WHY THE CCM IS STILL IN POWER IN TANZANIA? A REPLY

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Abstract
In her article "Why the CCM won't lose", Melanie O'Gorman claims to have found a puzzling dominance of the CCM in Tanzania. Using a survey conducted in 2008 amongst subsistence farmers, she notes that respondents tend to support the ruling party despite the rural neglect. This article questions the methodology and contests the key findings. It argues that the CCM's dominance is a function of the incomplete de-linking of the party from the state of the old authoritarian regime thereby suffocating political space not only for the opposition parties but also for the members of civil society in rural and urban areas. The electoral data from the 2005 and 2010 general elections indicate that the margin of votes across constituencies for the CCM is in steady decline, thus challenging its dominance.

Key words: Tanzania, CCM, dominant party, elections

1. Introduction

In April 2012, Melanie O'Gorman published an article set to address the question of "what appears to be leading to single-party dominance in Tanzania".[1] Unlike other studies about democracy in Tanzania,[2] this research used data from the rural sector where approximately 80% of the Tanzanian population can be found. The findings indicate that farmers tend to support CCM[3] despite the rural neglect. O'Gorman undertakes a qualitative and quantitative analysis of voting behaviour in order to explain this puzzling situation and concludes that:

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1 Melanie O'Gorman, *"Why the CCM Won't Lose: The Roots of Single Party Dominance in Tanzania"*, Journal of Contemporary African Studies, Volume 30, Issue 2, p. 313-333.

2 Such as Alexander B. Makulilo, *Tanzania: A De Facto One Party State?*, (Saarbrücken: VDM Verlag Dr. Muller Aktiengesellschaft & Co. Kg, Germany: 2008); Consolata Raphael, "Party Institutionalisation in Tanzania: A State Project?" (Saarbrücken: VDM Verlag Dr. Muller Aktiengesellschaft & Co. Kg: 2011); and Helen B. Kiunsi, "Money and politics in Tanzania: An Evaluation of the Election Expenses Act in the 2010 general elections" *Elixir Criminal Law* 51 (2012): 10841-10849.

3 Chama Cha Mapinduzi (CCM) is the ruling party in Tanzania. It has been in power since 1977. Prior to that there were two separate political parties known as the Tanganyika African National Union (TANU) for Tanganyika and the Afro-Shirazi Party (ASP) for Zanzibar. The two parties merged in 1977 to form CCM. It is for that reason other scholars simply tend to say that CCM has been in power since independence of 1961.

> The qualitative analysis reveals a sense of nostalgia for the CCM, gratitude for the CCM's maintenance of peace, satisfaction with the CCM's performance during one-party rule and a sense that the CCM is the party that identifies the most with farmers' concerns. The empirical analysis then asks: what farmer characteristics tend to lead to support for the CCM? The analysis suggests that access to newspapers or radio make a farmer more likely to support an opposition party. Involvement with a farmers' organisation also increases the likelihood of opposition support. Finally, farmers are more likely to oppose the CCM the lower their subsistence consumption or the higher the value of their capital equipment.[4]

The purpose of the current article is twofold. First, it criticizes the methodology and findings of the survey conducted by O'Gorman in the seven regions of Tanzania. I argue that the article was not exhaustive with regards to the Tanzanian political context and literature and thus treated the survey as purely a mathematical phenomenon. Second, it seeks to offer an alternative explanation regarding the dominance of the CCM. I maintain the failure to de-link the party from the state of the old authoritarian regime as a strong explanation. I note that although CCM still holds the majority of seats in the Parliament, its votes in both the rural and urban areas are declining.

2. Questioning the Methodology and Findings

O'Gorman's article is solely based on a survey which was conducted in 2008 amongst subsistence farmers. It primarily concerns the rural sector as its unit of analysis. She notes that the empirical results of the survey indicate that the majority of rural citizens in Tanzania are loyal to the dominant ruling party in the absence of any material benefits stemming from that loyalty.[5] This suggests that the CCM does nothing to influence or solicit votes from the rural population, something which is not true. This is so due to the fact that CCM employs a number of strategies ranging from legal to illegal ones, as will be explained later, to mobilise citizens to support the party during elections.

