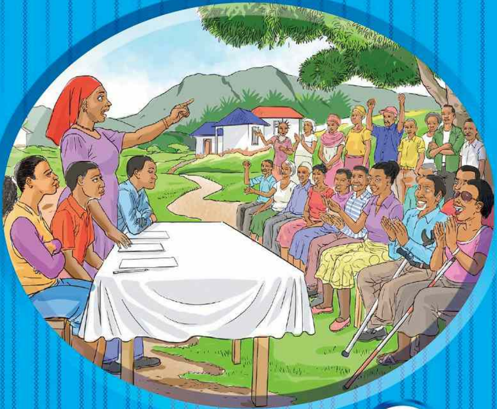
CIVICS

for Secondary Schools

Student's Book

Form 2



Tanzania Institute of Education

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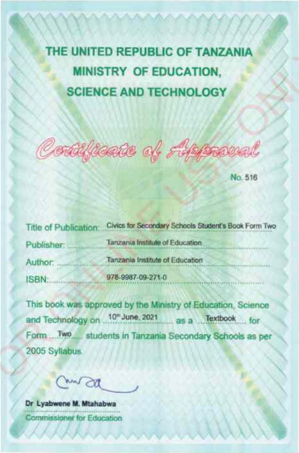

THE UNITED REPUBLIC OF TANZANIA
MINISTRY OF EDUCATION,
SCIENCE AND TECHNOLOGY

Certificate of Approval

No. 516

Title of Publication: Civics for Secondary Schools Student's Book Form Two
Publisher: Tanzania Institute of Education
Author: Tanzania Institute of Education
ISBN: 978-9987-09-271-0

This book was approved by the Ministry of Education, Science and Technology on 10th June, 2021 as a Textbook for Form Two students in Tanzania Secondary Schools as per 2005 Syllabus.

Dr Lyabwene M. Mtahabwa
Commissioner for Education

Tanzania Institute of Education

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Published 2021

ISBN 978 – 9987 – 09 – 271– 0

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Acknowledgements

The Tanzania Institute of Education (TIE) would like to acknowledge the contributions of all the organisations and individuals who participated in the design and development of this textbook. In particular, TIE wishes to thank President's Office Regional Administration and Local Government (PO-RALG), the University of Dar es Salaam (UDSM), Dar es Salaam University College of Education (DUCE), Open University of Tanzania (OUT), Tumaini University Dar es salaam College (TUDARCO), National Examinations Council of Tanzania, School Quality assurance offices, teachers' colleges and secondary schools.

Besides, the following of individuals are also acknowledged:

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TIE also appreciates the secondary school teachers and students who participated in the trial phase of the manuscript. Likewise, the Institute would like to thank the Ministry of Education, Science and Technology for facilitating the writing and printing of this textbook.

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Preface

This textbook, *Civics for Secondary Schools* is written specifically for Form Two students in the United Republic of Tanzania. The book has been prepared in accordance with the 2005 Civics Syllabus for Ordinary Secondary Education Form I-IV, issued by the then Ministry of Education and Culture.

The book consists of five chapters, namely; Promotion of life skills, The Government of the United Republic of Tanzania, The Constitution of the United Republic of Tanzania, Democracy and Gender. Each chapter contains illustrations, activities and exercises. You are encouraged to do all the activities and attempt all exercises. Doing so will enhance your understanding and development of the intended competencies of this level.

Tanzania Institute of Education

Chapter One

Promotion of life skills

Introduction

Life skills refers to knowledge and experience that helps individuals to deal with various situations. In this chapter, you will learn about the meaning of social problems, social problem-solving techniques, the importance of applying social problem-solving techniques and consequences of not applying appropriate social problem-solving techniques. You will also learn about steps in social problem-solving and methods of gathering information for social problems-solving. The competencies developed will help you to deal with difficult situations in the community and in the society in general.

Social problem

A problem is a situation which causes difficulties to a person or society at a particular time. A social problem is a condition or behaviour that has negative consequences for the welfare or well-being of a society. It is generally recognised as a condition or behaviour that has to be addressed. In our society, social problems include poverty, diseases, drug abuse, conflicts, overpopulation, gender inequality and inadequate supply of social services. These problems may hinder economic, social and political development in the society. Therefore, effective measures should be taken to ensure that all social problems prevailing in our society are timely solved.

Social problem-solving techniques

Social problem-solving techniques refer to different ways applied by individuals or groups of people in solving various social problems they face in their daily lives. These techniques usually help individual members of the society to address their social problems. The following are common techniques applied in solving various social problems:

Reading various documents: This is one of the techniques employed in solving different social problems in our society. It involves reading various documents containing information about different social problems occurring in the society. There are different social problems the solutions of which are well documented in written materials such as books, journals, pamphlets and magazines. For example, the causes and solutions for malnutrition among children under the age of five have been well documented in various books. Reading documents on malnutrition enhances one's skills and ability to solve the problem of malnutrition. Therefore, it is advisable for people to search and read informative documents which will provide them with appropriate solutions for their social problems.

Working hard: This is one of the techniques commonly used in solving social problems. It involves the use of skills and efforts for the purpose of increasing efficiency at work. When people experience social problems like poverty, the possible solution is to work hard. In different societies people have failed to solve social problems because of laziness. For instance, students who perform poorly in their studies are likely to remain so, unless they work hard to improve their academic performance.

Collaborating with others: A person with a certain social problem is advised to engage other people in finding a solution. This can be done through creating mutual interests among themselves and generating various options to address the problem. An individual with a problem will have to choose the appropriate option among the suggested ones. For example, a student who finds a civics subject difficult can share his/her challenge with the best performers of the civics subject.

Seeking for guidance and counselling: This technique involves seeking psychological assistance to solve social problems. The assistance is usually sought from an experienced and trusted counsellor. The major objective of this technique is to help an individual or a group of people to acquire self-understanding that will help them to cope with their problems. Guidance and counselling can be done to an individual or a group. For example, parents or teachers can guide or counsel children or students on appropriate ways to abstain from unacceptable and risky behaviours such as prostitution, drug abuse, robbery and bullying. Figure 1.1 shows a group counselling session.

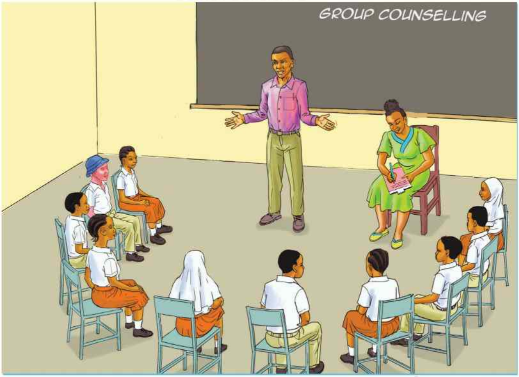

Figure 1.1: *Group Counselling*

Consulting experts: A person with a social problem may seek consultation from professionals or experts in the subject matter. In this situation, a person who experiences a certain social problem is given assistance that will be useful in solving his or her social problem. For example, during the COVID-19 outbreak, medical doctors were consulted to suggest proper ways of addressing the pandemic.

Importance of applying social problem-solving techniques

Social problem-solving techniques play an important role in the development of our society. The following are some of the benefits of applying social problem-solving techniques:

Promotion of peace and security: Effective application of social problem-solving techniques reduces the number of social problems in the society and promotes peace, security, unity and a strong bond among citizens. Therefore, effective application of problem-solving techniques allows people to engage themselves smoothly in their daily social, political and economic activities.

Disease control: Application of social problem-solving techniques is a very important aspect to control diseases. These diseases may include communicable and non-communicable diseases. On one hand, some of communicable diseases include tuberculosis, Human Immunodeficiency Virus (HIV) and Acquired Immune Deficiency Syndrome (AIDS), Ebola, Corona Virus Disease 2019 (COVID-19) and Sexually Transmitted Diseases (STD). On the other hand, some of non-communicable diseases include prolonged stress, cardiovascular diseases, cancers, chronic and diabetes. For example, a prolonged stress may cause headaches, heartburn, rapid breathing and weakened immune that leave individual to more vulnerable to infections. It may also lead to heart attack which may result to stroke and paralysis. Applying social problem-solving techniques will reduce the risk of developing a prolonged stress.

Promoting development in the society: Effective promotion of social development activities enables people to engage themselves in different economic activities rather than spending a lot of time figuring out how to solve social problems.

Provision of solutions to various problems: The use of social problem-solving techniques helps individuals or a society to get possible solutions to a number of unresolved social problems. For example, in controlling the spread of COVID-19, governments emphasize various techniques such as social distancing, wearing face masks, hand sanitization, avoiding hand shaking and using the inner part of the elbow while sneezing or coughing.

Minimisation of cost: The provision of appropriate locally social problem-solving techniques helps to reduce unnecessary cost which would have been incurred by external experts to solve some social problems.

Making people active and useful: Social problem-solving techniques enable people to participate in various productive activities. Through these techniques, people can solve their social problems and become more active and useful members of the society. For example, if a person wants to eradicate poverty he or she must actively and tirelessly participate in economic activities such as mining, agriculture and fishing.

Reduction of social problems: People in a given society should take effective measures to overcome various social problems. Social problems such as robbery, drug abuse and prostitution will prevail only if a given society fails to use appropriate social problem-solving techniques. For example, instead of people engaging themselves in robbery to solve the problem of poverty and unemployment, they should use appropriate problem-solving techniques to find suitable and acceptable ways of generating income which include entrepreneurship, fishing, agriculture and mining.

Consequences of not applying appropriate social problem-solving techniques

Individuals in a society have to use appropriate techniques to be able to solve various social problems as soon as they occur. If appropriate techniques are not used, the whole society is likely to suffer the consequences. Below are the consequences of not applying social problem-solving techniques.

Irrational decision making: Failure to use appropriate social problem-solving techniques can lead to irrational decision making in addressing social problems. For example, a student without pocket money may decide to steal instead of asking for financial assistance from fellow students or teachers. The decision of stealing is a result of not using appropriate social problem-solving techniques. In addition, students may develop the habit of truancy and tardiness when they fail to apply appropriate social problem-solving techniques against the challenge of finding the subjects difficult. It is obvious that when students fail to perform well in studies, they tend to hate school. The appropriate solution to this challenge will be to collaborate with teachers as well as fellow students.

Exposure to stress and depression: When people face social problems and fail to apply appropriate social problem-solving techniques, they may experience stress and depression. This situation may cause health deterioration which may lead to loss of lives and decrease of labour force in the society.

Exacerbation of dangerous life styles: The failure to apply social problem-solving techniques can lead some people in the society to embrace unethical life styles like prostitution, robbery, drug abuse and theft which can destroy their future.

Death: Failure to apply appropriate social problem-solving techniques can lead to death especially if one fails to control problems like communicable diseases, hunger as well as lack of clothing and shelter.

Exercise 1.1

1. Briefly explain the concept of social problem.
2. Identify any four social problems in our society.
3. Explain how lack of appropriate problem-solving techniques can affect our society.
4. Outline five problems that your school or society is likely to face if appropriate social problem-solving techniques are not applied.
5. Describe five benefits that a person gets when applying appropriate social problem-solving techniques.

