaker of parliament to the role of participant and chief justice to the ultimate authority, in determining whether a president may be removed from office on account of insanity or other disability. Previously, the ultimate authority rested with the party's National Executive Committee, and the speaker was not involved. Similarly, in Article 44(2), the amendment abolished the party's role in approving a declaration of war by the president, giving power of approval to the speaker and the parliament.

Another important piece of legislation was the 9<sup>th</sup> amendment, effected by Act 20 of 1992, which not only gave parliament the power to remove a prime minister through a vote of no confidence (Articles 51 and 53A), but also the authority to prosecute and possibly remove a delinquent president by impeachment (Article 46A). (The votes of 20 per cent of members of parliament are required to initiate the impeachment process.) This amendment was also significant, because for the first time it spelled out clearly the conditions permitting the president to dissolve the parliament, modifying Article 90; whereas before, the president had discretionary powers to do so.

The 13<sup>th</sup> constitutional amendment was enacted in the year 2000. It is significant in the apportionment of power in three areas. First, the long list of appointments usually associated with executive presidents and enshrined in the constitution (Articles 33–37 and 51–54 respectively) was shortened. Second, the judiciary further gained in stature through the constitutional requirement that the two top leaders of the all-important National Electoral Commission, as well as those of the Commission for Human Rights and Good Governance, be judges of the Court of Appeal or High Court, or people with those qualifications. Third and most important, the independence of the judiciary was clearly affirmed (Articles 107 AI and 107 BI).

Various legal reforms that have been made, such as the enactment of the Public Leadership Code of Ethics in 2001, give the legislature the legal right to check the ethical conduct of public leaders and ensure that effective supervisory power is well applied. Several examples can be given to this effect. First, Article 96(1) gives the legislature the right to establish various standing committees as it deems appropriate for the better discharging of its functions. This instrument may be used to create parliamentary organs to curb corruption. Sub-article (2) gives the possibility for the standing order of the National Assembly to provide for the composition and functions of the standing committees to be established. Some have already been established, including the committees on social welfare, defence and security, public accounts, and MPs' privileges and obligations. Second, MPs have initiated and developed

serious debates on corruption at various levels in the country in and outside parliament. Workshops and seminars at the local and regional levels are held to discuss issues related to corruption and provide recommendations to the relevant stakeholders. The most seriously questioned areas include pressuring the government to be more transparent and more participatory in the process of ongoing privatisation in the country (*Sunday Observer*, 1 June 2003: 8). Third, serious debates and complaints by the legislature have led to the resigning of a number of ministers, such as the minister of finance and his deputy in 1997 and the minister of natural resources and tourism, due to allegations for corruption (Tanzania's Third Phase Government Fight Against Corruption: A Brief Achievement and Challenges 1995–1999). Fourth, the minister for industry and trade lost his ministerial post in 2002 for similar corrupt allegations, due to reaction from the legislature and the general public. There are claims, however, that some members of parliament do not have the technical know-how and capacity to prepare and bring to the parliament private motions against corruption. There is need for more material and human resource capacity to enable members of parliament to do so.

The republic's constitution, attendant laws, rules and regulations make it clear that any form of corruption is illegal. Anyone found guilty shall face a stiff penalty of a fine or jail sentence or both. Operationally, there are various mechanisms to deter people from engaging in corruption, including the 1994 Government Standing Orders; various presidential and ministerial circulars and directives; the 2001 Procurement Act; and strict procedures on conflict of interest, registration and disclosure of assets. For example, ministers, deputy ministers, regional commissioners, district commissioners, speaker of parliament, and other senior public officials are not allowed to be board members in situations of direct conflict of interest, if there is a possibility of violating or compromising the public interest. However, the effectiveness of this provision is not guaranteed through enforcement.

There is a view that for parliament to be a more powerful instrument in fighting corruption, more statutory powers should be given to its standing committees. This should include summoning and questioning suspects, be it in matters of tenders, tax exemption, or otherwise. Its work must be open and not held *in camera* so that the people can know what their representatives are doing regarding corruption. There are also claims that parliament has not taken sufficient measures to ensure and protect the freedom of information and press freedom, which are so important in waging a successful war against corruption. Also, many other laws that are obstacles to the attempt to create checks and balances among different pillars have not been repealed, as suggested by the Nyalali Commission of 1990. Parliament could do more to support the growth of a vibrant civil society, which is an important coalition against corruption.

## **Electoral Commission/Voter Registration**

The administration of presidential, parliamentary, House of Representatives (for Zanzibar), and local government elections is the function of two commissions, the National Electoral Commission (NEC) established under Article 74(1) of the constitution of the URT, and the Zanzibar Electoral Commission (ZEC) established under Article 119 of the constitution of Zanzibar. The legal framework governing the conduct of elections consists of the Elections Act no. 1 of 1985, with all the amendments made to the act up to and including 30 June 2000; the Political Parties Act no. 5 of 1992; the Local Government Elections Act no. 11 of 1984; and the Election (amendment) Act no. 3 of 2000. The powers of the NEC and ZEC include, *inter alia*, the issuance of regulations, directives and notices, which in their totality constitute subsidiary electoral laws governing the administration of elections. According to these laws, both the NEC and the ZEC have statutory status and are supreme organs in all matters pertaining to the conduct of all elections in the URT and Zanzibar respectively. Besides the legal framework, the electoral laws also provide an institutional framework for administering and managing general elections.

The composition of the NEC is provided for in Article 74(1) of the URT constitution, as amended in Act no. 4 of 1992 and Act no. 7 of 1993. Accordingly, the commission has seven members, all appointed by the president. The chairperson must be either a judge of the High Court or of the Court of Appeal. Likewise, the vice chairperson must be a judge of the High

Court or the Court of Appeal, or have the qualifications to be appointed as a judge of these courts.

The election laws empower the NEC to divide the URT into election constituencies, subject to the approval of the president. Likewise, the NEC decides on the demarcation for each constituency. With regard to the demarcation of electoral constituencies, however, the URT constitution does not provide adequate guidelines. Consequently, the NEC has been using three criteria for demarcating electoral constituencies: communication and geographical profile of the intended constituency, population and any other relevant change in the constituency, or state of representation in parliament. These criteria have aroused complaints on the grounds of allegations of political favouritism in some of the affected constituencies, e.g. Peramiho and Mbinga in Ruvuma Region.

Registration of voters is another important activity of the election process. The electoral laws detail how the NEC and ZEC should discharge this function. In his address to parliament on 19 February 2004, the president declared that the government would ensure a proper register of voters before the October 2005 presidential and general elections. As of 4 March 2004, the NEC had just launched the official inauguration of the preparation of the exercise.

The independence of the NEC and ZEC has been and remains a controversial issue. Article 74 (7 and 11) of the URT constitution accords an independent constitutional status to the NEC at the national level. This status has not changed. Furthermore, section 12 of the same article, together with section 4(2) of the Elections Act, establishes the supremacy of the NEC in supervising the general conduct of all presidential, parliamentary and local government elections. In addition, article 41 (7) of the URT constitution states categorically that "No court is allowed to inquire into the election of a presidential candidate who is declared by NEC to have been duly elected." As a supreme organ, the NEC also enjoys independence in making decisions in areas related to the conduct of elections. From a practical point of view, however, there are a number of factors that are alleged to prejudice the NEC's independence. First, all members of the NEC and ZEC commissions, including their chief executives, are appointed by the incumbent presidents for the Union and Revolutionary governments respectively. The latter are also the chairman and vice chairman of CCM – the ruling party. Whether they can be absolutely non-partisan to the party of the appointing authority is a difficult question. Second, both the NEC and ZEC are dependent on government financing. The NEC has no special vote in the government budget, which is voted for and approved by parliament. Third, the utilisation of senior government officers as NEC personnel at the regional, district and constituency levels is yet another factor that prejudices its independence. Finally, the use of state machinery, such as the security organs and state facilities, such as vehicles and office buildings in the execution of the NEC's duties, is perceived by some members of the public as compromising its neutrality.