It is somewhat surprising that the author aims to study the "roots of the single-party dominance in Tanzania"[6] without examining the nature of the electoral system itself leave alone the broader political context within which such dominance originated. One way to do this – and deliberately excluded by the author – is to interview the CCM leaders to obtain their version of the state of affairs. O'Gorman might have obtained what CCM does to mobilise support. She could then use other sources such as election observation reports and the literature on Tanzania's politics to

4 Melanie O'Gorman, "Why the CCM Won't Lose: The Roots of Single Party Dominance in Tanzania", *Journal of Contemporary African Studies*, 30, no. 2 (2012): 314.

5 Ibid.

6 Ibid.

argue her case. More detailed evidence would have also helped avoiding misjudgements such as the one that Tanzania adopted a multiparty system due to Nyerere: "In 1992, under the advice of ex-President Julius Nyerere, Tanzania amended its constitution to allow the formation of a multiparty democracy."[7] According to this perspective, the whole transition politics from single party to multiparty system was a one man show. In my view, the process was much more complex in nature and causes with several concurring domestic and foreign factors. For example the World Bank, the IMF, the WTO and the Western donor countries which put many conditions not only to Tanzania but also to all Third World Countries to democratise are side-skipped. Similarly, internal factors such as the economic and legitimacy crises contributed to the process.

To my understanding, the CCM dominance in Tanzanian political life is objective rather than subjective (perceived) and hence cannot be adequately captured by survey data. In Africa, many dominant political parties are essentially those that struggled for independence. Consequently, it is important to examine what they do in practice to maintain their dominance and more particularly the support of the rural sectors. What are the strategies used by dominant parties to remain in power? How has that dominance been maintained over time? There is no any analysis of how the authoritarian past permeates the current multiparty system. In Tanzania, there is abundant literature on the dominant party and voting behaviour. It is not known why the author chose not to review them. Instead O'Gorman concentrated on reviewing works on the agricultural sector. It is even difficult to provide a strong link between the rural sector and electoral politics from such literature. If she had looked at the actions of the CCM, then the findings are not puzzling.

Similarly, the survey was supplemented by the national electoral data for both parliamentary and presidential results. By relying on national data for the past four multiparty elections (1995, 2000, 2005, and 2010) the author fails to capture the actual trend of the CCM's dominance in the rural sector. Notwithstanding the fact that about 80% of Tanzanians live in rural areas, technically such data presents combined votes for both rural and urban dwellers. Yet a comparison of the CCM's parliamentary data between the 2005 and 2010 general elections in the seven regions where the 2008 survey was taken by O'Gorman indicates that although CCM won the majority of seats, the CCM vote in almost all constituencies (Appendix 1) is declining, thereby challenging the explanation as to "Why CCM won't lose". This is also the trend for the popular votes which declined from 80.2% to 62.8% in the same period. Moreover, the survey was limited to seven regions of the Tanzanian mainland. This is problematic since the national electoral data is for the entire United Republic of Tanzania of which Zanzibar is a part. In Zanzibar, the CCM and the main opposition party, the Civic United Front have almost equal strength.

7 Ibid., 317.

A further weakness is that the author seems to be selective with data. Though she mentions that the voter turnout for the 2000 and 2005 elections was higher than 70% in most rural areas, nothing is mentioned about voter turnout in the 2010 elections. In this case, it dropped from 72% (in 2005) to 42% (in 2010).[8] This was also the case in many rural areas such as Kilindi constituency, Korogwe rural constituency, and Mbeya rural constituency.[9] It implies that many citizens did not vote thus casting doubt on the loyalty of the citizens to CCM and its respective government.

Moreover, the absence of other sources of data such as election observer reports, CCM's documents, review of electoral laws, and published materials on democracy and elections on Tanzania make findings disputable. For example, O'Gorman noted that a substantial number of respondents (about 18.2%) support the CCM because the party has "maintained peace".[10] While this might be true, further exploration could have easily shown that this is not surprising in the context of multiparty politics. One might wonder, if opposition parties have not been able to rule Tanzania, how can one think that the party in power has maintained peace unlike the ones which have not yet been in power? What is peace in this context? In reality, the CCM identifies itself as the guardian of peace in Tanzania and has always propagated this message to voters particularly in rural areas.[11] In contrast, the party has massively campaigned that opposition parties stand for chaos. In connection to this, in the 1995 elections, CCM was singled out as the master of disinformation and intimidation. This took a variety of forms such as direct intimidation of voters, intimidatory information, distortion of information, and refusal to act on information by feigning ignorance. TEMCO observed:

> Intimidatory information by CCM sought to make voters believe that a vote for the opposition parties was a vote for chaos. This was reported in several regional monitoring reports. To take an example from Mwanza, CCM took advantage of the ignorance of the people on the origins of the Rwanda/Burundi conflicts to scare the people with propaganda that if the opposition took over the country, similar conflicts would occur. Such propaganda was in many cases supported by a show of a video film on the ghastly massacre in these countries.[12]

8 TEMCO 2011, The Report of the 2010 General Elections in Tanzania (Dar es Salaam: University of Dar es Salaam, 2011).

9 Ibid., 196.

10 O'Gorman, "Why the CCM Won't Lose," 321.

11 TEMCO 2001, The Report of the 2000 General Elections in Tanzania (Dar es Salaam: University of Dar es Salaam, 2001).

12 TEMCO 1997, The Report of the 1995 General Elections in Tanzania (Dar es Salaam: University of Dar es Salaam, 1997).

This problem has remained systemic. The CCM top leadership has played a major role of threatening Tanzanians that opposition parties are the source of political instability in Africa. For example, in the case of *the Attorney-General and Two Others v. Aman Walid Kabourou*,[13] CCM leaders uttered defamatory statements regarding the opposition party Chama Cha Demokrasia na Maendeleo (CHADEMA) during the Kigoma by-election of 1994. Citizens were warned that they should not dare to vote for opposition parties as that would mean bringing chaos like the genocide in Rwanda and Burundi. To be sure, one witness said:

> Mr. Mrema started to warn us against opposition parties. He said who knows not how to die should look at the grave. He asked us to go to Lake Tanganyika and see Burundi Refugees and said they were a product of opposition parties. At Lake Tanganyika Stadium there were thousands of Burundi Refugees who were living in real hardships. They slept outside and had no shelter from rain or sun. He repeated saying that if other parties were elected this will be a cause for war like in Angola, Burundi, and Liberia.[14]

The court ruled that the public statements made by various officials of the CCM with respect to opposition parties generally, and the respondent's party specifically, were clearly defamatory, and such statements could not be justified during electioneering since elections are required to be conducted not only with due observance of the constitution and the Elections Act, but also of the general law of the land which forbids defamation. The court further held that because of large number of people who attended these campaign rallies and the respect of people of this country usually give to their president and his ministers, the defamatory and intimidating statements in question must have affected the election results in favour of CCM. This was one among the grounds that the court relied upon in nullifying the results of that election. Certainly, the CCM's claim that the party stands for peace, unity and tranquillity needs to be re-examined. The same phenomenon repeated in the 2005 and 2010 elections.[15]

2.1 Access to Media

Similarly, the author observed that the access to newspapers or radio make a farmer more likely to support an opposition party. While newspapers and radios are important, the message conveyed by them is crucial. During the single party period (1965-1992) media was owned by the state and the clear message was to promote the ruling party's objectives. They socialised Tanzanians to be loyal and obedient to

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13 [1996] T.L.R, the Court of Appeal of Tanzania, Civil Appeals No. 32 and 42 of 1994. This case was filed by Kabourou, then the MP candidate for CHADEMA during the 1994 Kigoma by-elections. In that election, CCM won the seat but the court nullified the results.

14 [1996] T.L.R, the Court of Appeal of Tanzania, Civil Appeals No. 32 and 42 of 1994.

15 TEMCO 2006; TEMCO 2011, The Report of the 2010 General Elections in Tanzania.

the authority. Even in the present day the radio with coverage in all rural areas is Radio Tanzania, owned by the state. It is therefore difficult to have coverage which seems to be anti-governing party and government. For example, in the 2010 elections, the *Daily News* of 24 September, 2010 which is owned by the state published a defamatory editorial on its front page "Dr. Slaa will not be the fifth president of Tanzania. The CHADEMA candidate has a lot of issues to settle, beginning at family level, from which he will need to practice leadership upwards."[16] Yet, the same paper on 31 October, 2010 published on its front page "Vote for CCM, vote for Unity".[17] TEMCO notes that "at the very top is the fact that the ruling CCM enjoyed total monopoly coverage in both print and electronic media throughout the campaign period compared to other political parties that fielded presidential candidates."[18]