Activity 1.1

Student X is suspected to be part of a gang of drug users. In your groups, discuss how you can help student X to overcome the problem.

Steps in social problem-solving

Steps in social problem-solving refer to a set of procedures which guide people in solving social problems. These steps should be observed as they enable people to develop appropriate solutions for experienced social problems. The followings are recommended steps in solving social problems:

Identification of the problem: This is the first step in social problem-solving. At this step, the social problem experienced should be identified so that it becomes familiar to those who are responsible to solve it. Identification of the problem is very important in finding an appropriate solution. For example, conflict between pastoralists and farmers is a social problem in some rural areas in Tanzania. This can be solved successfully after identifying its cause.

Collecting information: This is the second step whereby all necessary information concerning the identified social problem is collected. The collection of information can be done through different methods such as observation, interview, questionnaire, mass media, documentary review, and scientific experiments. The collected information may include causes of the identified problem, effects and a possible solution.

Defining the problem: This is the third step in the social problem-solving process. At this step detailed information concerning the social problem as identified in the first step is provided. This is done after going through collected information.

Defining a problem is an important step as it makes an individual understand how to deal with a particular social problem. For example, the conflict between pastoralists and farmers in some rural areas of Tanzania can be well defined by indicating its root causes.

Generating alternatives: At this step, a list of possible solutions to a particular social problem is provided. This step provides more than one alternative so that the most appropriate alternative can be chosen. For example, the conflict between pastoralists and farmers in Tanzania can be resolved by using a number of solutions such as shifting either pastoralists or farmers to another area, reconciliation, or specifying areas to be used by farmers and pastoralists.

Agreeing to a solution: This step involves selection of the best solution from given alternatives for implementation. For example, in resolving conflict between pastoralists and farmers in some rural areas of Tanzania, the best solution could be shifting pastoralists to specified areas for livestock keeping.

Carrying out evaluation: This is the final step in the process of solving a particular social problem. At this stage the person in-charge determines whether or not the solution applied to solve the social problem has been successful. If the problem persists another alternative can be tried. For example, if the shifting of pastoralists to another area does not yield the anticipated results, then another solution can be selected until the problem is solved. However, any selected solution has to adhere to the norms and values of the respective society.

Methods of gathering information for social problems-solving

There are several methods of gathering information for solving social problems. These methods include the following:

Observation: This is one of the methods used in collecting information. Through this method, a person responsible to resolve a problem may obtain relevant information by observing what is actually happening.

Interview: This is a method of collecting information by interrogating people. The information obtained through an interview is likely to be more accurate compared to other methods. This is so because the method involves face-to-face conversation between the interviewer and interviewee. This method provides enough room for interpretation and gives detailed answers and explanation to the questions.

Questionnaire: This is another method of gathering information. It involves a list of questions to be answered by respondents in a written form. This method is useful in collecting information from a large sample size within a short period.

Mass media: This is a method of collecting information involving the use of television, radio, newspapers, journals, blogs, social media and websites.

Documentary review: This method involves the use of authoritative documents such as books and other publications to obtain information. For example, through books and other publications, a person can get information on how to address a social problem. In the field of science for instance, problems can be solved through experiments conducted in the laboratory. These experiments provide useful data for solving various problems in the society such as eruption of diseases, poor agricultural production, waterborne infections and the like.

Exercise 1.2

1. Explain why evaluation is important in social problem-solving.
2. Describe how information related to a certain social problem can be collected.
3. Identify the steps which are supposed to be followed in the process of solving social problems.
4. Describe the advantages of using a questionnaire as an information collection method in the process of solving social problems.

Activity 1.2

Visit the Village/*Mtaa* chairperson's office within your locality, then identify ways used to solve social conflicts arising in your community. Present the findings in class for discussion.

Revision exercise

A. Write **TRUE** for a correct statement and **FALSE** for an incorrect statement.

1. Difficulties faced by the community are called social problems.
2. Prevalence of conflicts is one of the benefits of social problem-solving techniques.

3. Monitoring, evaluation and implementation are steps in solving problems.
4. Identification of the problem is the third step in the social problem-solving process.
5. Knowledge and skills are among problem-solving techniques.
6. The fifth step of problem-solving involves the generation of alternatives.

B. Match each item in **Column A** against its corresponding item from **Column B**.

Column A	Column B
1. Gathering information	(a) alternative ways of tackling problems
2. Reduce death rate	(b) finding root causes of the problem
3. Creativity	(c) social problem-solving techniques
4. Observation	(d) lead to stress and depression
5. Pandemic diseases	(e) eye witness source of information

C. Answer the following questions.

1. What does 'problem-solving techniques' mean?
2. What are the benefits of applying social problem-solving techniques?
3. Explain briefly how you can apply problem-solving techniques.
4. Describe five prevalent social problems in your society.

Chapter Two

The Government of the United Republic of Tanzania

Introduction

In any country the existence of government is inevitable. The government plays the roles of ensuring the welfare of people, enforcing laws as well as maintaining peace and security in the country. In this chapter, you will learn about the meaning of government, its types and forms as well as the importance of government. You will also learn about State Authorities of the United Republic of Tanzania, Local Government and the union between Tanganyika and Zanzibar. The competencies developed will enable you to be a responsible citizen who abides to the existing structure of your Government. Similarly, you will be able to use the existing organs of the Government in your day-to-day activities.

The concept of government

Government can be defined as a group of people with power and authority to rule and enforce laws in a country. It can also be defined as an organised body of people who form administrative machinery which formulates and translates policies into actions in order to meet the state goals. Therefore, every government has the duty of planning and executing policies to meet the needs of the people.

Types of government

Governments may come into power either by legitimate means or force. Therefore, governments can be classified into two major types, namely, democratic governments and non-democratic governments.

Democratic government

This refers to the type of government that comes into power through legitimate means. The leaders in this type of government are chosen through popular votes and they adhere to all principles of democracy in exercising their power and authority. In this type of government, leaders come into power through election.

For a government to be truly democratic, the election process must be free and fair. It has to be approved by the people to decide who can lead them. Also, this kind of government should follow the principles of democracy in ruling the country. Such principles include the rule of law, free and fair election, freedom of expression and association, accountability and transparency as well as promotion and protection of human rights. Therefore, in a democratic nation government leaders must get legitimacy from the people through a democratic election.

Non-democratic government

This is a type of government which gets into power through coercive means such as military coups, without the will of the people. The leader in a non-democratic government is called a dictator. In this type of government, the popular vote is not important for the existence of the government. The leaders are not obliged to apply the principles of democracy in discharging their duties. Normally, under a non-democratic government only one person or a group of people takes control of the government without the consent of the majority. In those circumstances, human rights are less protected and promoted.

Forms of governments

There are various forms of governments. These forms are determined by power source and power distribution. Power source includes inheritance, constitutional election or the use of force. Power distribution refers to how power is organised and shared among the government officials. Therefore, forms of government are determined by how power is acquired and distributed in a particular state. The seven forms of government are described in the following sections.

(a) Republic government

A republic is a form of government which is led by an executive president who is elected by popular votes in a general election. Constitutionally, the President is given executive power and authority to be the head of the state. In this form of government the citizens have supreme power and they exercise that power by voting and electing representatives in decision-making organs.

There are two kinds of a republic government: Presidential and Parliamentary.

(i) *Presidential republic:* This is a form of government which operates through a presidential system of governance. The President is the head of state and the government as well. The United Republic of Tanzania is an example of a presidential republic.

(ii) *Parliamentary republic:* This is a form of government which operates under a parliamentary system. The Prime Minister is the active head of the executive and also the leader of government business in the Parliament. An example of a parliamentary republic in Africa is Ethiopia.

(b) Union government

A union government is formed when two or more independent nations unite. Each nation surrenders its sovereignty to the unitary government. The Government of the United Republic of Tanzania is an example of a union government. It was formed on 26th April, 1964 when Tanganyika and Zanzibar united.

(c) Monarchy government

This is a form of government whereby power and authority are under a single person. This person is called a monarch and can be a King or a Queen. A monarchy government is divided into Absolute monarchy and Constitutional monarchy.

(i) *Absolute monarchy:* This is a form of government in which the King or Queen exercises power and authority without being bound by the laws of the state. In this form of government the King or Queen has absolute power over the state and government affairs.

(ii) *Constitutional monarchy:* This is a form of government in which the King or Queen is only a ceremonial head of the state. The Prime Minister who is elected from the political party with majority seats in the parliament becomes the head of the government. In a constitutional monarchy, leaders are bound by a set of rules and basic principles. The source of power for the King or Queen in a constitutional monarchy is inheritance.

(d) Federal government

This is a form of government in which the power is divided and shared between the central government and state governments. In this form of government every member state has control over its own affairs while the central government controls the overall affairs of the federal government. Federal governments derive their powers from states that agree to unite.

(e) Theocracy government

This is a form of government that governs by using rules and principles which are derived from religion. In this form of government leaders are obtained from among the clerics of the concerned religion. The religious leaders claim to rule the country on behalf of God.

(f) Transitional government

This is an interim government which is set up in order to allow for a peaceful transition of power in a country. It exists in the absence of a legitimate governing authority. It is made up of appointed officials or politicians or groups that serve for a limited period of time with a limited mandate that seeks to assist the country in creating an enabling environment for a legitimate government to take over. Some of the African countries which have had a transitional government include Sudan, Burundi and the Democratic Republic of Congo (DRC).

(g) Anarchy

Anarchy is not a definite form of government. It is a situation where there is no systematic form of administration legally authorised to rule a nation. It lacks a constitution and organised leadership. Only rival groups may exist fighting to take control of the state. Countries that have experienced anarchy include Somalia and Myanmar.

Activity 2.1

In groups, explain how different forms of government operate and why Tanzania adopted the existing form of government.

The importance of government

The government serves many vital functions including the following:

(a) Protection of the citizens and their properties;

(b) Provision of social services to the people such as education, health, water, electricity, transport and communication;

(c) Protection and conservation of natural resources like mountains, water bodies, minerals, wildlife and forests;

(d) Maintenance and promotion of good relations with other countries and international communities;

(e) Designing national policies in various sectors of the economy and viable development plans for the welfare of the nation; and

(f) Making, enforcing and interpreting laws for the purpose of maintaining peace and order in the nation.

Exercise 2.1

1. What do you understand by the term government?
2. What do the following terms mean:
   (a) Monarchy
   (b) Absolute monarchy
   (c) Constitutional monarchy
3. What are the differences between:
   (a) Anarchy and transitional government
   (b) Presidential and parliamentary government
4. What situations lead to the formation of a transitional government?
5. With vivid examples describe a theocracy government.
6. Write down five differences between a democratic and a non-democratic government.
7. What are the roles played by the government in maintaining and enforcing laws?

State Authorities of the United Republic of Tanzania

State authorities refer to organs through which government activities are being executed. According to Article 4 of the Constitution of United Republic of Tanzania, 1977 there are three state organs, namely, Judiciary, Executive and Parliament. Each organ has its functions according to its establishment. The Parliament is responsible for law making, the Executive is responsible for law enforcement and the Judiciary is responsible for interpreting the laws. Each organ should work independently without interference from the other organs.

Structure of State Authority

The structure of State Authority includes three pillars, namely, Executive, Legislature and Judiciary.