## Political Parties

On 1 July 1992, Tanzania formally ceased to be a one-party state, when amendments to its constitution and a number of laws permitting and regulating the formation and operation of more than one political party were enacted. Twelve new political parties, in addition to the ruling CCM were registered, and these were able to participate in the general elections of October 1995. In November 2000, the second multiparty general elections were held. Article 3 of the constitution of the URT stipulates that the United Republic is a democratic and socialist state that adheres to multiparty democracy.

A critical factor to note is the increased number of both men and women aspirants since the spectrum of participation has been broadened through multiparty elections. Although CCM is the most dominant and experienced party and has the largest number of women aspirants (296), the proportion of women to men aspirants is still low, however, standing at less than six per cent.

History shows that, when Tanzania attained independence in 1961, corruption was already entrenched in the party system. It pervaded TANU and eventually the CCM and the other parties. Indeed most politicians today were originally members of TANU and the Afro-Shirazi

Party and do not care which party they belong to now. The enactment of Act no. 5 of 1992, which provides the terms, conditions and procedures for the registration of political parties, and for incidental or connected matters, is significant in controlling corruption in political parties. Article 13(1) provides for sources of funds and other resources, while Article 13(2) requires each party to disclose any funds or other resources obtained by the party to the Registrar of Political Parties. The act empowers the registrar to demand this disclosure and after scrutiny the information can be published. Neither the political parties nor the Registrar's Office have published such information, however. This could be due to lack of serious compliance by law enforcement agencies. Moreover, the fact that such information cannot be declared/cited by the mass media reduces the significance of the declarations in the eyes of the public (ESRF/FACEIT, 2002: 124). Article 14(1) orders the submission of accounts and declaration of property to the registrar, including an annual statement of accounts. Political parties have always and continuously seen the need to join hands in the anti-corruption struggle, but have yet to demonstrate concretely what they are doing on the ground. The opposition simply blames the government without suggesting viable alternatives.

Nominations and appointments still leave a lot to be desired, since the nominations of members of different boards are based on their political party affiliation (Slaa: 31). No statutory provisions enforce declaration of all political donations, leading to unnecessary suspicions due to secret contributions (Mukajanga: 28). If political donations were declared, it would be more difficult for elected politicians to favour their supporters. Inner party elections at all levels are riddled with corruption, as alleged by party members and the public in the mass media during various elections.

Since parliamentarians in Tanzania belong to political parties, which need financing for daily activities and especially elections, they may act corruptly in their legislative and supervisory roles, in order to favour their parties financially. For example, the passing of the Election Act in 2000 by the parliament, a majority of whose members were from the CCM, was seen as favouring the CCM against the opposition. (The so-called "Takrima Act" was issued to deal with actions considered to be done on the basis of African hospitality, but which seem to raise some controversy when alleged to be corrupt during elections.) This law is still controversial, due to disagreement on what is considered to be corruption, or traditional African hospitality. The ruling party supports it, but the opposition claims that it legalizes corruption by some political leaders, particularly during elections. The director general of the PCB has been quoted by local media as arguing that this law should be abolished.

There has been no mutually supportive relationship between political parties and the PCB. Opposition parties allegedly regard the PCB as an organ to protect the government and the ruling party. Their position is supported by the uninvestigated allegations of corruption against various senior governmental officials made through the mass media. However, the government has always rejected these claims.

Three events or areas can be cited as indications of a low level of political will and commitment by certain politicians to wage a serious fight against corruption. First, some political leaders still feel reluctant to condemn corruption in public or to make it a subject of election campaigns. Second, the levels of corruption seen with the cash, drinks, food, clothes, etc. that were dished out when the 2000 Election Act was passed (partly fuelled by the legalisation of "Takrima"), weakened the tempo of the anti-corruption campaign. Third, very few political leaders have declared their assets publicly, even though the law demands such declarations.

## **Supreme Audit Institution**

The principal functions and responsibilities of the controller and auditor-general of the URT are embodied in Section 143 of the constitution, which states the following: to ensure that the use of any money proposed to be paid out of the consolidated fund – government money that is intended to cater for emergency events such as hunger, etc. – has been duly authorized and that the funds shall be paid out in accordance with the provisions of Article 136 of the constitution; to ensure that the payment of all money to be charged on the consolidated fund has been authorized; at least once every year to audit and report on the accounts of the

government; to submit to the president every report pursuant to the provisions of sub-article (2) of Article 143 of the constitution. In the discharge of functions in accordance with the provisions of sub-articles (2), (3) and (4) of Article 143, the controller and auditor-general shall not be obliged to comply with the order or direction of any other person or government department.

Although the president appoints the controller and auditor-general, the president has no discretion to remove him from office. The constitution requires that in case of misconduct that may require the removal of the auditor-general, the president appoint a special tribunal consisting of a chairman and not less than two other members. The chairman must be a judge of the High Court or the Court of Appeal in any country within the Commonwealth. Every year, staff members are sponsored by their employing department and several donor agencies to pursue professional accountancy and auditing courses within and outside the country as a requirement of staff training.

Early in 2001, parliament passed the Public Finance Act no. 6 and the Public Procurement Act no. 3. These acts further strengthened the auditor-general's office in a number of ways. The role of the national audit office was strengthened as an independent office with clearly stated responsibilities. Control over financial resources, as well as human resources, to run the office effectively was mandated to the national audit office. Audit responsibilities were widely expanded to include value for money audits. The introduction of the Central Payments Office and Regional Sub-Treasuries, to some extent, eliminated the previous problem of excessive votes within ministries, departments and regional administrative secretariats. Finally, the new computerized system of accounting repealed the financial orders to a large extent.

Normally, government expenditures are audited by internal and external auditors. Internal auditing may lead to administrative measures, such as reprimands, demotion, or prosecution by the police. External auditing includes all of the above, but also compiles all reports into one comprehensive document that is tabled in parliament for discussion. Internal auditing reports are impromptu, both quarterly and annually. Internal and external auditing is an ongoing process, and audit reports are public documents. The Public Accounts Committee of the parliament provides continuous oversight and monitoring on how effectively or otherwise government funds approved by parliament are being utilized.

However, the Supreme Audit Institution has a number of shortcomings. There are still significant weaknesses in accounting for foreign aid, most of which is channelled directly to projects by donors. Many questionable payments are made based on pro forma invoices and verifying expenditures is difficult. There are still many weak controls over procurement of goods/services and poor assets management involving cash losses, as well as ineligible expenditure.

## Judiciary

The judiciary is meant to ensure that all citizens are equal before the law and that justice is dispensed without delay, fear or favour. The constitution provides for an independent and competent judiciary for the country. The country's Court of Appeal has jurisdiction over the whole of the URT. Mainland Tanzania and Zanzibar each have their own High Courts. Both the Court of Appeal and the High Courts perform their duties satisfactorily and have commanded high respect from the public. Unlike the lower courts, e.g. Primary Courts, these are not tainted by any perception of corruption, favouritism or fear when dispensing justice. The government itself has lost a number of appeals. The recent move by the president to appoint more judges has been well received by the public, given the number of pending cases to be heard. However, a lot more remains to be done to improve the working environment of judges, including providing them with the necessary infrastructure and supporting staff.

The constitution also provides for the Special Constitutional Court of the United Republic (Articles 126, 127 and 128 of the constitution). The sole function of the Special Constitutional Court of the United Republic is to rule on matters in which the interpretation or application of the constitution is in dispute between the government of the United Republic and the Revolutionary Government of Zanzibar. However, there is no public evidence that the Special

Constitutional Court has been engaged to deal with any dispute between the two governments. In addition, there is hardly any evidence that the public is aware of its existence.

## Civil Service

The civil service is the backbone of government bureaucracy in the country. It is composed of various professionals who man the government ministries, departments, executive agencies and parastatals. They provide technical advice to politicians and policy makers and execute day-to-day activities/services to the public. They vary in experience, training, rank and performance. Ideally, they are governed by various laws, rules, regulations, directives and Government Standing Orders (1994). They are not part of the military, police or security establishment. The civil service ranges from village executive officers to permanent secretaries. Since the establishment of multiparty democracy, all senior civil servants, from directors to permanent secretaries, are prohibited from openly identifying themselves with any registered political parties.