It is important to understand that in the two decades of multiparty system since 1992 the media has so far failed to insulate itself from state power. The reason for this state of affairs is the legacy of single party journalism carried forward from the single party political hegemony. This was meant to guarantee total loyalty and subservience. This observation is consistent with the findings by the Afro-Barometer survey and conclusions of 2002 that Tanzanians are "uncritical citizens" partly oriented towards the socialist ideology and one-party structures inherited from the old regime.[19] The ordinary people have not yet developed the healthy scepticism about authority, the independence of preferences, and the courage to take action that are the life blood of functioning democratic and market systems.[20] Thus, O'Gorman's work is unable to tell the audience the extent to which newspapers or radio spread in the rural areas; the frequencies people read newspapers or listen to the radio; and the kind of messages covered in these media and how these would shape the rural community to develop citizenry competence. It should be noted that although the Presidential Commission on whether to introduce multiparty system or remain single party system recommended for the massive civic education countrywide in order to de-indoctrinate the values of the single party system, the ruling party and its government rejected proposals to provide such education.[21]

16 TEMCO 2011, "The Report of the 2010 General Elections in Tanzania".

17 Ibid.

18 Ibid., 151.

19 Amon Chaligha *et al.*, "Uncritical Citizens or Patient Trustees? Tanzanians' views of Political and Economic Reform" Afrobarometer Paper No. 18, 2002.

20 Ibid.

21 United Republic of Tanzania, "The Presidential Commission on Single Party or Multiparty System" in Tanzania: *Report and Recommendations of the Commission on the Democratic System in Tanzania*, (Volume I) (Dar es Salaam: Dar es Salaam University Press, 1991).

2.2 The role of Civicness

One further argument in O'Gorman's work is that the involvement with a farmers' organisation increases the likelihood of opposition support. The underlying mechanism is missing. Empirical evidence shows that the CCM does not tolerate any organisation that seems to challenge its power and such organisations are either weakened or de-registered. The case of the *Baraza la Wanawake Tanzania*[22] (BAWATA) is telling. In July 1995, BAWATA prepared a manual to educate women voters for the October 1995 general elections in line with its objectives. The manual aimed at supporting candidates who would further the interests of women such as land ownership, health care, water, education, and inheritance. The organisation therefore presented its views on the qualities needed by any presidential candidate. Tenga and Peter[23] contend that the fact that the ruling party had been used for a long time to having all women in Tanzania under its control, the emergence of a strong and independent organization was not universally welcomed. Indeed, its leaders felt obliged to reduce their level of political engagement in the run-up to the elections, following threats from the CCM, and several 'warnings' by the President of the United Republic. On 30 June 1997 BAWATA was de-registered owing to accusation from the government that the organisation, among other things, operated more or less like a political party. BAWATA filed a case against government's action for deregistering it on the ground that it was unconstitutional and violated Articles 13(6)(a), 18, and 20 of the URT Constitution 1977 which provide for the right of fair hearing, expression, and association and assembly, respectively. In that case, *Baraza la Wanawake Tanzania and Five others v. Registrar of Societies and others*,[24] the High Court of Tanzania ruled in favour of BAWATA on the ground that the Societies Act gives too wide discretionary powers to the President to abolish any civil society organisation.

It has to be noted that the Non-Governmental Organisations Act No. 24 of 2002 as well as the Societies Act, Cap. 337 R.E 2002 suffocate political space for NGOs and Societies to play their effective role in the democratic process. These organisations are required to be apolitical. This has been a source of problem since they engage the policy making process, an exercise which is purely political, but when it comes to criticize the performance of the government or during elections, they are threatened to be de-registered as was the case with the HAKI ELIMU.

22 Women's Council of Tanzania.

23 Nazakael Tenga and Chris M. Peter, "The Right to Organise as Mother of All Rights: The Experience of Women in Tanzania", *The Journal of Modern African Studies,* 34(1): 143-162.

24 Misc. Civil Cause No. 27 of 1997, High Court of Tanzania, Dar es Salaam (unreported).

3. An Alternative Analysis: Explaining the CCM's dominance

After clarifying some of the critical omissions in O'Gorman's article, I provide an alternative explanation as to the persistence of the CCM in power. I hold the state-party fusion to be a strong factor for this state of affairs. In the following sections I revisit the nature of the political system and how it operates during elections. The idea is to capture what the CCM exactly does to maintain its power.