The Executive

The Executive is the organ of the government that deals with administrative functions. The Executive of the United Republic of Tanzania is composed of the following officials: the President, the Vice President, the Prime Minister, Ministers and their Deputies. Other officials are Regional Commissioners, District Commissioners and Division Officers.

(a) *President:* According to the Constitution of the United Republic of Tanzania, the President is the head of the State, Government and the Commander in Chief of the Armed Forces.

As the head of State, the President of the United Republic of Tanzania has different responsibilities including the following:

(i) Representing the United Republic of Tanzania within and outside the country;
(ii) Signing international agreements with foreign countries;
(iii) Promoting and maintaining national unity;
(iv) Officiating at major national ceremonies;
(v) Granting or revoking land rights;
(vi) Assenting to Parliament bills;
(vii) Establishing new Regions and Districts; and
(viii) Pardoning criminals convicted in the court of law, which is referred to as prerogative of mercy.

As the head of the Government he or she has the following responsibilities:

(i) Chairs of the Cabinet;
(ii) Takes all responsibilities for all government plans and decisions;
(iii) Initiates and can dissolve the Parliament; and
(iv) Appoints senior government officials and dismisses them when deemed necessary.

As the Commander in Chief of the Armed Forces he or she executes the following responsibilities:

(i) Declares a state of emergency and war by the consent of the Parliament;
(ii) Appoints senior military officers; and
(iii) Uses the army for special duties in peace keeping.

(b) *Vice President:* The Vice-President is the principal assistant to the President in respect of all matters in the United Republic generally and, in particular, shall:
  (i) Assist the President in making follow-up on the day-to-day implementation of union matters;
  (ii) Perform all duties assigned to him or her by the President; and
  (iii) Perform all duties and functions of the Office of the President when the President is out of office or out of the country.

(c) *Prime Minister:* The Prime Minister shall have authority to:
  (i) Control, supervise and execute the day-to-day functions and affairs of the Government of the United Republic of Tanzania;
  (ii) Lead government business in the National Assembly; and
  (iii) Perform or cause to be performed any matters which the President directs to be done.

(d) *Ministers:* Ministers are political leaders of their respective ministries. All are appointed by the President after consultation with the Vice-President and Prime Minister. All Ministers are appointed from among Members of Parliament and are also members of the Cabinet.

(e) *Deputy Ministers:* Deputy Ministers assist ministers in their respective ministries. They are appointed by the President of the United Republic of Tanzania from among the Members of Parliament. Deputy Ministers are not members of the Cabinet.

(f) *Regional Commissioners:* Regional Commissioners are principal representatives of the government at the level of the region in which they are appointed. They are appointed by the President of the United Republic of Tanzania. They are responsible for ensuring the maintenance of law and order in their regions. Regional Commissioners are assisted by Regional Administrative Secretaries (RAS) who are also presidential appointees. The Regional Administrative Secretary is the head of the Regional Secretariat, the Principal Advisor to the Regional Commissioner in the exercise of his/her functions in relation to the implementation of decisions of Government and recommendations of Consultative Committee and generally, in relation to the Region and its people.

(g) *District Commissioners:* District Commissioners are principal representatives of the government within the area of the district in which they are appointed. District Commissioners are appointed by the President of the United Republic of Tanzania. They are responsible for security and maintenance of law and order in their districts. District Commissioners are assisted by District Administrative Secretaries (DAS) appointed by the Minister in the President Office - Public Service Management and Good Governance. The District Administrative Secretary is the Principal Advisor to the District Commissioner in the exercise of his/her functions in relation to the implementation of decisions of Government and of Local Government Authorities and generally, in relation to the District and its people.

(h) *Division Officers:* Division Officers are government officials in their respective divisions within the district. They represent and assist the District Commissioners in the implementation of the central government's activities.

Activity 2.2

In groups, use different sources of information to explain, what will happen if the President fails to fulfil his or her duties? Then present the findings in class for discussion.

Functions of the Executive

Enforcing Laws: The primary function of the Executive is to enforce laws and maintain peace and order. Each government department is responsible for the implementation of the laws and policies it is mandated to. The Executive uses security forces like the police to enforce law and order of the State where possible.

Making major appointments: All major appointments are made by the President of the United Republic of Tanzania. For example, the President of the United Republic of Tanzania appoints the Chief Justice, Justices of the Court of Appeal and other Judges of the High Court. He/she also appoints Ambassadors, Attorney General and head officials in the security forces.

Signing treaties: It is the responsibility of the Executive to sign treaties with other countries. The Executive is also responsible to negotiate treaties in accordance with the provisions of different national laws and procedures defined by international laws. Normally, the President signs a treaty after it has been ratified by the Parliament, if the provisions of the treaty requires ratification.

Maintaining peace and security: One of the key functions of the Executive is to maintain peace and security by protecting the country from any event related to internal and external aggression or war. In case of external aggression or war, the President who is the Chief Executive will organise military forces and prepare them to fight the war, and where necessary, to negotiate and sign a peace settlement.

Formulating foreign policies and promoting international relations: The most important function of a government is to formulate foreign policies of the state and to promote foreign relations. Also, it sets goals of national interest, fixes its priorities and ensures the attainment of the set goals.

Formulating of policies and bills: Law-making is primarily the function of the Legislature. However, the Executive also plays a role in the law-making process. For example, most of the bills for legislation are introduced and piloted by the Executive before being sent to the Legislature for discussion. The Legislature spends much of its time debating and passing government bills. The bills passed by the Legislature become law when they are signed by the President.

The Legislature

The Legislature is the law-making body of the country. It is also known as the Parliament. The Parliament of the United Republic of Tanzania consists of two parts, the President and the National Assembly. The President is part of the Parliament but is not a member of the Parliament, because he or she does not participate in parliamentary sessions but in the law-making process by signing the proposed bills to become laws. Figure 2.1 shows the National Assembly in a session.

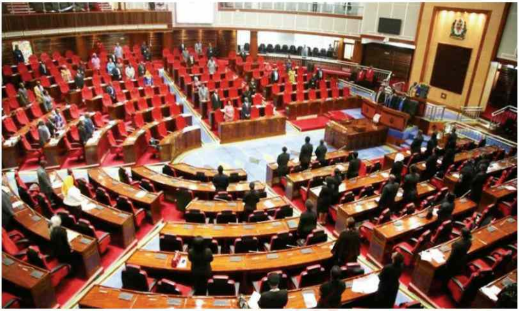

Figure 2.1: *National Assembly in a session*

Categories of Members of Parliament

The Members of Parliament are categorised as follows:

(a) Members elected to represent constituencies;

(b) Women members who are not less than thirty percent of all Members of Parliament elected through the political parties that participated in the general election on the basis of proportion of votes;

(c) Five members elected by the House of Representatives from among its members;

(d) The Attorney General;

(e) Ten members appointed by the President and at least five members amongst them shall be women; and

(f) The speaker, if he or she is not elected from amongst the members.

Leadership of the National Assembly

There are two categories of leadership in the Tanzanian National Assembly namely:

(a) **Leaders of the National Assembly**

   (i) *Speaker of the National Assembly:* The Speaker is the head of the Legislature who is elected by the Members of Parliament either from amongst them or any contestant outside the Members of Parliament.

   (ii) *Deputy Speaker of the National Assembly:* The Deputy Speaker is the principal assistant to the Speaker. He or she is elected from amongst the Members of Parliament.

   (iii) *Chairpersons of the National Assembly:* They are elected from amongst the Members of Parliament. However they should be chairing one of the parliament standing committees to qualify for the post. They can chair the meeting in the absence of the Speaker or Deputy Speaker.

   (iv) *Clerk of the National Assembly:* He or she is appointed by the President from amongst persons holding high office in the service of the Union Government. He or she is also the Chief Executive in the office of the National Assembly who is responsible for efficient discharge of the business of Parliament.

(b) **Leaders of the two camps of the Members of Parliament**

These are leaders who represent the government, the rulling and opposition camps in the Parliament.

   (i) *The Prime Minister:* He or she is the leader of government business in the House who is assisted by all ministers responsible for organising business and providing reasonable facilities for the Parliament to debate matters presented for discussion.

   (ii) *The leader of the official opposition:* A Member of Parliament elected from among the members of opposition political parties particularly the party with majority of members in the Parliament.

   (iii) *Whips:* These are two Members of Parliament appointed by each party, responsible to help and organise their parties' contribution to parliamentary business. Also, they are responsible to make sure that the maximum number of their party members vote according to their parties' instructions. In so doing, they make sure that they bring together members of the same political party and other parties.

Functions of the Parliament

The Parliament has its main functions which include:

(a) Making laws of the state;
(b) Discussing and approving national budget and plans;
(c) Asking questions to any minister concerning public affairs in the United Republic of Tanzania which are within their responsibility;
(d) Authorising any long- or short-term plan to be implemented in the United Republic of Tanzania;
(e) Deliberating upon and approving all treaties which the United Republic of Tanzania is a counterpart and identifying provisions which require approval;
(f) Approving the appointment of the Prime Minister; and
(g) Debating the performance of each ministry during the annual budget session of the National Assembly.

Law making process in the Parliament

One of the key functions of the Parliament is to make laws. A law proposed to the National Assembly is called a bill. There are two types of bills, namely, government and private member's bills. Government bills are introduced into the National Assembly by a Minister or the Attorney General. On the other hand, private member's bills are introduced into the National Assembly by any Member of Parliament who is neither a minister nor the Attorney General. Law making in Tanzania involves several stages.

(a) **Pre-legislative scrutiny**

This is the primary stage where a bill must go through a lengthy process for consultation and decision making at ministerial level, Permanent Secretaries and finally to the Cabinet before it is formally introduced into the National Assembly. At this stage, the Government may seek comments from interested parties such as professional bodies, voluntary organizations and other interested groups. A draft bill may also be examined by a selected committee of the Parliament in order to allow some Members of Parliament to have early influence on the proposed bill.

(b) **Introducing the bill into the National Assembly**

This is the second stage where the responsible minister reads the bill for the first time but no debate takes place. The bill may be a proposal for a new law, or a proposal to amend an existing law. The first reading is the point at which public attention becomes drawn to the proposal through press coverage and, on occasion, vociferous campaigns for and against the bill by groups to be affected by it. After the first reading, the bill goes to the Parliamentary Committee. The committee in collaboration with various stakeholders will examine, discuss and make amendments where necessary.

(c) **Debating the bill**

This is the third stage where the bill is read for the second time in the National Assembly. Members of Parliament may have enough time to discuss, examine and amend the bill if the need arises. Unlike the initial stage, this stage provides an opportunity for the Members of Parliament to participate in parliamentary debate and discussion on all matters arising out of the bill. The debate and discussion also accords the government with an opportunity to reflect on its proposed bill and modify it where necessary.

After completion of the general debate, the National Assembly resolves itself into a 'Committee of the whole House'. The Committee subjects the bill to line-by-line examination with any amendments which may have been made by the Minister in-charge on the bill. The Presiding Officer who at this stage is designated Chairperson puts the question on the clause as amended for approval.