Although the government has articulated strong policies and established key institutions on good governance, unfortunately there is little evidence of reduced corruption in the civil service. For example, the Afrobarometer study (2001) found that two-thirds of respondents disagreed with the statement that "bribery is not common among public officials" and 62 per cent disagreed that corruption was a worse problem under the old single-party government than today. Respondents said corruption is common among customs agents (52 per cent), civil servants (62 per cent), and the police. The lack of important public leaders who have been accused of grand corruption, or cases in which they lost office for corruption allegations but were never prosecuted, has resulted in a loss of trust among citizens in the government's commitment to the anti-corruption struggle, and the seriousness of a "zero tolerance" motto against corruption. However, the government does not agree with such views.

Another problem is the privatisation policy, which was hailed as a way to curb rampant corruption in state-owned parastatals. Donors commended Tanzania's investment and privatisation drive and believed it would speed up the country's economic development. On the ground, however, many citizens, the parliament and civil society have continually complained about what they call the "dirty tricks" involving alleged misuses in the execution of the privatisation policy, such as over-invoicing, subscribing to 10 per cent bribes in tendering, etc. It is not easy, however, to verify these claims empirically. Parliamentarians have often expressed their discomfort about the way in which the privatisation exercise is being conducted. The public servants were not formally appointed by the president in most cases. But with the ongoing reforms, most of those positions are being competitively vied for, leaving fewer appointments by the president. Generally, there are rules on conduct and disclosure of interests originating from the stipulations under the Government Standing Orders.

The now common practice of foreign investors talking officials into accepting only a portion of the purchase price for parastatals raises concerns. It is contrary to the very aim of privatisation, which required the investor to bring direct foreign investment as capital into the country to be injected into the facility to improve operations. Instead, investors use easily obtained loans from banks to sustain their operations. Such examples have led to the perception of the existence of grand corruption throughout the whole exercise, although such a claim cannot be easily verified.

## Police and Prosecutors

Police and prosecutors are part of the law enforcement agencies. They are generally responsible for the safety and security of citizens and their property. They are governed by various acts of parliament, including the Police Ordinance. There are various sections and ranks within the police force, including police and public prosecutors. They vary in training, experience and performance. Politically, they are under the Ministry of Home Affairs, but operationally, the Inspector General of Police is in charge of the day-to-day functioning of the

police and prosecutors. Apart from the specialized sections and staff at the headquarters in Dar es Salaam, regional, provincial, district and post commanders are in charge in their respective areas.

Since 11 September 2001, the police force in the country has joined hands with the rest of the world in being more alert to terrorists – both internal and external. More specialized training and equipment has been given to them. The police and prosecutors work very closely with the PCB and other law enforcement agencies to curb malpractices, although it is unclear what impact this has on corruption.

## Public Procurement

The Procurement Act 2001 has attempted to plug most of the loopholes that previously allowed culprits to engage in corruption. The act demands that all tenders, bids, etc. must be made transparent through publication in the media. The tender boards of every ministry, department, executive agency, parastatal, and local authority must declare publicly whether or not they have interests in a given tender. If they do, they are not permitted to participate. Non-compliance is punishable by law.

Several administrative, legislative and structural reforms, as well as deterrence measures have been taken to combat corruption. First, procurement procedures in transport have been distributed to regional engineers and regional administrative secretaries of all mainland regions, allowing the process to be followed from tendering to the award stage. Second, a list of registered contractors has been distributed to regional administrative secretaries to prevent the awarding of contracts to de-registered contractors. Third, project managers are held responsible for the supervision of their projects. Extra work on the project is discouraged; when it is necessary, approval is required from the respective tender board. Fourth, the Contractors Registration Board Act no. 17 of 1997, the Architects and Quantity Surveyors Registration Board Act no. 16 of 1997, and the Engineers and Consultants Registration Board Act no. 15 of 1997, provide for penal sanctions against unqualified, unethical or corrupt professionals in the construction industry. Any professional who is guilty of poor performance or corruption is eligible for a jail sentence of five years or fine equal to three quarters of the value of the breached contract or both. Since the laws came into effect, 45 engineers, 137 technicians, 3 auditors, one chief accountant, 2 directors, and two planning officers have been retrenched. Fifth, the Road Traffic Regulations 2001 addresses, among other things, overloading and corruption at weight bridges. Sixth, establishment of the Tanzania National Road Agency (TAN ROADS) facilitates good performance in road maintenance. Only those who are competent and transparent are engaged.

However, problems remain. Although regulations exist, there is still need for more transparency in procurement procedures. There are also weaknesses in the supervision of contracts. The maintenance of government vehicles, equipment and plants has not been strict enough. Standards and specifications for qualifications in tendering and procurement need to be reviewed and updated.

As corruption is a multifaceted problem, it requires a multifaceted approach. Since corruption in public procurement involves grand-level corruption, political will is highly necessary to promote and sustain success. Media also needs to be more seriously involved as a means to expose grand corruption. Finally, civil society needs to be involved in monitoring, detecting and helping to reverse corrupt actions of public officials.

## Ombudsman

The Commission for Human Rights and Good Governance of Tanzania plays the role of an ombudsman and was created under the constitution and a statute that came into existence in 2001. A commission led by the speaker of parliament was nominated to screen, interview and recommend names to the president for the Commission of Human Rights and Good Governance. Mass media carried advertisements encouraging the public to apply. The Commission for Human Rights and Good Governance has a very broad mandate, but

specifically, it is charged with promoting awareness of human rights and investigating violations.

Since its creation, the commission has been active in a number of protective functions. First, it receives and investigates complaints and/or allegations of human rights violations and contravention of principles of administrative justice. It also conducts public hearings on the same and proposes compensations where convenient. Second, it initiates proceedings on its own. Third, it handles individual complaints concerning the violation of human rights generally, with vested rights to investigate, conduct hearings and settle disputes. It also has the right to decide not to proceed with a complaint. Fourth, it promotes and advises by educating the public on human rights and good governance issues, carrying out research on human rights and good governance, and monitoring compliance with human rights standards and good governance principles. Fifth, it advises the government and other public organs and private sector institutions on specific issues relating to human rights and administrative justice. Sixth, it offers mediation and conciliation through alternative conflict resolution.

Currently, the main office is in Dar es Salaam, although plans to ensure the commission has offices in Zanzibar and in the regions and districts are at an advanced stage. The commission is led by a justice and composed of nine other commissioners, not all of whom are lawyers. The commission has employed lawyers, economists, political scientists and sociologists. These commissioners can arrest and prosecute, but they tend to prefer arbitration and conflict resolution out of court. Thus far, they have dealt with cases involving abuse of power, violence against women, promotion of women involvement, and the like.

The public perception is that the commission has started on fairly smooth grounds, if compared to other African countries. There are hopes that Tanzania is now on the right path towards promoting and protecting human rights and good governance, as a way to ensure a better future free of human rights violations and corruption, and a society in which the rule of law is upheld and human dignity is respected. However, several members of the public argue that the commission has weaknesses, including the violation of the Paris principles on the independence of national human rights institutions. First and most important, the commission is barred from investigating the president. Second, according to the law establishing the commission, the president can direct the commission to discontinue an investigation, although he must provide a reason, "if he considers that there is a real and substantial risk that the investigation would prejudice matters of national defence or security". Thus far, the president has not interfered with the work of the commission. Third, the commission has not yet developed its capacity to serve the whole country. There is a need to ensure closer coordination between the commission's operations and other related organs, such as the Good Governance Coordination Unit in the president's office, the PCB, the police, and civil society. However, most of the cases that have been dealt with have involved petty corruption.

## **Investigative/Watchdog Agencies**

There are a number of investigative/watchdog agencies in the country, including the Human Rights and Good Governance Commission, the PCB, and the Ethics Commission. The Commission governs the ethics and conduct of specified public leaders in senior positions, such as the president, prime minister, ministers, etc. The top leadership of these commissions are appointed by the president of the URT. Their powers range from advisory to conflict resolution and prosecution. Given the importance the government attaches to good governance, these institutions have been given priority in budgeting and staffing since 1995.