3.1 The Evolution of the Political System

In order to understand elections in Tanzania and how the ruling party has dominated the political landscape, we must revisit the nature of the political system in a historical perspective. My argument is that the domination of the ruling party in Tanzania is a by-product of the failure to de-couple the party from the state. It is along this line of reasoning that other observers hold that one of the major problems of the transition from one party system to a multi-party system is to untangle, both practically and in people's minds, the links which was so carefully forged between the party and the state property, functions and personnel.[25] This simply means that the value, pace, and prospects of democratization as well as its sustainability in the hitherto authoritarian regimes largely hinge upon the de-coupling project between the state and the party at both institutional and behavioural levels. It is emphasised that:

> Uneven playing fields tend to emerge under conditions that facilitate incumbent control over key and societal resources. Such conditions often exist in cases of incomplete transition from single-party rule. Single party regimes tend to fuse the state and ruling party, creating a highly politicized state in which bureaucrats are also party cadres, state properties (businesses, media outlets) are also party properties, and resources from various state agencies are systematically deployed for partisan use. Transitions to multiparty rule-often accomplished via a simple constitutional change or the calling of elections-do not necessarily alter these patterns.[26]

The above paragraph simply provides that a mere substitution of a clause in the national constitutions which supported the one party system by a multi-party system did not bring an effective de-coupling of the party from the state; therefore the multiparty system arising from this situation is identified from the following features: state institutions are widely abused for partisan ends; the incumbent party is systematically favoured at the expense of opposition parties; and that the opposition's ability to organise and compete in elections is seriously handicapped. It

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

26 Steven Levitsky and Lucan Way, "Why Democracy Needs a Level Playing Field", *Journal of Democracy,* 21 (1): 57-68.

is not uncommon to find out that the multiparty system of the day presents resource disparities, unequal access to the media, and unequal access to the law mainly in favour of the ruling party. While this kind of regime conducts regular multiparty elections at all levels of government, violation of basic democratic standards are done in serious and systematic ways.[27]

That situation develops a subjective political culture toward its population to the degree that it becomes difficult for them to think of an alternative party and if they do, their ability to effect it is largely constrained by that party. In its operation, as a general rule, a state-party exerts centrifugal force to maintain elite cohesion which if left uncontained would have otherwise undermined its foundation.[28]

Moreover in a state-party system, a tilted playing field in favour of the ruling party is a common phenomenon; therefore, a state-party unlike a dominant party is not ad-hoc but rather it is a continuous situation during its lifetime. In this way, it may be able to suffocate the political space for other actors to play their roles effectively. State parties can be visible in either a *de jure* or *de facto* form and in some instances in both forms together. In sum total, a state-party can thus be identified from the fusion between the state and the party in power. It depends on state-instruments and resources for its operation and survival, partisan attitude of state officials in favour of the ruling party, overlapping roles and jurisdictions between the state and ruling party posts, coerced membership and support to the ruling party, subordination of the civil society and private sectors to the claws of the party as well as elite cohesion. Indeed the party becomes a supreme organ over the state and non-state actors. It assigns itself an exclusive right to rule the society singly.[29]

3.2 Institutional and Legal Framework for Elections

The main institutional and legal framework that guides elections in Tanzania is contained within the Constitution of 1977, the Elections Act of 1985, and the Political Parties Act of 1992. However, the constitution is the fundamental norm of the land. Historically, it has evolved through four phases: The independent constitution of 1961, the Republican constitution of 1962, the interim constitution

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27 Andreas Schedler, "Authoritarianism's Last line of Defense", *Journal of Democracy,* 21 (1): 69-80.