(d) **Voting the bill**

When the clauses of the bill have been dealt with, the National Assembly resumes and the Speaker returns to the chair at the conclusion of the proceedings in the Committee of the whole House. When the National Assembly completes doing all the amendments, the Minister in-charge of the bill reports the same for final approval by the House.

Nevertheless, the National Assembly can pass the proposed bill to be a law, but only if it is supported by votes of simple majority. However, if it is a bill to alter any provisions of the Constitution, then it must be passed by votes of not less than two-thirds of all the Members of Parliament.

(e) **Passing the bill**

After the National Assembly has voted for the bill, it is time for a third reading. It is a stage of the legislative process in which a bill is read with all amendments and given final approval by the National Assembly.

(f) **Assent to the bill**

After the third reading of the bill in the National Assembly, it is presented to the President for approval. Once the President signs it, it becomes the Act of Parliament.

What happens if the President does not assent to the bill?

When it happens that the bill is returned to the National Assembly, the President must state reasons for not approving it. In such a situation, the National Assembly can present the bill again to the President after a period of six months has elapsed. The bill must also be supported by not less than two thirds of Members of Parliament. If the bill is passed again by the National Assembly, the President has no choice other than to assent it within 21 days. If it happens that the President does not assent the bill within 21 days, he/she shall have to dissolve the Parliament.

Exercise 2.2

1. Describe responsibilities of the following leaders of Parliament:
    - (a) The Speaker
    - (b) The Prime Minister
    - (c) The Clerk of the National Assembly
2. What is the rationale for having varieties of Members of Parliament?
3. Identify three functions of Parliament.

Activity 2.3

With the help of your subject teacher, invite your Member of Parliament to discuss law making process in the Parliament.

The Judiciary

This is another organ of the State dealing with dispensation of justice. It derives its power from the Constitution of the United Republic of Tanzania, 1977. Tanzania Mainland and Tanzania Zanzibar each has its own judicial system but they share the Court of Appeal of United Republic of Tanzania. Figure 2.2 shows the hierarchy of the Judicial System in the United Republic of Tanzania.

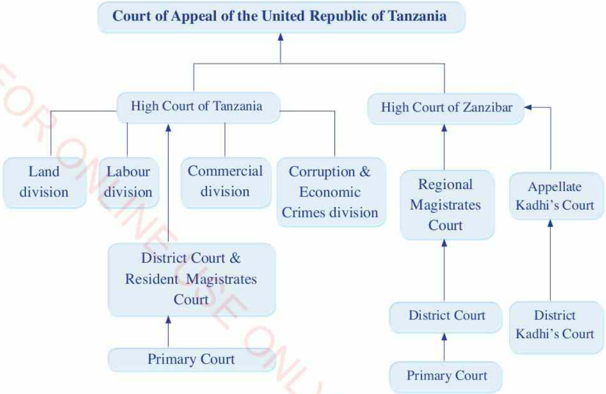
Court of Appeal of the United Republic of Tanzania
High Court of Tanzania
High Court of Zanzibar
Land division
Labour division
Commercial division
Corruption & Economic Crimes division
Regional Magistrates Court
Appellate Kadhi's Court
District Court & Resident Magistrates Court
District Court
District Kadhi's Court
Primary Court
Primary Court

Figure 2.2: *Hierarchy of the Judicial System in the United Republic of Tanzania*

Court system of Tanzania Mainland

Primary Courts

Primary courts are the lowest courts in the hierarchy of the Tanzania court system and do exercise jurisdiction within their respective districts. They have original powers to try cases of a civil nature where the law applicable is customary law and Islamic law. They also have powers in matrimonial proceedings relating to civil and Christian marriages. The Primary Court Magistrate sits with not less than two assessors to hear cases in minor civil and criminal offences. Any person who is aggrieved by a decision of this court may appeal to the District Court.

The Resident Magistrate Courts and District Courts

Resident Magistrate Courts and District Courts are courts of the same level. They enjoy concurrent jurisdiction and whereas the Magistrate Courts are found at the regional level, the District Courts are found at the district level. These Courts have original jurisdiction in matters which the Primary Courts lack jurisdiction. They also have appellate, supervisory and revisional powers over decisions of the Primary Courts. The District Courts are established in every district while the Resident Magistrate Courts are established by order of the Chief Justice in few areas where necessary. Resident Magistrate Courts are intended to reduce backlog of cases especially in urban areas where there is a very high population density. Decisions from either of these courts normally go to the High Court. These courts are presided over by the Resident Magistrates.

The High Court of Tanzania Mainland

This is a court of first instance in cases of murder, treason and other specialised offences. It is also an appellate court in all cases from District and Resident Magistrate courts. The High Court exercises original jurisdiction on matters of a constitutional nature and have powers to entertain election petitions and petitions for violation of basic rights as per constitution. The High Court of Tanzania Mainland has four specialized divisions. First, there is the Commercial Division which deals with cases of commercial nature. Secondly, there is the Labour Division which deals with all matters of labour disputes. The Land Division deals with land disputes. Lastly, there is Corruption and Economic Crimes Division which deals with cases of economic sabotage. All appeals from subordinate courts go to the High Court of Tanzania. The decision of the High Court binds all courts subordinate to it. This means the courts below to High Court are required to follow decisions of the High Court unless they are modified or declared invalid by the Court of Appeal. The decision makers who sit in this court are called Judges of the High Court. The head of the High Court is called Principal Judge.

Court of Appeal of the United Republic of Tanzania

The Court of Appeal is the highest court of the land and handles all appeals from the High Court of Tanzania Mainland and Tanzania Zanzibar. Therefore, it is an Appellate, Review and Revisionary Court empowered to hear and determine every matter brought before it, in either of the above ways arising from judgments or other decisions of the High Court of Tanzania Mainland and the High Court of Tanzania Zanzibar. As such, the Court can follow, distinguish, quash or amend some earlier decisions. It consists of the Chief Justice and other Justices of Appeal. It is not a court of first instance. The decision of the court binds all the courts below it.

Court system of Tanzania Zanzibar

Primary courts

This is the lowest court in the court hierarchy. It deals with petty offences and all civil and criminal cases. An appeal from the Primary Court lies with the District Court.

District Court

District courts are established in every district. They are presided over by District Magistrates. They have powers to entertain appeals from Primary Courts and also try cases of the first instance. District Courts do entertain both civil and criminal matters. Appeals from District Courts lie with the Regional Magistrate Court.

Regional Magistrate Court

Regional Magistrate Courts are established in every region. They do enjoy powers to entertain civil and criminal cases. They entertain appeals from District Courts. The Regional Magistrate in charge has powers to call and inspect the record of any District or Primary Court for the purpose of satisfying oneself as to the correctness, legality or propriety of any decision of the district therein. If the Regional Magistrate considers that there is any illegal decision, he or she may forward the records with a report to the High Court in order to exercise powers of revision.

District Kadhi's Court

These are parallel to the District Court system. These are established in every district to determine matters or questions of Islamic law relating to personal status, marriage, divorce or inheritance in which all the parties profess Islamic religion. Appeals from the District Kadhi's Court lie with the Appellate Kadhi's Court and the High Court.

The High Court

The High Court of Zanzibar is a court of appeal for all subordinate courts. It entertains appeals from the Regional Magistrate Court and the Appellate Kadhi's Court. Its decision binds all the courts subordinate to it.

Court of Appeal of the United Republic of Tanzania

It entertains all appeals from the High Court of Zanzibar as well as from the High Court of Tanzania Mainland. The Court of Appeal of the United Republic of Tanzania is a union matter.

Administrative tribunals

Administrative Tribunals are bodies outside the hierarchy of the courts with an administrative or judicial function. Unlike the ordinary courts which administer justice and are bound by strict rules of procedure and evidence, the administrative tribunals are not bound by those procedures. Administrative tribunals in Tanzania include Ward Tribunals, Tax Appeal Tribunals, District Land and Housing Tribunals, Court Martials and the Fair Competition Tribunal among others.

Roles and functions of the Judiciary in Tanzania

Interpretation of law: This is a process by which courts interpret and apply the intended meaning of legal documents such as a statute. Normally, judges search for meaning using various rules of statutory interpretation to give a statute its real meaning in order to avoid miscarriage of justice. Sometimes, the words of the statute have plain and straightforward meaning; but in some cases, there is some ambiguity which needs to be resolved by the judge or a magistrate. For the purpose of statutory interpretation, the Judiciary has developed a number of rules such as the literal rule, the golden rule and the mischief rule. They are different in application and judges do not always agree on which approach should be used. It depends on the judge who presides over the case. Once that interpretation has been made, it may form a precedent for later cases.

Hearing cases filed before the courts of law: Many cases relating to disputes between citizens, or between the government and citizens, are brought before the courts which proceed to give their decisions.

Protection of civil rights: The basic role of the Judiciary is to safeguard the rights of the people. A citizen has the right to seek protection of the Judiciary in case his or her rights are violated or threatened to be violated by the government or by private organisations or fellow citizens, regardless of their race, tribe, religion or status. In all such cases, it becomes the responsibility of the Judiciary to make sure the rights of the people are protected.

Safeguarding the Constitution: The Constitution is the supreme law of the land. It is the responsibility of the Judiciary to interpret and protect it. For this purpose, the Judiciary can conduct judicial review over any law for determining whether it is in accordance with the spirit of the Constitution or not. In case any law is found to be against the Constitution it is declared unconstitutional.

Exercise 2:3

1. Explain how decisions in Primary Courts are reached.
2. Describe the structure of the Judiciary and its functions.
3. What is the main function of the Court of appeal of Tanzania?
4. Mention the lowest level of the Judiciary and its functions.

Activity 2.4

In groups, with the help of your subject teacher, visit a Primary Court, observe how different cases are conducted and judged. Then write down the report of your observation.

Functions of the Central Government

(a) ***To enforce law:*** The Central Government has the duty of ensuring that there is rule of law. The rule of law means no one is above the law and that the laws of the state are properly enforced and interpreted in the court so that people can understand and adhere to them.

(b) ***To promote peace, security and order in the country:*** The Central Government has the duty of protecting the state from external attacks. This is done by the executive organ which has to get consent of the Parliament once the country is at war.

(c) ***To regulate and maintain the economy of the state:*** It enacts laws and rules that guide investors, issue licenses and collect taxes.

(d) ***To formulate policies:*** The Executive formulates different policies which are useful for the well-being of the country.

(e) ***To provide social services:*** It is mandated to provide essential social services to the people which include education, transport, health services, water and power supply.

Sources of the Central Government revenue

The Government needs enough sources of income to manage the provision of public services. The Central Government's income is obtained through revenue collected from different individuals and business companies. The revenue is normally obtained through the sources listed below.

(i) ***Direct and indirect tax collected from different sources:*** The tax collected from government employees and the private sector is one of direct tax. It also includes interest on investment earnings, monthly payments and profit from businesses. Indirect tax is collected from the tax which is imposed on goods or services such as Value Added Tax (VAT), custom duty, and excise duty.

(ii) ***Grants:*** These are either internal or external sources of Central Government revenue. They are non-repayable funds provided by domestic or foreign donors such as domestic private companies, international agencies like the International Monetary Fund (IMF) and the World Bank (WB). Most grants are provided to developing countries to help them improve their public services.