The PCB is the main agency directly concerned with the anti-corruption strategy. Its roots lie in the formation of the anti-corruption squad in 1975, which became the Prevention of Corruption Bureau after amendments in 1990. According to section 2A(3) of the act of parliament that established the PCB, it has three major functions. First, it must take necessary measures for the prevention of corruption in the public, parastatal and private sectors. Second, it investigates and (subject to the director of public prosecution [DPP]) prosecutes offences under this act and other offences involving corrupt transactions. Third, it advises the government and parastatal organisations on ways and means to prevent and address corruption effectively.

The PCB is composed of a director general, three directors, regional and district commanders, and other supporting staff. It has established and consolidated regional bureau offices in every region of mainland Tanzania. District bureau offices have also been established. Currently, there are 43 PCB offices at the district level. Much work has also been aimed at providing professional guidance and services closer to the people living in both urban and rural areas. The PCB also conducts regular meetings and outreach programmes through radio, TV, newsletters, posters, leaflets, debates and sports, in order to inform the public on their rights and obligations in minimizing corrupt transactions and practices in all sectors of society.

Various legal and institutional reforms have been made to ensure the effectiveness of the PCB in performing its functions. Ongoing reforms aim at increasing its independence. In order to improve the efficiency and capacity of the PCB and enhance its effectiveness and image both inside and outside Tanzania, qualified graduates with degrees ranging from first degrees to Doctor of Philosophy, from professions including law, engineering, accounting, forestry, sociology and computing science, are recruited as investigators.

It is difficult to verify the number of cases that have been prosecuted, since some cases in the regions and districts are not covered by the media. The case of the prosecution of the former minister of works and his permanent secretary due to corruption allegations involving tendering of various road construction projects is an example. The minister has been set free, while the permanent secretary is serving a jail sentence.

Nevertheless, the PCB has not changed its perspective from being police-like to taking a more preventive stance, as recommended by the Warioba Report. To date, most PCB employees have concentrated more on their role as investigators and prosecutors. The PCB has its own prosecution staff and investigators. Normally, these are trained police officers and lawyers with powers of arrest and prosecution.

Unlike in the case of judges, the president can use his constitutional power to remove the director general of the PCB. This is yet to be revisited. In addition, the secretariat of leadership ethics does not refer all cases of corruption to the PCB, which reduces its capacity to deal with leaders effectively. Moreover, the relation with the DPP's office must be revisited to allow the PCB to prosecute all corruption cases without going through the DPP. This would speed up prosecution. The PCB also needs to promote the involvement and active participation of civil society and the media in the fight against corruption. Currently, the PCB has the mandate to investigate most cases of both grand and petty corruption, and suing culprits where evidence is sufficient. In this context, the outcomes depend more on court decisions.

## Media

There are about 30 radio and television stations in the country, all owned privately except Radio Tanzania, T.V.T and *Daily News*. Even before Tanzania became independent, the role of the media in creating and maintaining public awareness through information and communication has been crucial. However, the ability of the media to fulfil this role has been greatly determined by its relationship with the nature of the existing state at the time. As such, the role of the media in fighting corruption has been determined by the space the state has given to the media, as well as how corruption has been defined in the eyes of the state and the public.

Generally, the role of the media is crucial in fighting corruption, especially in contemporary Tanzania. The media sector participates in the anti-corruption struggle by raising public awareness about the dangers of corruption. The ESRF/FACEIT report of 2002 notes that 60 to 66 per cent of respondents interviewed believe that the media sector is participating to some extent in the anti-corruption struggle, especially by raising awareness, despite the fact that very little investigative journalism exists in Tanzania. All media houses run news items on corruption whenever they receive such materials from anti-corruption agencies, although none has an explicit editorial policy on corruption, e.g. devoting weekly or monthly editorials to corruption.

The ongoing reforms in Tanzania in particular increased the determination of the media sector to operate independently by establishing its own mandate. The media council, which provides

self-regulation of the media sector, is a promising step towards ensuring checks and balances in the country as a necessary condition in the anti-corruption struggle. The government has recently produced a media policy, which is now being discussed among various stakeholders for additional input before adoption. The law demands that the media/journalists be licensed. However, the constitution itself provides for freedom of speech and association. The parliament has recently passed an information policy that stipulates the rights and obligations of the media to society.

The legal framework still contains acts (e.g. the National Security Act of 1970 and the Area Commissioners Act 1962) which have been used to infringe upon freedom of the media in Tanzania. For example, the regional or district commissioner may prohibit a journalist from reporting on some incidences or even remand him in prison on the excuse that it concerns "national security". This happened recently in Tarime and Musoma Rural Districts in the Musoma Region. The relationship between the media and civil servants is not one of trust; there is a need to empower media employees to disclose bad administration without fear of reprisals. The recent directive by the president that government officials should work closely with the media establishment is commendable and concrete measures should be taken to ensure the directive is fully implemented.

The media suffers from a variety of serious impediments, ranging from legal constraints, poor working environment, lack of commitment to fight corruption on the part of some media owners, and poor rural-urban information networks. There is a real need to promote investigative journalism as an effective tool in the fight against corruption. Lack of knowledge and involvement of the media sector in the National Anti-Corruption Plan and Strategy has made media participation in the struggle less effective. That notwithstanding, recent liberalisation policy leading to the spread of media ownership, has enabled the existence of all types of media, from private, to state and religious media. If effectively recognized, assisted and utilized, these can all help in the anti-corruption struggle.

## Civil Society

Article 20 of the URT constitution provides for freedom of association. With the ongoing reforms in Tanzania, the right to associate has become crucial in developing anti-corruption measures, as opposed to during the single-party state epoch. Association as a constitutional right empowers individuals in society to rally to a common goal – in this case, that of fighting corruption in their midst. Civil society plays a vital role in achieving this goal.

Civil society organisations have challenged various government policies regarding societal objectives in areas such as human rights, the environment, justice, gender, poverty, and education. A number of community-based organisations (CBOs) and NGOs have been working in the areas of pollution of the environment, double taxation, increased administration costs, decrease in production, and limited access to basic services. The most vibrant groups include the Tanzania Gender Networking Programme (TGNP), Legal and Human Rights Society, TAWLA, Tanzania Media Women Association (TAMWA), and some faith organisations. Gender-related NGOs have been very active in addressing "sexual corruption" (which involves the demand to provide services or favours on the basis of being offered sex in return), and criticising as well as supporting reforms in areas of institutional weaknesses. Education on citizens' rights provided by various civic groups has led to increased awareness and thus citizens' readiness to fight corruption has been enhanced. The mushrooming of civil society groups could lead to a strong stakeholder network to check abuses of state power, mainly involving bureaucratic corruption, by pressuring the state in a similar way to the Nyalali Commission of 1990, which was formed to find out whether people wanted a single- or multiparty government. The existence of effective civil society groups will enable the public to have greater influence on state policy, including the fight against corruption. Through vibrant civil society groups, ordinary citizens become more capable of containing corruption in society.

Unfortunately, different civic groups including NGOs and CBOs have experienced corruption themselves. In most cases, the type of corruption involved is internal to the NGOs/CBOs and involves under- or over-pricing during procurement. This has harmed the legitimacy of this sector in general. In particular, "briefcase NGOs" (those which are not officially established

and may have no physical locations or institutionalized structures, but are mainly operated by individuals for selfish interests) have become common, and some of these are alleged to be supported by outside forces such as international NGOs or other donors. An over-dependency syndrome for donor support by most local civic groups is also a threat to their independence and the sustainability of civil society in the long run. The civil society sphere in Tanzania is still underdeveloped in terms of both human capacity and material resources. This has resulted in a poor networking capacity and weak recognition by other stakeholders, despite civil society's potential contribution to the country's development. Other institutions in the country have not fully recognized civil society as an important stakeholder in the anti-corruption struggle, one that needs to be involved holistically. Civil society groups themselves must continue to develop a positive relationship with the state and other stakeholders.