28 Jason Brownlee, *Authoritarianism in an Age of Democratization*, (Cambridge: Cambridge University Press, 2007).

29 Goran Hyden and Max Mmuya, 2008. *Power and Policy Slippage in Tanzania-Discussing National Ownership of Development*, Sweden: Swedish International Development Cooperation Agency (SIDA) Studies, No. 21 (2008). USAID/Tanzania, Democracy and Governance Assessment of Tanzania (Final Report), (Dar es Salaam: USAID, 2010); and Richard L. Whitehead, Single-party rule in a Multiparty Age: Tanzania in Comparative Perspective (PhD Dissertation: Temple University, 2009).

of 1965 and the permanent constitution of 1977 (the current constitution). There are six distinctive features about these constitutions: Firstly, they all did not involve public debate and discussion in their making; secondly, with the exception of the independence constitution, the rest tend to concentrate and centralize power to the executive arm of the government and particularly the chief executive i.e. the president (head of state, head of government, head of public service, commander-in-chief of all armed forces); thirdly, they raise the ruling party to the pinnacle of power by making it the supreme organ in the United Republic; fourthly, they suffocate the associative life of autonomous organizations such as trade unions, cooperative unions and other civil societies; fifthly, they did not incorporate the Bill of Rights (note that the Bill of Rights firstly appeared in the constitution of the United Republic in 1984); and sixthly, the ruling party is the sole maker or un-maker of the constitution through amendments. The sum total effect of all these constitutional tendencies is the politics of hegemony by the ruling party and the resultant repressive political culture over the last four decades since independence.

There are several critical areas about the constitution and state-party fusion. For the want of space, I will discuss just one of them: the powers of the president. In Tanzania, the evolution of the constitution since independence indicates that the president is a very powerful figure indeed, with almost absolute power under the constitution. Most of such power is discretionary. It should be pointed out that there are no effective safeguards to control the exercise of that power. The best and the only remedy against the possible abuse of power in fact remains with the president. This is true as the then President of the United Republic of Tanzania Mwalimu Julius K. Nyerere once remarked, "I have sufficient powers under the constitution to be a dictator." Similar statement was made by President Jakaya Kikwete on 21 August 2008 when addressing the members of Parliament. In Tanzania, the president is the head of state, head of government, commander-in-chief of armed forces, and above all he or she is always in practice the chairperson of the ruling party [Note that under the party constitution the chairperson need not necessarily be the head of state as per Article 105(1) of the Constitution of CCM 1977].

To demonstrate the powers of the president, for example, Article 74 of the Constitution of the URT 1977 empowers him or her to nominate commissioners of the National Electoral Commission (NEC). The NEC is the only institution with constitutional mandate to manage the Union elections. Article 74(1) of the constitution of the United Republic of Tanzania 1977 and Section 4(1) of the Elections Act. No.1 of 1985 establish the NEC. The independence of NEC is questionable since its formation in 1993. Four areas are subject to contestation: The appointment procedures of the commissioners, mode of finance, tenure of commissioners, and the role of the judiciary in handling electoral disputes. Article 74(7 and 11) of the Union Constitution provides that NEC is an independent department and that it has no any obligation to follow any order or directives from

any person or government department or opinion from any political party. Moreover Article 41(7) states "No court is allowed to inquire into the election of a presidential candidate who is declared by the electoral commission (NEC) to have been duly elected" and Article 74(12) puts that no any court is allowed to inquire into any matter done by the NEC in discharging its duties. Yet, at the local level, NEC does not have a permanent staff. It therefore relies on the local government system. The personnel who manage elections from the local government are in most cases cadres of the ruling party.[30] Despite these provisions of law, a critical analysis reveals that the independence of NEC is highly compromised. Certainly, since its formation, NEC has not enjoyed confidence and trust of some of the key stakeholders in elections, that is, political parties (particularly the opposition parties) and the general public.[31]

3.3 Security Forces

Although on the eve of multiparty system the Nyalali Commission[32] recommended the separation of the party from security forces to ensure the forces are apolitical, it is evident that the security forces have remained politicized in the current multiparty system to favour the ruling party. This is in sharp contrast with Article 147(3) of the URT constitution 1977 which provides that "It is hereby prohibited for any member of the defence and security forces to join any political party save only that he shall have the right to vote."