(iii) ***Customer or user charges:*** The Central Government collects its revenue from users of different public services like water, power supply, transport and medical services. The funds are collected when customers pay bills on the provided services.

(iv) ***Loans:*** These are sources of government revenue obtained from borrowing from either internal or external institutions. The Government can borrow from other countries or international financial institution like the World Bank (WB) and International Monetary Fund (IMF). It can also borrow from internal banks and other private agencies.

(v) ***Licenses:*** The sale of licenses to individuals or companies for offering services to perform certain functions provides revenue to the Central Government. Any trade or business conducted within the country should be given a license for that purpose.

(vi) ***Dividends from parastatal organisations:*** Dividends are payments made by a corporation to its shareholders. The government owns full or part of shares in different parastatal organisations such as Tanzania Telecommunications Corporation Limited (TTCL), Tanzania Electric Supply Company (TANESCO), National Insurance Corporation (NIC) and Tanzania Ports Authority (TPA). Once profit is made the government gets its dividends from these corporations.

(vii) ***Other sources of revenue:*** Other sources of revenues in Tanzania include all monies derived from different sectors like agriculture, fishing, transport, and tourism.

Central Government expenditure

The Central Government spends its revenue in various activities as follows:

(a) Improving social services such as education, health care, water and power supply;
(b) Developing programmes and projects such as construction and maintenance of roads, railways, ports, schools and hospitals;
(c) Paying salaries and wages to all government employees;
(d) Financing different schemes, for example, irrigation schemes such as Usangu in Mbeya and Dakawa in Morogoro;
(e) Providing capacity building to all government employees;
(f) Providing subsidies to Local Governments and political parties with parliamentary seats in the National Assembly.

Exercise 2.4

1. Identify sources of Central Government revenue.
2. List down any five types of business that the Central Government uses as sources of revenue.
3. Identify any four social services from which the government generates its revenue.

Activity 2.5

In groups, visit your local area. Observe social services which are provided by the Central Government and find out how the citizens benefit from those social services.

Participation in Central Government activities

The Central Government performs different social, political and economic activities. It is important for every Tanzanian to participate in those activities by doing the following:

(a) Participating in political activities such as voting or contesting for political posts like Ward Councillor, Village Chairperson, Member of Village Council or Member of Parliament during elections;

(b) Seeking information on different government activities through different media such as television, radio, newspapers and magazines as well as attending community or public meetings;

(c) Paying taxes so as to enable Local and Central Governments to increase their revenue which in turn may lead to the provision of adequate social services like health services, education, water and electricity;

(d) Making proper use of facilities provided by the government, for example, proper handling of school facilities and other public properties; and

(e) Participating fully in community activities such as constructing inland waterways that can help supply of water.

Exercise 2.5

1. Identify five activities in which you can participate, in contributing to national development.
2. Why do people pay tax to the government?
3. Identify ways citizens can get information on how they can participate in Central Government activities.

Activity 2.6

In groups, conduct a library research to find out the importance of the Central Government to national development. Then present your findings to class for discussion.

Local Governments

Local Government authorities were established by Article 145 of the Constitution of the United Republic of Tanzania of 1977. They are governed by two laws which are the Local Government (District Authorities) Act Cap 287 which governs all District Councils and the Local Government (Urban Authorities) Act Cap 288 which governs Urban Authorities like City Councils, Municipal Councils and Town Councils.

The aim of establishing Local Government Authorities is to bring closer all government services to the community. These services include education, health, infrastructure and to promote democracy to the people. Local Authorities have their organisation from the level of Village to District Council and *Mtaa* to City Councils. Therefore, they act as a link between the Central Government and the society at the grassroots.

Structure of Local Governments

The structure of Local Government in Tanzania is divided into two categories according to the law, namely, Urban authorities and District authorities. Figure 2.3 shows the structure of Local Government.

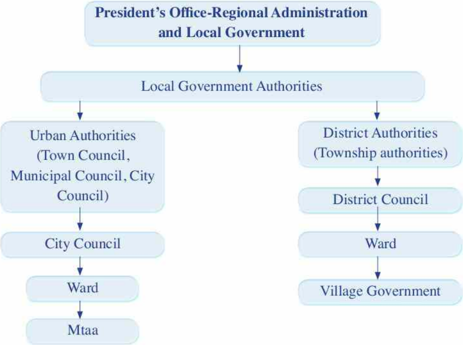
President's Office-Regional Administration and Local Government
Local Government Authorities
Urban Authorities (Town Council, Municipal Council, City Council)
City Council
Ward
Mtaa
District Authorities (Township authorities)
District Council
Ward
Village Government

Figure 2.3: *Structure of Local Government*

District Authorities

Village Government

The Village Government is the smallest unit of the Local Government in the District Authorities. The village is established after being registered by the registrar of villages who is appointed by the minister responsible for Local Government Authorities among public officers. The village is formed by a prescribed number of households settled and living in one area within Mainland Tanzania.

The Village Government is led by the Village Chairperson who is elected by villagers through official election procedures under the Local Government Election Act Cap 292 and can be removed by the same villagers. The Village Chairperson is assisted by the Village Executive Officer (VEO) who is a public officer employed by the District Council. There are two organs within the village for decision making, these are Village Council and Village Assembly. All decisions in the village are made through a majority vote. Figure 2.4 shows the structure of the Village Government.

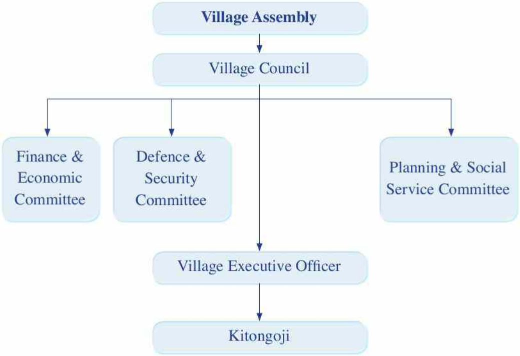
Village Assembly
Village Council
Finance & Economic Committee
Defence & Security Committee
Planning & Social Service Committee
Village Executive Officer
Kitongoji

Figure 2.4: *Structure of Village Government*

(a) **Village Assembly:** It is the supreme organ in the Village where all matters pertaining to the Village are decided. It involves all people residing within the village who are above the age of 18. Village assembly meetings are held at least once after every three months; however, where needs arise, irregular meetings can be held any time. It should be noted that these meetings are convened only to discuss emergency issues to the village community. Figure 2.5 shows villagers in a Village Assembly.

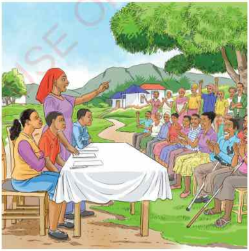

Figure 2.5: *Village Assembly*

Functions of the Village Assembly

The following are the functions of the Village Assembly:

(i) To approve by-laws of the Village;
(ii) To approve Village annual plans and budget;
(iii) To elect or remove the Village Chairperson; and
(iv) To elect the Village Council.

(b) **Village Council:** The Village Council is an organ within the village. It comprises of not less than fifteen and not more than twenty five members. The members include: Chairperson of the Village, Chairpersons of Vitongoji within the Village and other women members who are not less than one quarter of all members in the Village Council. The Chairperson of the Village Council meetings is the Village Chairperson while the Village Executive Officer becomes the secretary. A member of the Village Council shall remain in the office for a period of five years unless he or she resigns or dies.

Functions of the Village Council

The prime functions of the Village Council are as follows:

(i) Maintain peace and order within the Village;
(ii) Promote good governance in the Village;
(iii) Prepare development plans and budget and submit these to the Village Assembly for approval;
(iv) Find and propose sources of revenue for the Village;
(v) Implement all decisions and directives from the Village Assembly and District Council;
(vi) Monitor and supervise proper implementations of development projects executed within the Village;
(vii) Propose Village by-laws; and
(viii) Supervise the functions of the Village Committee on behalf of the Village Assembly.

(c) **Committees of the Village Government**

According to the Local Government (District Authorities) Act Cap 287 of the law of Tanzania, the Village has discretion to establish permanent committees or special committees for proper execution of its functions. Where a permanent committee has been established, the Village Council shall be responsible to provide guidelines of operation of such a committee.

The following are common committees established by most Village Councils:
(i) Finance and economic committee;
(ii) Defence and security committee; and
(iii) Planning and social services committee.

Ward Administration

The Ward is an area within the District Authority. It comprises a number of villages as may be specified in the order gazetted by the minister. However, the minister shall not divide and gazette any district into wards without prior approval of the President of the United Republic of Tanzania.

The Ward is led by a Ward Councillor who is elected by the people residing within the Ward and assisted by the Ward Executive Officer (WEO) who is the employee of the District Council.

(a) Ward Development Committee (WDC)

The Ward Development Committee is a committee at ward level which is responsible for ensuring implementation of the decisions and polices of the District Council for the development of schemes related to the Ward. Every Ward has this committee which comprises of a Ward Councillor who is the Chairperson of the committee, Ward Executive Officer who is the Secretary of the committee, Chairpersons of all Village Councils within the Ward, any invited person by the committee and Member of Parliament in the District Council residing within the Ward.

Functions of the Ward Development Committee

Functions of the Ward Development Committee are as follows:
(i) Supervise and coordinate implementation of projects and programmes of the District Council within the Ward;
(ii) Monitor revenue collection;
(iii) Supervise funds allocated in the Ward;
(iv) Promote participation of the community in development activities;
(v) Manage disaster and environmental related activities;
(vi) Promote gender issues within the Ward; and
(vii) Ensure all policies and decisions of the District Council are implemented.

(b) Ward Executive Officer (WEO)

The Ward Executive Officer is the secretary of the Ward Development Committee.

The Local Government (District Authorities) Act Cap 287 establishes the office of Ward Executive Officer and its functions. Some of the functions are to:

(i) Represent and assist the Director in overseeing the implementation of development activities in the Ward;
(ii) Prepare action plans of the Ward and submit them to the Director;
(iii) Supervise Village Executive Officers(VEO) in daily activities;
(iv) Enforce all by-laws in the Ward;
(v) Supervise and coordinate the implementation of projects in the ward;
(vi) Monitor revenue collection;
(vii) Promote gender issues in the Ward.

The Ward Executive Officer, as the representative of the District Director is the overall supervisor of all technical staff working within the Ward. These staff are from different areas of specialization like education, health, agriculture, livestock, and social welfares.

(c) Ward Sections

The Ward has several sections represented in the Ward Development Committee (WDC). These sections include Education, Health, Agriculture, Finance, Livestock and Social Welfare representing their respective departments from the District Council. Figure 2.6 shows the Ward Administration structure.

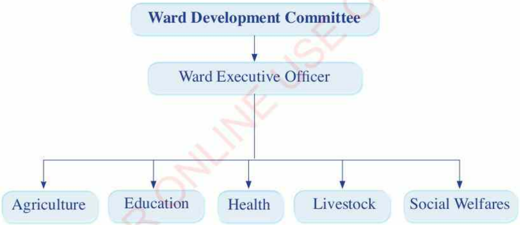

Figure 2.6: *Structure of Ward Administration*

Activity 2.7

As a class, under the supervision of your teacher, visit a Village/*Mtaa* office, ask how the citizens are involved in various development projects. Take notes and discuss them in class.