Lately, dissatisfaction on the part of civil society community organisations and the NGO community with the government has been expressed. For example, recent parliamentary practice and new NGO legislation are causes of serious concern. Civil society complains that major pieces of legislation appear to be fast tracked into law, often within days or even hours of the first reading, even where there is no certificate of urgency. Public consultation and debate are short-circuited. This approach does not allow members of parliament or the general public time for adequate consideration of the issue tabled before parliament. In the view of most NGOs, several bills rushed into law regarding anti-terrorism, NGOs and crop-marketing boards pose a threat to good governance, because they provide wide discretionary powers to the state without adequate provision for checks and balances, and sufficient regard for the rights of citizens to make free choices. The NGOs note with concern that alleged statements in parliament brand NGOs as self-aggrandizing thieves with no interest in accountability. The enacted NGOs Bill is seen as a threat to a vibrant civil society that should stimulate the public to undertake independent analysis and perform watchdog functions, and foster the broad-based public transparency and participation indispensable to good governance. However, an emerging sensitivity and concern shown by the government through allocation of more budget share to the PCB and the judiciary as a way to improve their material and human capacity to address corruption is a gesture of support and is commendable.

## Regional and Local Government

The local government system in the country is based on Articles 145 and 146 of the country's constitution. There is a uniform system of local government based on Acts 7, 8, 9, 10 and 11 plus the necessary amendments. The Regional Administration Act no. 6 of 1999 provides (among other things) for the relationship between the central and local government.

The 114 local authorities in the country have the power to collect specified levies and make by-laws. Technically, the chief executive is the director and politically the mayors (urban) and chairmen of councils (rural) manage and lead the local authorities in the country. They have standing committees on welfare, planning and finance and service delivery. These are merely advisory and final decisions are made by the full council, in which all councillors (elected representatives of the people) participate. There are also village governments with elected chairmen and appointed village executive officers. A Ward (county) Development Committee mainly involved in planning matters is chaired by an elected councillor of the area; its executive is the ward executive officer. The council, ward and village governments have statutory meetings and obligations to the public including ensuring peace and stability and provision of service delivery.

The regional and local government authority is one of the areas which the Warioba Commission (1996) found to be tarnished by corruption. According to the report in that sector, corruption occurs in human resource management through bribery that takes place during staff recruitment, promotions and deployment; in facilitation of recruitment, promotions, land allocation and issuing of business trading licenses; in the award of tenders; allocation of plots and marketing stocks; and in the procurement of goods and services. Through the PO-RALG, anti-corruption strategies and action plans have centred on finance management, procurement of goods and services, public awareness of rights when dealing with local authorities, human resource management in the councils, and other related issues. The national government has

initiated administrative actions that are centred on deterrent measures and legislative reforms at the council level, to strengthen the fight against corruption. Important anti-corruption initiatives that have been ongoing since the Warioba Commission include tightening of rules and regulations governing the operations of the councils both at the policy and the executive levels, deepening the reforms currently in progress under the Local Government Reform Programme, and assisting local authorities to design and implement their own anti-corruption plans. Councils are also directed to make by-laws on corruption in their areas. Councillors, who are democratically elected, are aware that they are supposed to control corrupt practices. This is mainly an outcome of the implementation of the ongoing public sector reforms in the country. Such reforms, in principle, aim at building transparency in operations, rule of law in administration, motivation of public servants and private sector, and empowerment of local communities so that they are aware of their rights and can demand them.

However, corruption is still a problem in local government, especially in areas of procurement of goods and services and in revenue collection. The most common corrupt practices are those of the so-called carbon slips, where the original receipts from revenue receipt books are made to show the correct amounts paid by taxpayers, while the copies retained for official use show lower amounts. The effectiveness of the councillors is limited by a rather low level of accountability to the people. Social service delivery has not yet been expanded, improved and liberalized enough to reduce incidence of monopoly and hence provides unnecessary loopholes for corruption. Indeed, respondents to this study charged that inadequate social service delivery and limited resources induce corruption at all levels.

Some stakeholders argue that cooperation between the national government and the local government, especially in decision making, needs to be strengthened. Local government needs to enhance the involvement of civil society and local capacity in its anti-corruption strategy. The reforms taking place in the local government should be accelerated to bring about a new approach to local development management, in particular, addressing the issues of national values (integrity) and professional ethics over the entire process of making and enforcing by-laws by local authorities.

Based on the Controller and Auditor-Generals' Report 2001/02, there is ample evidence that billions of Tanzanian shillings go unaccounted for every year. Although there are various types of corruption in the country, some types of corruption are more prevalent in urban areas than in rural areas. Likewise, some types of corruption are more prevalent at the national level than at the local level.

Below is a summary of the significant local government accounts audit findings, arising from a close examination of the accounts submitted for the year. (See Tables 3-7.)

**Table 3 Accounting for Revenues**

Category	Appendix	No. of Councils	Year 2001 Amount (TZS)	Year 2000 Amount (TZS)
<b>Revenue not accounted for</b>	Ap. 8	55	162,021,020	372,005,659
<b>Revenue collected but not banked</b>	Ap. 22	16	96,703,634	211,899,410
<b>Shortfalls in revenue collected</b>	Ap. 24	110	9,569,041,362	12,602,184,388
<b>Receipt books not produced viz.</b>				
<b>Fixed fee receipts</b>	Ap. 5	105	945,482,800	991,747,500
<b>Missing bicycle stickers</b>	Ap. 6	16	416,467,755	47,152,600
<b>Mikokoteni stickers</b> (small locally made carrier used by vendors to assist in carrying luggage)	-	-	-	250,000
<b>Total</b>			11,189,716,571	14,225,239,557

**Source:** United Republic of Tanzania (2002) Report of the Controller and Auditor-General on Local Authority Accounts for the Period Ended 31 December 2001, Government Printer, Dar es Salaam.

Compared to the year 2000, there is some improvement in the accounting for revenues collected in 2001.

**Table 4 Bank Reconciliation Matters**

Category	Appendix	No. of Councils	Amount (TZS)
Payment in bank not in cash book	Ap. 10	38	165,023,955
Receipts in cash book not in bank	Ap. 18	91	2,484,191,817
Cheques not presented	Ap. 25	102	5,083,495,886
Receipts in bank not in cash book	Ap. 2	35	35 315,364,968
Stale cheques	Ap. 15	6	79,661,191

**Source:** United Republic of Tanzania (2002) Report of the Controller and Auditor-General on Local Authority Accounts for the Period Ended 31 December 2001, Government Printer, Dar es Salaam.

**Table 5 Outstanding Amounts**

Category	Appendix	No. of Councils	Year 2001 Amount (TZS)	Year 2000 Amount (TZS)
Outstanding Advances	Ap. 11	81	745,060,716	622,669,983
Outstanding Imprests (Government money paid but must be accounted for by the receiver after their use)	Ap. 12	79	1,352,244,791	50,404,930
Sundry Creditors	Ap. 3	78	4,522,134,197	8,016,702,780
Sundry Debtors	Ap. 26	71	4,774,201,367	6,190,416,874

**Source:** United Republic of Tanzania (2002) Report of the Controller and Auditor-General on Local Authority Accounts for the Period Ended 31 December 2001, Government Printer, Dar es Salaam.

Considering the above figures, the situation has not improved significantly.

**Table 6 Questionable Payments**

Category	Appendix	No. of Councils	Year 2001 Amount (TZS)	Year 2000 Amount (TZS)
<b>Expenditure not vouched for</b>	Ap. 20	70	1,660,646,353	1,335,929,363
<b>Payments supported by pro forma invoices</b>	Ap. 19	30	378,077,982	434,112,569
<b>Improperly vouched expenditure</b>	Ap. 21	93	3,3334,710,410	5,337,038,690
<b>Irregular payments</b>	Ap. 13	17	321,803,291	401,081,032
<b>Statutory deductions not paid over</b>	Ap. 4	35	1,662,739,928	427,189,655
<b>Nugatory Expenditure</b>	Ap. 27	7	55,902,902	10,038,074
<b>Irregular transfer of funds</b>	Ap. 9	43	2,847,307,701	679,334,193
<b>Expenditure met out of revenue</b>	Ap. 28	7	203,855,495	

**Source:** United Republic of Tanzania (2002) Report of the Controller and Auditor-General on Local Authority Accounts for the Period Ended 31 December 2001, Government Printer, Dar es Salaam.

**Table 7 Accounting of Stores**

Category	Appendix	No. of Councils	Amount (TZS)
<b>Stores not taken on ledger charge</b>	Ap. 14	86	1,296,649,023
<b>Stores paid for but not delivered</b>	Ap. 16	7	16,447,503

**Source:** United Republic of Tanzania (2002) Report of the Controller and Auditor-General on Local Authority Accounts for the Period Ended 31 December 2001, Government Printer, Dar es Salaam.