The presidency is the highest institution that forges the relationship between the ruling party and security forces. As the commander-in-chief, the president appoints all the top commanding officers of the armed forces, recruits people into and organises their removal from the armed forces; appoints commanders of various units of the armed forces and supervises any power vested in any member of the armed forces. The president may command the armed forces to engage in any operations within and outside Tanzania. The order of the commander-in-chief is constitutional and binding to all the armed forces and therefore it should be respected [Article 148 (1), (2) and (3) of the URT Constitution, 1977]. Being CCM's chairperson and the president (with wide discretion), the commander-in-chief, may misuse such powers in favour of his or her party. During the 2000 elections, for example, the former president of the United Republic, Mr. Benjamin William Mkapa (then an incumbent president and a presidential candidate in that election) used a police helicopter to campaign in the remote regions. The same practice was repeated by the retired president, Mr. Ali Hassan Mwinyi, in campaigning for CCM

30 TEMCO 1997, The Report of the 1995 General Elections in Tanzania; TEMCO 2006.

31 TEMCO 1997, The Report of the 1995 General Elections in Tanzania; TEMCO 2001, The Report of the 2000 General Elections in Tanzania;TEMCO 2006 and TEMCO 2011, The Report of the 2010 General Elections in Tanzania.

32 United Republic Tanzania, "The Presidential Commission on Single Party or Multiparty System," 177-8.

in the Coast region and Kigoma.[33] It is evident that the conflict of interests between the president and the party is paramount. Elsewhere, as I noted, president Mkapa pledged to deploy state apparatuses to ensure CCM win the 2005 elections with a 'tsunami effect' (*ushindi wa Tsunami*) and it was so.[34] There is no doubt that this statement influenced the behaviour and conduct of the armed forces in that election. The President of the United of Republic of Tanzania affirmed in his official address to the Members of Parliament on 21 August 2008 that the President has imperial powers over the Inspector General of Police (IGP). He said that if the president orders the IGP, Said Mwema to arrest any person, it would be so. The IGP would implement president's orders without any question. Arguably, the above incidences reveal the fusion between the presidency and CCM. The use of security forces repeated during the 2010 general elections. CCM started campaigning that opposition should not be elected since they would shed blood. The climax of this campaign was for the security forces to intervene the matter. The Tanzania People's Defence Forces, Chief of Staff, Lt. Gen. Abdurrahman Shimbo, the Deputy Director of Criminal Investigations, Mr. Peter Kivuyo and the Head of the Police Special Operations Unit, Mr. Venance Tossi called a press conference to threaten people on security. They said that no blood would be shed by any political party since they were full prepared to handle the situation. Gen. Shimbo said:

> There have been signs of disrupting peace and tranquillity in the ongoing campaigns...some politicians have even dared threatening to shed blood. Let them be warned that we are firmly prepared to make sure that no single drop of blood will be shed during the ongoing campaigns, the Election Day and after that.[35]

Although there were many parties contesting the election, this statement aimed at frustrating CHADEMA which seemed to offer stiff competition to CCM. In response to the threat, on 4 October 2010 CHADEMA wrote a letter with reference No. C/HQ/ADM/SG/02/79 to the Dean of Diplomatic Corps, international organizations, and all political parties to condemn this tactics.[36] The head of the European Union Election Observation Mission (EUEOM) to Tanzania, Mr. David Martin, described the security threat as disappointment and frustration to democracy.[37] After the public outcry from politicians, activists and non-governmental organizations (NGOs) that the security forces were used to further the interests of CCM, proper authorities particularly the National Electoral Commission (NEC) maintained that there was no any threat with regard to peace.[38]

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33 TEMCO 2001, The Report of the 2000 General Elections in Tanzania, 86-7.
34 Makulilo, *Tanzania: A De Facto One Party State?*
35 *Daily News*, 1 October 2010.
36 *The Citizen*, 7 October 2010.
37 Ibid.
38 *The Guardian*, 7 October 2010.

3.4 Media

Media in this context is treated concomitant with information. The access to information is essential to the health of democracy. This is because it ensures that citizens make responsible and informed choices rather than acting out of ignorance or misinformation. Moreover, information serves a "checking function" by ensuring that elected representatives uphold their oaths of office and carry out the wishes of those who elected them.[39] In a democratic polity, this role is carried out by media. The media is an important element for free and fair elections since it facilitates freedom of expression. Indeed, contemporary election campaigns are increasingly dominated by national television, radio and press coverage.[40]

Until 1992, the media in Tanzania were the organ and agent of the sole ruling party, CCM. The available media of the time (Radio Tanzania, Dar es Salaam Radio Tanzania, Zanzibar, Zanzibar Television, Daily News and the Sunday News) served the interests of the state-party. The media became instruments of propaganda. On the eve of multiparty system, the country saw the proliferation of "independent" press. There are dozens of weeklies, fortnightlies, or monthlies in Kiswahili or English with a reasonable circulation. However, the electronic media remain under monopoly control of political parties in power. This is not surprising as the Electoral Institute of Southern Africa (EISA) maintains that the freedom of the press as a fundamental right is guaranteed in most Southern Africa Development Community (SADC) constitutions. Yet, in many countries the ruling party dominates the public media.