District Council

The District Council is one of the components in the structure of Local Government Authorities. It is established by the minister responsible for Local Government after consultation with the President. The minister will issue an order of establishment and publish it in the government gazette. The Council is led by the Chairperson who is elected from among the members of the council assisted by the District Executive Director who is the secretary of all Council meetings.

The Council comprises of different members as listed below:

(a) Elected members or Councillors from each Ward within the District Council;
(b) Three members appointed by the Minister;
(c) Member or Members of Parliament representing the constituency within the District Council;
(d) Women not less than one third of all members referred at (a), (b) and (c) above; and
(e) Any other member of the Parliament whose nomination originated from organs of political parties within the District Council.

Figure 2.7 shows the structure of the District Council.

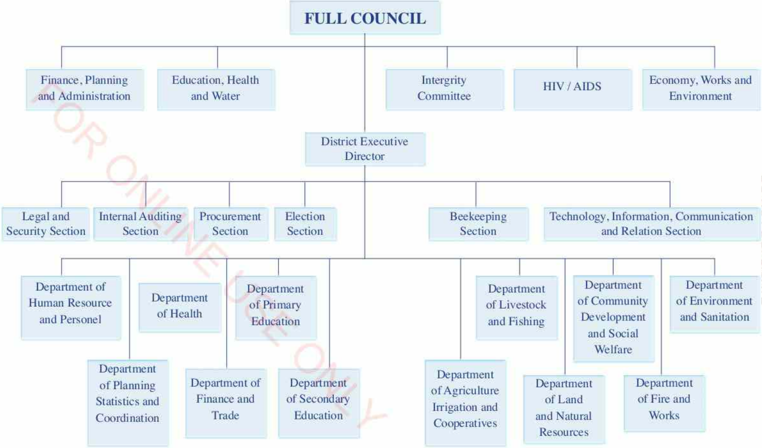
FULL COUNCIL
Finance, Planning and Administration
Education, Health and Water
Intergrity Committee
HIV / AIDS
Economy, Works and Environment
District Executive Director
Legal and Security Section
Internal Auditing Section
Procurement Section
Election Section
Beekeeping Section
Technology, Information, Communication and Relation Section
Department of Human Resource and Personel
Department of Health
Department of Primary Education
Department of Livestock and Fishing
Department of Community Development and Social Welfare
Department of Environment and Sanitation
Department of Planning Statistics and Coordination
Department of Finance and Trade
Department of Secondary Education
Department of Agriculture Irrigation and Cooperatives
Department of Land and Natural Resources
Department of Fire and Works

Figure 2.7: *Structure of District Council*

Functions of District Authorities

District Authorities have two types of functions, namely, basic and general functions as listed below:

(a) Basic Functions

These functions include the following:

(i) Maintaining peace, order and good governance within the District;

(ii) Promoting social welfare and economic well-being of all people in their areas of jurisdiction; and

(iii) Promoting social economic development in their area, subject to national policy for rural and urban development.

(b) General functions

These functions include the following:

(i) Collection and proper utilization of revenue in the council;

(ii) Making by-laws applicable in its area of jurisdiction;

(iii) Approving Village by-laws;

(iv) Considering, regulate and coordinate development plans, projects and programmes of Village and Township Authorities;

(v) Regulating and monitoring collection and utilization of revenue of Village Council and Township Authorities; and

(vi) Preparing, undertaking, regulating and controlling schemes for improved housing layout and settlement.

Responsibilities of the Councillors

(i) Find solutions and make decisions on various matters within their areas of authority;

(ii) Represent their Wards in the District Council. (A Councillor represents the residents of his or her Ward by receiving or collecting their concerns and presenting them before the Council for discussion and solution);

(iii) Motivate people to pay taxes and levies to the Council;

(iv) Oversee the use of Council funds; (The Councillor is required to ensure that the Council funds are used for the intended purpose and not otherwise);

(v) Discuss and approve budgets for various expenditure and administrative expenses;

(vi) Be the liaison persons between the Council and the Ward: (A Councillor needs to use this opportunity to submit to the District Council all decisions of the Ward Development Committee as well as submit to the Ward decisions from the District Council);

(vii) Monitor the implementation of all projects within their Wards without demanding any payment from the Council or other stakeholders;

(viii) Sensitize the public to fight against poverty; and

(ix) Comply with all principles of good governance during implementation of their responsibilities.

Urban Authorities

Urban Authorities include Town Councils, Municipal Councils and City Councils. They are established under the Local Government (Urban Authorities) Act Cap 288.

(a) Town Council

A Town Council is an administrative area with a dense population usually larger than a Township Authority and smaller than a Municipal Council. It is led by a Chairperson of the Town Council and a Town Council Director who is the Chief Executive Officer. A Town Council is established by the Minister responsible for Local Government through an order in the government gazette. It is provided that before establishment, the Minister should comply with the national policy on urban development.

The composition of a Town Council is as follows:

(i) Elected members from each Ward within the Town Council;

(ii) Member of Parliament representing the Constituency within the Town Council;

(iii) Women not less than one third of all members referred at (a), (b) and (c) above; and

(iv) Not more than three other members appointed by the Minister from among the residents of the Town.

These members will elect a Chairperson and the Deputy Chairperson of the Council. In all meetings the Town Council Director will be the secretary.

(b) Municipal Council

A Municipal Council is the next level after Town Council, and it is headed by a Mayor of the Municipal Council who is elected from among the Councillors within the municipality. The Municipal Council comprises the following members:

(i) One elected member from each Ward within the Municipal Council;
(ii) A Member of Parliament representing the Constituency within the municipality;
(iii) Women not less than one third of all members referred at (a), (b) and (c) above; and
(iv) Not more than three other members appointed by the Minister from among the residents of the municipality.

The Municipal Mayor is assisted by the Director of the Municipality who is appointed by the President of the United Republic of Tanzania and who is also the Chief Executive of the day-to-day activities of the Municipal Council.

(c) City Council

A City Council is the highest level of Urban Authority which is headed by a Mayor of the City who is elected from among the elected Councillors within the City. He or she is assisted by the Director of the City who is appointed by the President and who is also the Chief Executive of the day-to-day activities of the City Council. City Councils are composed of the following members:

(i) Elected members from each Ward within the City Council;
(ii) A Member of Parliament representing the constituency or constituencies within the City;
(iii) Women not less than one third of all members referred at (a), (b) and (c) above; and
(iv) Not more than three other members appointed by the Minister from among the residents of the City.

Functions of Urban Authorities

Urban Authorities have different functions in their area of jurisdiction some of which are as follows:

(i) Promoting the well-being and quality of life of citizens and communities through efficient performance of functions and delivery of good-value services at local level;

(ii) Maintaining law, peace, order and good governance in their localities;

(iii) Ensuring effective and equitable delivery of quality services to people within their areas of jurisdiction;

(iv) Ensuring, regulating and coordinating development plans, projects and programmes of *Mtaa* and Township Authorities within their areas of jurisdiction;

(v) Regulating and monitoring the collection and utilization of the revenue of Urban Authority;

(vi) Monitoring and controlling performance duties and functions of the council and its staff;

(vii) Formulating, coordinating and supervising the implementation of all plans for economic, industrial and social development in their areas of jurisdiction;

(viii) Consolidating democracy within their area and applying it to accelerate the development of the people;

(ix) Imposing charges and fees for service licenses;

(x) Constructing and controlling sewage system in both Urban Authorities so as to maintain public health;

(xi) Organising people in various activities initiated by Local Government authorities;

(xii) Ensuring all people are engaged into legal activities to earn their income;

(xiii) Designing and controlling various activities done by people residing within the Local Government Authorities; and

(xiv) Building and repairing social services infrastructure.

Exercise 2.6

1. Why is it important for Tanzanians to have Village Governments?
2. Briefly explain the role played by Local Government in the provision of social services in your locality.
3. Write short notes on the difference between Urban Authorities and District Authorities.
4. Explain the importance of Local Government Authorities in Tanzania.
5. Mention three Town Councils, three Municipal Councils and three City Councils in the United Republic of Tanzania.

Sources of Local Government revenue

Local Government Authorities have the mandate to raise certain revenue via taxes, levies and fees. The following are some of the sources of revenue:

(a) Money derived from trade, industry, works or services owned by the Council;
(b) Fees for business licenses;
(c) All money from tax registration;
(d) Fines and penalties from people who breach the stated by-laws;
(e) Financial assistance from the Central Government;
(f) Money obtained from trade, works, industry and services rendered by sectors allowed but not owned by the Council; and
(g) Rent collected from rented public houses and buildings, and fees collected from shops and markets.

Local Government Authorities expenditure

Local authorities generate revenue through several sources which are categorised as own source of revenue, subsides from the government, development partners, and loans from Local Government Authority Loans Board. The Local Government Authorities use their revenues according to financial rules and regulations as directed by the Central Government. Generally, they prepare their budget, make allocation to various development activities and identify priorities. The collected revenue is usually spent for the following expenditures:

(i) Improving social services such as education, health, water and infrastructure (This is witnessed in building and maintaining health centres, schools, and government offices);
(ii) Developing economic activities such as agriculture, tourism, mining, livestock keeping, and small business enterprises;
(iii) Allocating resources within areas of priority to people's welfare like health and education;
(iv) Financing development activities such as construction of infrastructure like roads, bridges, drainage sewage system and buildings;
(v) Paying operational costs for example, paying various bills in administrative offices such as electricity, water and telephone bills; and
(vi) Maintaining peace and security in their areas of jurisdiction by building security posts and paying wages to auxiliary police.

Exercise 2.7

1. Mention sources of income available at your school.
2. Suggest four sources which you think could help to generate income in your Village/*Mtaa*.
3. Examine the importance of Local Government in Tanzania.

Activity 2.8

With the help of your community elders, find out five areas that have benefited from Local Government grants in your community. Present your findings in the classroom.

Participation of students in school and Local Government activities

Students as members of the community should participate effectively in school and Local Government activities for the benefit of their society.

Participation of students in school activities

Students can participate in various school activities as follows:

(a) A student can visit people with special needs living nearby a school compound. In our community there are people suffering from various physical disabilities including blindness, deafness, mental illness and albinism. Moreover, there are family members who are sick or aged and those with behavioural disorders. All these have special needs. Hence a student as a member of the community has the responsibility to visit and help them.

(b) Protecting the school environment is part of a student's role. The student can protect the school environment by planting trees and flowers, prune hedges and flowers and clean the school compound.

(c) Taking part in school projects is one of the responsibilities of a student at school. The student should play part in creating different development projects involving artwork, agriculture, fishing and tree nursery.

(d) Obeying school rules and regulations established by the school administration in order to bring peace and harmony in school is another way a student can participate. All students should respect school rules and regulations so as to build a strong community which is disciplined.

(e) A student should engage in school elections by electing their leaders such as class leaders, head boys and head girls, academic and environment prefects through democratic elections. Participating in election enables a student to practice democracy. Democratic elections at school help students to elect leaders of their choices.

Participation of students in Local Government activities

Students can participate in Local Government activities in the following ways:

(a) Participating in environmental conservation in their local area or in their areas of residence by planting trees, flowers and through gardening.