Loss of cash related to revenues collected poses a real problem in financial management for local authorities. It is important that the officers responsible for supervising collection of revenues do in fact perform their duties effectively. A test check of the council's records revealed that 208,527,205 TZS were lost in 6 councils.

It is also worth noting that there are several examples to demonstrate how corruption is induced. Files for promotion, transfers or scholarships may be "lost", that is, unable to be located until a bribe is given. Some people are denied access to physicians on the claim that they are too busy, out of town or off-duty. However, once a bribe is paid, one gains access. There are also claims that some international companies collude with local companies, e.g. law firms, construction companies, etc. to swindle the government. Such claims, however, have not been verified.

## Anti-Corruption Activities

In waging the fight against corruption in Tanzania, the government has aimed at ensuring good governance by placing the highest priority on that goal. Generally, anti-corruption activities in Tanzania have been addressed at three levels: the legal framework in which laws and institutions are created, the national anti-corruption strategy, and action plans and coalition building among different stakeholders including civil society.

Anti-corruption measures have included the following. First, the government has enhanced political will by developing a mechanism forcing public leaders to show openly that they are involved in anti-corruption through the enactment of the Public Leadership Code of Ethics (2001). This code, among other things, has encouraged public leaders to disclose their assets as demanded by the Public Leadership Act. Second, change in the mindset of the public has been brought about through public education and civic rights campaigns by various stakeholders. Third, watchdog agencies have been strengthened, in particular, the PCB and the media, by increasing their human as well as material resource capacities. Fourth, the capacity of the judiciary, parliament, and executive has been strengthened. Fifth, the cultural mindset has changed to improve cooperation among government, civil society and private sector actors, drawing on the comparative advantage of each stakeholder. Sixth, the ongoing process of structural, institutional and legal reforms has been enhanced with the aim of mainstreaming anti-corruption strategies in the whole process of the country's development.

## An Overview of Government Anti-Corruption Reforms over the Last Decade

The First Phase Government, immediately after independence in 1961, saw the need to adopt appropriate policy and legal frameworks to address corruption. Adoption of colonial law (The Prevention of Corruption Ordinance Chapter 400) and establishment of the Permanent Commission of Inquiry (Office of the Ombudsman in 1966) was the immediate positive action. In 1971, the old prevention of corruption law was repealed by the Prevention of Corruption Act. In 1973, the Leadership Code was put in place. In 1975, the Anti-Corruption Squad was established, and in 1983, the Economic Sabotage Act was enacted (corruption became an economic offence). The act was later repealed and replaced by the Economic and Organised Crime Control Act in 1984, which explicitly recognized offences under the Prevention of Corruption Act 1971 as economic offences punishable by law.

The Second Phase Government promulgated the Presidential Circular no. 1 in 1990 on Guidelines for Deterrence of Corruption. It renamed the Anti-Corruption Squad as the Prevention of Corruption Bureau. In 1995, the Public Leadership Code of Ethics was enacted in response to the constitutional changes, creating a special Ethics Secretariat headed by a senior High Court judge within the office of the president (URT, Government Fight Against Corruption, 1995-99).

The Third Phase Government has been in place since 1995. In 1996, it took a significant step by establishing the Presidential Commission Against Corruption (the celebrated Warioba Commission), which produced one of the most respected analyses of corruption of any African state. Its main findings include the following. First, it provides an analytical description of the cause, type, form and content (intensity) of corruption in the country. Second, it objectively analyzes the levels of corruption in every sector of the social fabric in Tanzania. Third, it emphasizes that corruption is endemic in the society and that it threatens the social and political stability of the whole country. Its major recommendations include the following. First, the regulatory framework should be tightened, e.g. through enactment of the Procurement Act 2001. Second, investigative/watchdog agencies should be created and supported, e.g. the PCB. Third, institutions that will enhance civic competence and conflict resolution should be strengthened, e.g. the Commission on Human Rights and Good Governance. Fourth, infrastructure should be improved and additional funds put towards law enforcement agencies.

In November 1999, the government of Tanzania endorsed and adopted the National Anti-Corruption Strategy and Action Plans, which aim at providing a national framework for intervention against the different causes of both petty and grand corruption, establishing a uniform and effective pattern of involvement for all institutions, setting out in clear terms the objectives and actions to be taken and their schedules, and ensuring a monitoring and reporting system that allows the government to supervise closely the implementation programmes of the strategy for combating corruption in the country. In response to the recommendations of the Warioba Report, the president appointed a minister of state responsible for good governance in 1997 and instituted a Good Governance Coordinating Unit in the president's office.

In 2001, the government finalized the National Anti-Corruption Strategy and Sector Specific Action Plans for all ministries and independent government departments for the period between 2001 and 2005. In line with that strategy is the establishment of stakeholder coalition building between the government, civil society and the private sector, e.g. by identifying areas in which each has a comparative advantage and areas in which they can work together more effectively and efficiently. This triangular relationship is critical in fostering an orderly curbing of corruption (URT, The National Anti-Corruption Strategy and Sector Specific Action Plans for all Ministries and Independent Government Departments, 2001–2005). The action plans provide a systematic framework in which corruption can be fought in each ministry or department. They stipulate specific target actions to be taken and the mechanisms for doing so – technical and political. The government has declared a policy of “zero tolerance” on corruption.

A National Anti-Corruption Strategy has been published, in addition to the first report on the State of Corruption in Tanzania. The major findings of this report indicate that corruption is still a serious threat to the country's social, political and economic development (ESRF/FACEIT 2002). The budget and national coverage of the PCB have been increased and its operational infrastructure improved, e.g. specialized training has been provided to its staff, as well as modern communication systems including computers, etc., and more branches have been opened in the districts. In addition, several other steps have been taken. First, the current ongoing anti-corruption process may be traced to the decision by the legislature in 1995 to enact the Public Leadership Code of Ethics to curb misconduct by high officials. This was the foundation to enhance the struggle that started with the Warioba Commission recommendations in 1996. Second, in November 1999, the government cabinet endorsed and adopted the National Anti-Corruption Strategy and Action Plan. Third, various stakeholders from the government, civil society, and the private sector came together in December 1999 to raise awareness and build a coalition in the anti-corruption struggle. Fourth, the government ministries then undertook a review and self-assessment of their respective action plans with a view to making these clearer, more coherent and concrete. All ministries underwent anti-corruption strategy and action plan training in 2000, in which more than 800 senior and mid-level civil servants were trained to develop anti-corruption action plans within their respective ministries. Fifth, a number of civil society groups, such as TACIMO, FACEIT, the Tanzanian chapter of Transparency International, etc. came together to form an important pillar towards coalition building. Sixth, in 2000, anti-corruption strategy and action planning workshops were conducted for all regional and local government authorities, from the regional to the ward level, as part of the on-going anti-corruption struggle. Seventh, Tanzania organized and harmonized the national anti-corruption strategy and action plans by 2001, which incorporated government, civil society, private sector, and the media.

However, all of the above efforts have a number of constraints demanding more serious attention. First, endemic poverty not only induces but compounds corruption. Poverty is continuing to grow, and worse still, mass poverty. Second, living income is yet to be addressed; it is still being looked at in relation to economic improvements. Third, there is still much to do in reforms and legal amendments to build an environment conducive to combating corruption more effectively. The challenges the above developments may face include the following. First, there is a need to encourage civil society and the private sector to take a leading role in curbing corruption and making the government more accountable. Second, more serious attention needs to be paid to changing peoples' distorted mind-set on corruption

as a culture. Third, checks and balances in the governance framework at all levels and at all times need to be enhanced.