Public media being financed with tax-payer money are obliged to be impartial in conducting their businesses during elections. Section 53(1) of the Elections Act. No. 1 of 1985 provides candidates for the office of the president and vice-president of the United Republic and political parties participating in an election with the right to use the state radio and television broadcasting service during the official period of election campaign. Subsection 3 furthers that:

> [e]very print media owned by the government which publishes any information relating to the electoral process shall be guided by the principle of total impartiality and shall refrain from any discrimination in relation to any candidate journalistically and in the amount of space dedicated to them.

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39 See the role of Media in Democracy: A strategic approach, Technical Publication Series, June 1999, Center for Democracy and Governance, Bureau for Global Programs, Field Support, and Research, U.S. Agency for International Development, Washington, D.C., 3.

40 James Forrest, and Gary N. Marks, "Research Note; The Mass Media, Election Campaigning and Voter Response: The Australian Experience", *Party Politics,* 5(1):99-114.

For the purpose of giving binding effect to this law, Section 53(4) of the Act gives the National Election Commission mandate to issue directives to any government owned media.

On face value, the intention of this law is to ensure fairness among contestants during elections. However, evidence abounds to show that since the introduction of the multiparty system, CCM has enjoyed a favourable air-time and space coverage in the public media like the National Television (TVT), Television Zanzibar (TVZ), Radio Tanzania Dar es Salaam (RTD), Radio Zanzibar (STZ), the Daily News, Sunday News and Zanzibar Leo. In the case of *The Attorney-General v. Aman Walid Kabourou*[41] following the Kigoma by-election, the Court of Appeal of Tanzania held that:

> CCM was given more air-time on Radio Tanzania Dar es Salaam than were given other political parties, and its broadcasts generally were biased in favour of the CCM candidate, such that it must have influenced the by-election results in favour of the CCM candidate.

This tendency repeated in the first general elections of 1995. It was noted that CCM enjoyed a lion's share of air time and space coverage in the public media. The Association of Journalists and Media Workers (AJM) observed that from 4 to 21 September 1995, the third week of electoral campaigns, CCM and its presidential candidate enjoyed absolute monopoly of campaign broadcast coverage over the RTD news bulletin by 63% and *Majira* programmes by 52%. It is along this premise that TEMCO argues that despite the efforts put by the court and National Election Commission the media continued to work in favour of the ruling party.[42] This pattern remained almost the same during the 2010 general elections.[43]

4. Conclusion

In this paper I have discussed the limitations of relying only on a survey method in studying the dominance of a political party. While this method is able to capture the perception of respondents towards such dominance, it fails to provide an in-depth understanding of a political phenomenon and its context. In the absence of an appropriate analysis of the political context, the strategies employed by the CCM to mobilise support and votes it is difficult to appreciate "why the CCM won't lose." Since party dominance is primarily objective, it is necessary to investigate what exactly the ruling party does in order to remain in power. Unlike O'Gorman, who entirely based her observation of the ruling party in Tanzania on a survey method,

41 [1996] T.L.R 156.

42 TEMCO 1997, p. 181.

43 SYNOVATE, 'Tanzania media election coverage 2010 monthly monitoring report', June 2010, no. 5, available at : http://www.empt.co.tz/, accessed 10 March 2014.

this article provides an alternative analysis to understand the dominance of CCM. I have argued that the failure to de-link the state from the party is robust in explaining CCM's dominance. As can be noted, the incomplete transition from single party-rule has resulted into an uneven playing field in favour of the ruling party. Likewise, the resulting political culture has remained to be subject. CCM and its government have all along been reluctant to endorse the proposal for providing civic education thus benefiting from the ignorance of the people particularly in the rural areas. This paper therefore informs researchers who study dominant party systems to go beyond numbers generated by a survey method so as to capture the actual practice by ruling political regimes.

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