(b) Building and maintaining infrastructures like classrooms, dispensary, police posts, ward offices and other buildings in their community by heaping sand, stones and fetching water.

(c) Using their knowledge and skills to educate people in their society. For example, as part of his or her contribution in fighting against ignorance, a student can teach those who are illiterate how to read and write.

(d) Creating awareness to the society through songs, poems, performing arts and lyrics. Students can prepare songs, drama, and poems with different messages in order to raise awareness to the society on various issues such as prevention against diseases, peace keeping, environmental conservation, fighting against bad social cultural practices, and avoiding risk behaviours. Figure 2.8 shows students participating in community outreach activities.

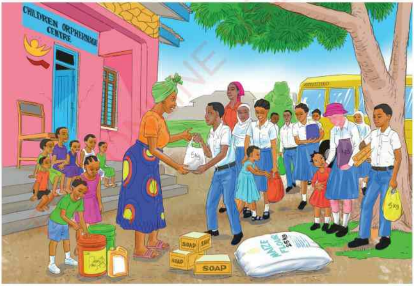

Figure 2.8: *Students participating in community outreach activities*

Importance of citizen participation in Local Government activities

In a country where people are free to make their own decisions on matters that affect their lives, citizens work as partners with their government and participate in different ways to promote human rights and public good. Failure of citizen to participate fully in their local development activities may turn them to subjects rather than active participants in the democratic process.

However, there are several benefits of participating in Local Government activities. These include the following:

(a) It prevents leaders from abusing their powers;
(b) It enables the Local Government to work for people's interests within its area of authority;
(c) It promotes transparency, e.g. reporting revenue and expenditure periodically to the people;
(d) It raises awareness and commitment in solving development challenges in the community;
(e) It creates awareness and understanding of the role of the Central Government to Local Government Authorities; and
(f) It creates a sense of ownership of infrastructure and projects maintained and developed by the Local Government Authorities. Vandalism will decrease because the community takes part in safeguarding the projects.

Differences between the Local and Central Government

Differences between the Local and Central Government can be traced in different areas as follows:

(i) The Central Government exercises its powers over the whole country while the Local Government powers are limited to certain areas in the country;
(ii) The Central Government does not interact with the community directly while the Local Government interacts directly with people;
(iii) The Central Government provides funds to the Local Governments and therefore the Local Government may be said to be subordinate to the Central Government;
(iv) The Central Government makes laws which are enforced nationwide while Local Government by-laws are enforced within their area of jurisdiction; and
(v) The Central Government has control over different ministries while the Local Government has control over different departments.

Activity 2.9

Observe how your family is involved in development activities in your residential area. Then show how your family benefits from participating in those activities. Present your findings in class.

The Union of Tanganyika and Zanzibar

The Government of the United Republic of Tanzania was formed on 26th April, 1964 by two independent countries, Tanganyika and Zanzibar. The agreement to unite these countries was signed by Presidents Mwalimu Julius Kambarage Nyerere (Tanganyika) and Sheikh Abeid Amani Karume (Zanzibar) on 22nd April, 1964. Three days later, the National Assembly approved the Article of the Union and on 26th April, 1964 Tanganyika and Zanzibar formed a single State known as the United Republic of Tanzania based on the "Acts of Union" of 1964.

Why Tanganyika and Zanzibar united

The reasons for the union of Tanganyika and Zanzibar are explained below:

(a) *Common historical and cultural background:* Both countries Tanganyika and Zanzibar were under the British colonial rule, so they experienced similar problems of colonial domination. Tanganyika became a British colony from 1919 to 1961 while Zanzibar was ruled through the Sultanate until 10th December, 1963. The people of Tanganyika and Zanzibar shared similar cultural aspects such as Kiswahili language, dancing and dressing styles. Some people in Tanganyika and Zanzibar married each other. Thus, it was easy for these countries to form a union because they had the same background.

(b) *Cooperation in socio-economic activities:* Tanganyika and Zanzibar had cooperation before, during and after colonialism in various economic activities such as trade, fishing and agriculture. People from either Zanzibar or Tanganyika were travelling for different activities. This made it possible for Tanganyika and Zanzibar to unite and form one sovereign state of the United Republic of Tanzania.

(c) *The influence of Pan-Africanism:* Pan-Africanism was an attempt to create a sense of brotherhood and collaboration among all people of African descent whether living inside or outside Africa. Among the main objectives of Pan-Africanism was to unite the African continent so that it could easily address the effects of colonialism. Some African leaders like Kwame Nkrumah, had a great influence on the formation of African union. For example, on 25th May, 1963 in Addis Ababa, Ethiopia during the establishment of Organisation of African Unity (OAU) Kwame Nkrumah encouraged Africans to unite. This increased the desire for the union of Tanganyika and Zanzibar.

(d) *Sharing similar political ideologies:* At post-independence, both Tanganyika and Zanzibar adopted socialist ideology; capitalism became a threat to both countries especially Zanzibar which had just attained her independence. Therefore, to avoid expansion of capitalism in Zanzibar, there was a need of the union as a way of strengthening socialism.

(e) *Strengthening national security:* The union between Tanganyika and Zanzibar was influenced by the need to protect those two countries from external enemies. The fear of 1964 counter revolution encouraged Zanzibar to unite with Tanganyika. Tanganyika also experienced an army mutiny in March 1964 which forced her to merge with Zanzibar on 26th April, 1964.

The importance of the Union of Tanganyika and Zanzibar

The following are the importance of the union:

(a) *Stabilization of economy in both countries:* The union of Tanganyika and Zanzibar improved economic prosperity of the two countries in the sense that trade links and relationships increased following free movement of people.

(b) *Promotion of peace and security of both Tanganyika and Zanzibar:* The union of the two countries has created the peaceful United Republic of Tanzania, hence making her citizens to enjoy peace and tranquillity.

(c) *Improvement of social and cultural relations:* The union has enabled Tanganyika and Zanzibar to have strong social and cultural relations, and interaction among the citizens, as free movement has made it possible to have marriages between the people of the two countries.

(d) *Maintaining sovereignty*: The union of Tanganyika and Zanzibar made the two countries to become one sovereignty state.

(e) *The union of Tanganyika and Zanzibar has been a good example of a union in Africa*: This has been done through creating strong political, social, and economic relation which are beneficial to both countries.

(f) *Enhancement of democratic principles:* Through the union, these two countries have created and shared powers in different organs; this has helped to define a clear separation of powers; this enhances checks and balances.

Union and non-union matters of the United Republic of Tanzania

According to the Constitution of the United Republic of Tanzania, there are union and non-union matters.

(a) **Union matters**

Union matters are those public affairs specified for the Government of the United Republic of Tanzania. There are 22 union matters. These are listed below:

(i) The Constitution of Tanzania and the Government of the United Republic of Tanzania;
(ii) Foreign Affairs;
(iii) Defence and Security;
(iv) Police;
(v) Emergence Powers;
(vi) Citizenship;
(vii) Immigration;
(viii) External borrowing and trade;
(ix) Service in the Government of the United Republic of Tanzania;
(x) Income tax payable by individuals and corporations, customs duty and excise duty on goods manufactured in Tanzania collected by the Customs Department;
(xi) Harbours and matters relating to air transport, posts and telecommunications;
(xii) All matters concerning coinage and currency for the purposes of legal tenders (including notes), banks (including savings banks) and all banking business, foreign exchange and exchange control;
(xiii) Industrial licensing and statistics;
(xiv) Higher education;
(xv) Mineral oil resources, including crude oil, other categories of oil or product and natural gas;
(xvi) The National Examinations Council of Tanzania and all matters connected with the functions of that Council;
(xvii) Civil aviation;
(xviii) Research;

(xix) Meteorology;
(xx) Statistics;
(xxi) The Court of Appeal of the United Republic; and
(xxii) Registration of political parties and other matters related to political parties.

(b) Non-union matters

These include all other matters not included in the list of union matters.

Activity 2.10

In groups, discuss the factors that may threaten the union of Tanganyika and Zanzibar then present them in class.

Strategies for stabilizing the Union

The following are some of the strategies which could enhance stability of the union of Tanganyika and Zanzibar:

(a) To address all challenges and grievances concerning the union. The challenges and grievances of the union should constantly be discussed by leaders of both countries.

(b) To introduce strong and sustainable institutions responsible for providing public education to all citizens and political parties. This can be done through public open discussions or through the media. Such practice will enable citizens of the two countries to provide their views, opinions and concerns.

Exercise 2.8

1. Briefly, explain how cultural activities strengthen the union of Tanganyika and Zanzibar.
2. Give major reasons why Tanganyika and Zanzibar united in 1964.
3. Outline the importance of the union between Tanganyika and Zanzibar.

Activity 2.11

By using different sources of information, highlight five challenges and grievances of the union between Zanzibar and Tanganyika. Present your findings in class for discussion.

Revision exercise

A. Choose the letter of the correct answer.

1. Which one of the following is not a section in Ward Administration?
   (a) livestock
   (b) health
   (c) discipline
   (d) agriculture
2. Theocracy means:
   (a) democratic form of government
   (b) leadership based on religious beliefs
   (c) rule by a single military dictator
   (d) rule by an executive President
3. Which one of the following represents a state of disorder due to the absence of a controlling system?
   (a) aristocracy
   (b) anarchy
   (c) theocracy
   (d) monarchy
4. Which one among the following is a function of the government?
   (a) provision of social services
   (b) swearing of new leaders
   (c) dissolution of the Parliament
   (d) making laws
4. Identify the lowest Local Government unit in the Urban Authorities in Tanzania:
   (a) Council
   (b) Municipal
   (c) *Mtaa*
   (d) Village

B. Write **TRUE** for a correct statement and **FALSE** for an incorrect statement.

1. Village/*Mtaa* Government is the smallest Local Government unit.
2. One organ of the state should control and interfere with the exercise of its functions by another organ.
3. Legislature is the organ that interprets laws.
4. The union of Tanganyika and Zanzibar was influenced by the Pan-Africanism movement.
5. The President of United Republic of Tanzania is a Member of Parliament.

C. Match each item in **Column A** against its corresponding item from **Column B**.

Column A	Column B
1. Corruption and Economic Crimes division of the High Court	(a) urban and district authorities
2. The Chief Executive in the office of the National Assembly	(b) VAT, grants, licenses
3. Local Government	(c) deal with embezzlement of public fund
4. Rent and subsidies	(d) Speaker of the National Assembly
5. Union matters	(e) Central Government source of revenues
	(f) meteorology, research, statistics, the Court of Appeal of United Republic, Civil aviation
	(g) Clerk of the National Assembly

Chapter Three

The Constitution of the United Republic of Tanzania

Introduction

National constitutions play a very important role in the stability of many countries, including Tanzania. In this chapter, you will learn about the meaning of the constitution, its types and importance. You will also learn about the historical evolution of the Constitution of the United Republic of Tanzania, its structure, how the constitution is made and its powers. The competencies developed will enable you to live as a good citizen of Tanzania, by fulfilling your constitutional duties and responsibilities. They will also help you to prepare for positions of leadership at different levels in your country.

Concept of the Constitution

The term "Constitution" refers to a body of basic or fundamental principles and laws of a nation, state or social group that determines the power and duties of government, and guarantees certain rights to people. The Constitution is sometimes called "mother law" of the state because it is the supreme law of the country.