In Tanzania, the executive is blamed for providing itself with wide discretionary powers by the judiciary, the legislature, the media, civil society, and NGOs. The latter all claim it does not make adequate provision for checks and balances, nor does it give citizens the opportunity to make free choices for their rights and participate more effectively in decision making. Members of parliament have complained about what is termed "the dirty side of privatisation in Tanzania", among other things. They wonder why the process is allegedly being conducted in strict secrecy, while government has allegedly failed to collect contracted money from investors, who have been left to continue benefiting from privatized parastatals. For example, allegations of corruption in the mining sector, National Bank of Commerce (NBC), National Micro-Finance Bank (NMB), Independent Power Tanzania Limited (IPTL), etc. have become areas of controversy between the legislature and the executive. The executive and the MPs/public take different positions on the matter. Some MPs claim that the privatisation of NBC and NMB smells of corruption. The government denies these allegations. The executive claims that NMB is making huge losses and survives on government subsidies, but the MPs and public claim that this is not the case (*The Guardian*, 4 June 2003). Likewise, the judiciary has been in apparent conflict with the government, especially on the Election Bill 2000 Amendment, which requires an applicant who files a case against his electoral contestant to pay TZS 5 million as bail. The judiciary finds that this act favours corruption in elections and is therefore unconstitutional. However, one should not take these general complaints at face value. While it is healthy for people to question such issues, there is not enough factual information to take sides.

Various legal reforms, such as the enactment of the Public Leadership Code of Ethics in 2001, provide the legislature with the legal procedure to check the ethical conduct practiced by public leaders and ensure effective supervision. For instance, Article 96(1), which gives the legislature the right to establish various standing committees as it may deem appropriate for the better discharging of its functions, is an instrument that may be used to create parliamentary organs to curb corruption. Sub-article 2 gives the possibility for the standing order of the National Assembly to provide for the composition and functions of the standing committees to be established. Moreover, members of parliament have initiated and developed serious debates on corruption at various levels in the country through parliament. The most seriously questioned areas include the ongoing privatisation exercise in the country and pressuring the government to be more transparent and more participatory in the process. (*Sunday Observer*, 1 June 2003: 8).

Relations between the police force and the political parties, especially those in the opposition, are unfriendly. Many demonstrations organized by political parties to oppose unfavourable practice by the government have been barred on the grounds of ensuring peace and order. However, the relationship between the political parties and the judiciary is admirable. On many occasions, the opposition has shown confidence in rulings and they have often been ready to file their complaints to the courts on matters of corruption in elections and issues related to the violation of human rights. The judiciary has not been influenced by any political party in making their judgments. This is commendable.

## Donor Activities

Tanzania continues to enjoy generous financial support for executing its various development activities, mostly geared towards poverty reduction. These include financial support for education, water, health, roads, agriculture, trade, industry, environment, fishing, etc. Donors provide debt relief, grants, and loans with various conditions attached. In most cases, Tanzania has accepted donor support in these sectors in order to complement its own resources and efforts at attaining and sustaining human development. Despite small frictions here and there, donor support has been steady since the Third Phase Government took power in 1995. Political and macro-economic stability, coupled with financial discipline and visible efforts to wage war against corruption, has enabled donors to have strong faith in the country's leadership, which has strengthened Tanzania's bargaining power with donors. There

is no doubt that donor support (in line with government policies) has made a tremendous difference in the lives of many citizens in the country. (Efforts to compile the actual volume of donor assistance were not successful).

## Assessment of Progress

First, the history of fighting corruption in Tanzania (on measures to be taken) has revealed that there is a need to continue updating instruments and approaches to fight corruption to cope with the changing nature and avenues of corruption, as circumstances change from time to time. Second, the institutional framework and ongoing reforms laid down need to be improved as a way to achieve greater effectiveness. It is important to ensure more autonomy and independence. Third, of great importance, is the need to ensure a strong monitoring mechanism of the ongoing struggles, in order to check the state of corruption at all levels and ensure progress in containing corruption. Fourth, it is true that there has been significant effort to enhance public awareness and mobilize people to participate in the anti-corruption war. Thus, there is a need to ensure that public awareness campaigns are organized to encourage people's participation in exposing and fighting corruption, and at the same time, empower people by ensuring the same protection of those who volunteer information on alleged corrupt individuals. Fifth, the ongoing public service reforms are commendable, especially in the manner in which they mainstream anti-corruption measures. Sixth, it is true that corruption can be fought by a committed and facilitated public service which is also accountable to the people. Since the public sector is very central to the fight against corruption, greater attention needs to be given to public sector reform, including public service reform, public financial management and accountability, and public enterprise reform. Since the reforms are now already in progress, what is needed is to accelerate the process with a view to ensuring that their effectiveness is felt on the ground, where public services are being delivered. Seventh, the on-going liberalisation process has enabled the spread of media of all types. It is true that the importance of information and communication in the anti-corruption struggle cannot be overemphasized. However, to be able to play its role more effectively, in particular surveillance over the conduct of public affairs and its bureaucrats, it is crucial for the media to be allowed professional independence from whatever source (public or private, internal or external pressure). The media should be allowed to exercise professional judgment without the influence of those who want to protect their self-interests, corruption being one of them.

The assessment of priority areas, issues and activities where further progress is needed include the following. First, in reality, the progress made in anti-corruption initiatives in Tanzania is now facing a critical challenge to ensure that important existing formal mechanisms are more sufficient and sustainable in reviewing the anti-corruption strategy. This in addition to developing a coordinated long-term strategy for tackling the multiple factors behind poor governance and corruption, and more important, to become partners with civil society, the private sector, institutions of state and the media in improving and implementing the strategy. Second, certain areas, issues and activities need to be given more serious concern, namely: ensuring institutional and systemic checks and balances between and among the NIS organs to avoid discretionary power, in particular of the executive, for more serious reforms with good intention and the necessary political will. Third, all the measures taken to address corruption in the NIS approach must be dynamic and continuously updated. Fourth, encouragement of civil society and the private sector to take a leading and proactive role in curbing corruption and making the government more accountable is an immediate challenge ahead. Fifth, the institutional framework needs continuous improvement, especially in specifying and formalizing the functional relationship between the watchdog agencies and the other pillars mandated with fighting corruption. The parliament, the judiciary and the executive have to enhance the pillars of integrity themselves. Sixth, there is a need to design more specific indicators to facilitate monitoring indicators against corruption, to enable the various ministries' anti-corruption action plans to be assessed more effectively, accompanied by general and specific performance indicators. Seventh, reforms should target regulations and procedures introduced by service-providing sectors and should enhance the transparency and clarity of the process. Eighth, the initiatives taken must increase accountability in a

holistic manner, and should be channelled into enhancing public awareness and mobilizing people to fight corruption by sensitizing the general public and public/civil servants that corruption does not pay. This should include the affirmation that corruption is a very high risk undertaking. Ninth, the ongoing privatisation reforms and other structural adjustments should ensure that corruption is contained as a way to eliminate poverty, by creating efficiency and revenue/economic capacity and better public service delivery sectors, by ensuring a reasonably enumerated and facilitated public service which is also accountable to its clients.

## **Discussion of Key Issues Concerning How NIS Works in Practice**

It is encouraging to note that the ongoing reforms in Tanzania are leading to a culture that enables each institution in the NIS to realize its distinctive role. However, in working together harmoniously, there are some crucial issues that need to be considered to enable the NIS in Tanzania to become more efficient and practical. First, of crucial importance, is the need for more independence for various institutions to pursue the anti-corruption struggle based on the merits of their comparative advantages in areas of operation. This is important to ensure checks and balances in the NIS, especially among the institutions entrusted with the responsibility of fighting corruption directly, in addition to enforcement of the rules and procedures, namely, the PCB, the Ethics Secretariat, the ombudsman, the police, the attorney general's office, the judiciary, and a vibrant media and civil society. The relationship among these organs as it now exists does not encourage effective freedom strong enough to create checks and balances to avoid the monopoly of power by one/few organs, which is proven to breed corruption. As has been said, power corrupts and absolute power corrupts absolutely. The functioning of the NIS should ensure independence and check discretionary power.

Second, the operation of the NIS institutions should ensure cooperation and networking rather than the current situation, which in practical terms, has shown a more conflict-ridden and somewhat inimical approach. Although the country has a common Anti-Corruption Strategy and Plan of Action, the implementation of the NIS has not demonstrated exclusively that there is common commitment to fight the same enemy through networking of efforts among stakeholders. Third, throughout Tanzania's Anti-Corruption Strategy and Plan of Action, it is clearly seen that in principle there is goodwill to involve various stakeholders to wage a war against corruption, owing to the need to ensure coalition building. However, there is a practical concern in considering how the other stakeholders are involved. The approach in the Strategic Plan, which has situated the involvement of the private sector, civil society, etc. at the stage of implementation, seems to be weak. It has led these important stakeholders to be marginalized in all the early stages, thus leaving them behind. Implicitly, this approach may further lead to another disadvantage, in which these stakeholders are disempowered by lacking sense of ownership of the anti-corruption plan, due to low or ineffective participation. Fourth, across the entire NIS operation is seen an over-dependence on donor support. This issue does not demonstrate confidence in the long run in the sustainability of the anti-corruption struggle, which inherently is not a short-term issue.

The operation of the NIS in Tanzania demonstrates several things. First, the leadership has shown clear commitment and initiative to develop policies and statements urging clean and transparent conduct and the creation of formal mechanisms for improving governance, which is of crucial importance. Good intention to address corruption is seen through the Anti-Corruption Strategy and Action Plan, which has been coordinated from the national level throughout all ministries, sectors and departments, to the local authorities and below. Second, the continuous reforms that are taking place in all sectors, such as regional and local government, the legislature, the civil service, the president's office, the vice president's office, the prime minister's office, finance, the auditor-general, the judiciary, land and human settlements, the ministry of works, education and health, have shown a determined concern to mainstream anti-corruption strategies holistically and vertically throughout the reform process. This builds the institutional environment necessary for an effective anti-corruption struggle. Third, given the government of Tanzania's good and promising commitment and political will to contain corruption from the highest level, there have been gains from debt relief and

continuous donor confidence, resulting in increased support both financially and materially in assisting the implementation of the government's policies and necessary structural reforms. This response is essential in addressing resource constraints in waging the anti-corruption struggle, given the fact that there is a direct relationship between resource constraints and corruption resulting from inadequate funding of operations and projects, and lack of equipment and tools.

However, the successful operation of the NIS demands more serious attention to several factors. First, it is not promising that, amidst the ongoing reforms and short-term success in the macro-economy, an increasing gap is emerging between the poor and the rich in Tanzania, along with increasing mass poverty. As it is often argued that poverty breeds corruption, poverty is increasingly becoming a big constraint to the anti-corruption struggle in Tanzania. Worse still is the reality that, despite the obvious necessity of coalition building to bring about significant success in the anti-corruption struggle, this important step has not been given serious consideration and priority. All stakeholders at all levels in the country are not yet involved and cooperating in the implementation of the anti-corruption strategy. NGOs, media organisations, community-based organisations, the religious community, and civil society as a whole, including the private sector have not been effectively involved in defining areas where they have comparative advantages to wage the anti-corruption war. It is wrong to think the anti-corruption war can be waged by government alone. Finally, although a process exists, whereby systems, procedures, rules and regulations are constantly under review to make them transparent and service providers more accountable, political will is questionable. This is seen especially with respect to reforming the laws that are inimical to basic human rights and development as pointed out by Nyalali Commission (1990). For example, the effectiveness of the media in anti-corruption is greatly undermined by a legal regime that may not be conducive to waging the anti-corruption war. On the other hand, the media establishment should do more than simply complain to the government.

It is important to note that lack of mutual support among the different pillars in Tanzania is one of the most problematic areas. At the general level, it is clear that, even where there is success, much of it is a result of efficiency by each independent pillar instead of mutual support among pillars. The potential for mutual support among pillars is generally seen to suffer from a number of problems, varying from legal procedures, to logistics and poor communication networks/infrastructure. This situation is clearly illustrated by comments made in the Warioba Report, which notes that even the three main pillars of the state have the problem of blaming one another. The Warioba Report (URT, 1996) notes that,

When we went to the Judiciary, they also talked of the need for bigger salaries and tools of work. But on top of this, they also complain that they are being frustrated by the Executive and the Parliament. When we talked to the Parliamentary Committees they said the problem was the Executive and the Judiciary, one arm in the leadership is blaming one another.

The three pillars should coordinate their efforts against corruption, while any discrepancies between the formal position and the reality with regards to the presence of corruption and its reform should also be evaluated.

## **Assessment of NIS and Its Components**

### **Overview of Priority Areas/Issues/Activities**

The following points require serious attention. First, political commitment must be enhanced at all levels, particularly at the district/municipal and sub-district/municipal levels. Second, efforts must be intensified to prepare and implement district/municipal and sub-district/municipal anti-corruption strategies. Third, donors should increase their technical and financial support to the government to enable it to implement the country's anti-corruption plans and strategies more effectively. Fourth, awareness efforts must be intensified to encourage the public to expose those who engage in corrupt practices. Fifth, media institutions/organisations should be given more technical support to enhance their capacity to fight corruption through investigative reporting. Sixth, law enforcement agencies, e.g. police, prisons, judiciary, and the PCB should be given more technical support to enable them to fight corruption more effectively. Seventh, both the government and donors should extend more technical and financial facilitation to civil society groups for fighting corruption. Eighth, the government should continue enhancing the social and legal framework to enable the growth and performance of civic groups in the fight against corruption. Ninth, the nature, form and extent of corruption in the country's emerging private sector are hardly mentioned in the discussion of corruption in the country. It is advised that this sector be seriously addressed and appropriate measures should be taken. Tenth, the government should intensify efforts to review all relevant laws related to corruption with a view to harmonizing them, so that it becomes easier to prosecute alleged corrupt individuals, while at the same time protecting the rights of individuals within the framework that "one is innocent until proved guilty by a court of law". Eleventh, there is a misconception that government can fight corruption alone. Evidence in and outside Tanzania demonstrates that this is not the case. Every citizen and donor should intensify efforts to support the government in fighting this cancerous problem. It is not enough to simply complain about it.

### **Where Emphasis Should Be Placed in the Future**

In the near future, attention should focus on the following. First, awareness must be improved at all levels with a focus on targeting specific sections of society with both a reactive and proactive stance. Second, a performance and impact assessment of anti-corruption efforts (at all levels) for each government institution, the private sector, and civic groups should be undertaken to produce an objective understanding of whether or not corruption is increasing or decreasing. Third, research and dissemination of research output should be coordinated among the relevant stakeholders, e.g. policy makers and implementers, with a view to making the war against corruption more effective and permanent. Fourth, regional initiatives in the fight against corruption should be consolidated and coordinated, e.g. the current initiative in the Southern African Development Commission (SADC). Fifth, the government should consider creating an Anti-Corruption Commission as an apex organisation along the line of the existing Tanzania Commission of AIDS, to spearhead the anti-corruption war. Sixth, the executive, legislature and judiciary should each intensify measures to implement the anti-corruption strategy in their respective domains (and at all levels), but remain focused on building a coalition among themselves.

### **Recommendations for Further Research/ Investigation**

Further research is urgently needed in the following areas. First, research should examine the type and extent of corruption in the private sector and civil society. Second, research should examine the type and extent of corruption in institutions of higher learning. Third, research

should examine the type and extent of corruption directly or indirectly induced by international business companies, e.g. local law and construction firms which allegedly collude with similar firms outside the country. Fourth, research should be done into documentation and dissemination of best practices in combating corruption in the country and in neighbouring countries. Fifth, research should explore the possibility of introducing anti-corruption as a crosscutting subject in the curriculum of primary and secondary education in the country.

## **Recommendations for Areas/Activities Requiring Immediate Attention**

The donor community may wish to consider the following. First, technical backstopping should be implemented to enable local government authorities to prepare and implement their own anti-corruption plans. Second, financial support should be increased to the president's office, regional administration, and local government to help them increase the pace of the on-going decentralisation programme – by devolution – particularly at the sub-district level. Third, increased awareness against corruption should be promoted through popular theatre, radio/TV programmes and flyers. Fourth, financial support should be increased to the Human Rights and Good Governance Commission to enable it to have branches at regional and district levels. Fifth, financial support should be increased to the PCB to enable it to open more branches in all districts in the country. Sixth, financial and technical support should be increased to the Tanganyika/Tanzania Law Review to increase the pace of reviewing various laws (and proposing new ones) related to the anti-corruption war.

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