Types of constitution

There are two types of constitutions:

(a) Written constitution

(b) Unwritten constitution

Written constitution

A written constitution is a law found in one document which constitutes state power and defines the relationship between major organs of the state and between the state and the citizen. This type of constitution is considered the main legal document for a specific period of history.

Most countries have a written constitution; some of them are Tanzania, United States of America, India, Russia, France, Germany, and Nigeria. The written constitution consists of three parts as described below.

The Title: All written constitutions must have a title, which defines the place of its applicability and time. For example, the title of the Constitution of the United Republic of Tanzania is *The Constitution of the United Republic of Tanzania of 1977*.

Preamble: This is the introductory part of the constitution which states its purpose, aims and justification. For example, the Constitution of the United Republic of Tanzania states the principles of freedom, justice, fraternity and concord as the corner stone of Tanzania's democratic society. It also aims at having a nation with individuals enjoying freedom, justice, fraternity and national development.

Citizen and leadership: This part describes duties and responsibilities of the citizens and leaders, and how their daily activities should abide by the constitutional requirements.

Advantages of a written constitution

(i) It is easy to make reference;
(ii) It makes the process of constitutional changes easy;
(iii) It is easy to preserve; and
(iv) It clearly shows separation of powers among pillars of the state.

Disadvantages of a written constitution

(i) It is bureaucratic in the process of changing content;
(ii) It is expensive to make constitutional changes;
(iii) It is not easy to include current issues on time; and
(iv) It may be subjected to misinterpretation of legal terms.

Unwritten constitution

This refers to a constitution that is not written or codified in a single document but based on various customs, principles or traditions and different precedents as expressed in statutes and judicial decisions. It does not have a specific date of creation.

Unwritten constitution is usually a result of the historical development of a country. One of the classical examples is the Constitution of the United Kingdom.

Advantages of an unwritten constitution

(i) It is flexible and easy to change;
(ii) It allows easy and quick decision making in time of urgency; and
(iii) It allows a new condition of the government to be resolved through passing a legislation.

Disadvantages of an unwritten constitution

(i) It gives the court too much work of handling legal issues;
(ii) It does not clearly express fundamental rights of individuals;
(iii) It does not consist of codified constitutional laws and principles;
(iv) It is difficult to ascertain the unconstitutionality of an act; and
(v) It is difficult for reference making.

The importance of having a constitution

The National Constitution plays a significant role in a nation as outlined below:

(i) It protects the rights of people. For example, during general elections, every individual has the right to vote or be voted, provided that he or she is eligible,
(ii) It sets limits of power to leaders in the position,
(iii) It establishes the state powers and how they should work. For example, the Executive, Legislature and Judiciary function independently though they can interact where necessary, and
(iv) It describes the form of government of a particular country, for example, in Tanzania, there is a republic and union government.

Major constitutional developments in Tanzania

There are five major constitutional developments that have taken place in Tanzania as elaborated in the sections that follow.

(a) *The Independence Constitution of 1961:* This was the first constitution which followed the Westminster Model whereas the head of the state was the Queen of United Kingdom represented by the colonial governor while the Prime Minister was the head of the government. The first Prime Minister of Tanganyika was Mwalimu Julius Kambarage Nyerere.

(b) *The Republican Constitution of 1962:* This was the second constitution that declared Tanganyika a Republic, where the head of the Executive became the President who is the head of State and Government. It was written by the Constituent Assembly of Tanganyika. The first Executive President was Mwalimu Julius Kambarage Nyerere.

(c) *The Interim Constitution of the United Republic of Tanganyika and Zanzibar of 1964:* This was the third constitution which made the union of Tanganyika and Zanzibar. It was made by the presidents of the two countries through the "Acts of Union" whereby the President of Tanzania issued the interim Constitution Decree of 1964 to modify the Constitution of the Republic of Tanganyika to include the provision of the union. It is this constitution which formed the United Republic of Tanzania.

(d) *The Interim Constitution of the United Republic of Tanzania of 1965:* This was the fourth constitution which declared the United Republic of Tanzania a single party State. It left Tanganyika African National Union (TANU) and Afro Shiraz Party (ASP) as the only political parties for Tanzania Mainland and Zanzibar, respectively. This constitution was made by the Parliament of the United Republic of Tanzania.

(e) *The Constitution of the United Republic of Tanzania of 1977:* This was the fifth constitution which merged the two political parties of TANU and ASP to form one party called Chama Cha Mapinduzi (CCM). It was made by the Constituent Assembly.

Structure of the Constitution of the United Republic of Tanzania of 1977

The Constitution of the United Republic of Tanzania of 1977 is divided into ten chapters whereby each chapter has several articles and sub-articles. The total number of articles in the Constitution are 152. An article is a written piece about a particular subject or issue. The Constitution of the United Republic of Tanzania has the following chapters:

Chapter One: The United Republic, Political Parties, the People and the Policy of Socialism and Self-Reliance
Chapter Two: The Executive of the United Republic
Chapter Three: The Legislature of the United Republic
Chapter Four: The Revolutionary Government of Zanzibar, the Zanzibar Revolutionary Council and the House of Representatives of Zanzibar

Chapter Five: Dispensation of Justice in the United Republic, the High Court of the United Republic, the Judicial Service Commission for Mainland Tanzania, the High Court of Zanzibar, the Court of Appeal of the United Republic and the Special Constitutional Court of the United Republic
Chapter Six: The Commission for Human Rights and Good Governance and the Public Leaders' Ethics Secretariat
Chapter Seven: Provisions Regarding the Finances of the United Republic
Chapter Eight: Public Authorities
Chapter Nine: The Armed Forces
Chapter Ten: Miscellaneous Provisions.

Exercise 3.1

1. Define the following terms:
    (a) Constitution
    (b) Written constitution
    (c) Unwritten constitution
2. List the merits and demerits of an unwritten constitution.
3. Explain why a written constitution is better than an unwritten constitution.

The description of chapters in the constitution

Chapter One

***Part I:** The United Republic and the people*

This part consists of the following: Proclamation of the United Republic, The territory of the United Republic, Declaration of Multiparty State, Exercise of state authority of the United Republic, and The Franchise.

***Part II:** Fundamental objectives and directive principles of state policy*

This part consists of the following: Interpretation, Application of the provisions of Part II, the Government and the People, the pursuit of Ujamaa and Self-Reliance; and Right to work, to education and other pursuits.

***Part III:** Basic rights and duties*

This part consist of rights and duties:

(a) The right to equality, which has the following articles: Equality of human beings and Equality before the law.

(b) The right to life, which has the following articles: The right to life, Right to personal freedom, Right to privacy and personal security, and Right to freedom of movement.

(c) The right to freedom of conscience, which has the following articles: The freedom of expression, right to freedom of religion, Person's freedom of association, and Freedom to participate in public affairs.

(d) The right to work, which has the following articles: right to work, Right to just remuneration, and Right to own property.

(e) Duties to the societies, which has the following articles: Duty to participate in work, Duty to abide by the laws of the land, Duty to safeguard public property, and defence of the nation.

(f) General provisions, which have the following articles: Fundamental rights and duties, limitations upon, and enforcement and preservation of basic rights, freedoms and duties.

(g) Extraordinary powers of the state authority, which has the following articles: Derogation from rights and freedoms, and Power to proclaim state of emergency.

Chapter Two

***Part I:** The President*

This part has the following articles: President of the United Republic, The Government of the United Republic and its authority, Discharge of business of the Government, Authority to constitute offices and to appoint officers, Discharge of duties and functions of President, Election of President, qualifications for election of President, Eligibility for re-election, Procedures for the election of President, time of assumption and term of office of President, terms of office of President, Power to declare war, Prerogative of mercy, Immunity from criminal and civil proceedings, Impeachment by the National Assembly, Duty of principal leaders of organs with executive powers to preserve the Union.

***Part II:** The Vice-President*

This part has the following articles: Vice-President, his/her duties and powers, Time of assumption of office of Vice-President, Oath of the Vice-President, and Tenure of office of the Vice-President.

Part III: *The Prime Minister, Cabinet and the Government*

This part consists of the following categories:

(a) *Prime Minister:* This part has the following articles: Prime Minister of the United Republic, Functions and authority of the Prime Minister, Accountability of the Executive and Vote of no confidence.

(b) *The Cabinet and the Government:* This section has the following articles: The Cabinet, Appointment of Ministers and Deputy Ministers, Oath of office of Ministers and Deputy Ministers, Tenure of office of Ministers and Deputy Ministers, Terms of office of Ministers and Deputy Ministers, Attorney General for the Government of the United Republic, Deputy Attorney General, Director of Public Prosecutions, Secretary to the Cabinet, and Regional Commissioners.

Chapter Three

Part I: *Parliament*

This part consists of the following articles: Parliament, Authority of Parliament, Legislative power, and Life of Parliament.

Part II: *Members, Constituencies and Election of Members*

This part consists of two categories of members.

(a) *Members of Parliament and Constituencies:* This part comprises the following articles: Members of Parliament, Qualifications for Members of Parliament, oath of Members of Parliament, Formal declaration by Members of Parliament concerning ethics of leaders, Members to submit statement of property, Tenure of office of Member of Parliament, Cessation of employment of civil servants on contesting for elections, Terms of service of Members of Parliament, Electoral Commission, and Constituencies.

(b) *Election and Appointment of Members of Parliament:* This part consists of the following articles: Election and Appointment of Members of Parliament, elections in constituencies, Procedure for election of Members of Parliament representing constituencies, Procedure for election of women Members of Parliament, Procedure for election of Members of Parliament by House of Representatives, Procedure for proposing women candidates and Determination of the validity of a person's membership of the Parliament.

Part III: *Procedure, Powers and Privileges of Parliament*

This part consists of five categories.

(a) *Speaker and Deputy Speaker:* This contains the following articles: Speaker and his/her functions, Deputy Speaker, Procedure for electing Speaker and Deputy Speaker.

(b) *Office of Parliament:* This part contains the following articles: Clerk of the National Assembly, and The Secretariat of the National Assembly.

(c) *Procedure in the National Assembly:* This part contains the following articles: Standing Orders of the National Assembly, Summoning and dissolution of Parliament, President may address Parliament, Meetings of the National Assembly, Presiding at sittings of the National Assembly, Quorum at sittings of the National Assembly, Vacant seats in the National Assembly, and Standing Committees of the National Assembly:

(d) *Legislative Procedure:* This part contains the following articles: How to legislate, Procedure for altering the constitution and certain laws, and Procedure for legislating in financial matters.

(e) *Powers and Privileges of Parliament:* This part contains the following articles: Freedom and immunity from proceedings, and Preservation and enforcement of freedom of debate and procedure.

Chapter Four

Part I: *The Revolutionary Government of Zanzibar and the President of Zanzibar*

This part consists of the following articles: The Revolutionary Government of Zanzibar and its jurisdiction, Head of the Revolutionary Government of Zanzibar and his authority, and Election of the Head of the Revolutionary Government of Zanzibar.

Part II: *The Zanzibar Revolutionary Council*

This part consists of the following article: The Zanzibar Revolutionary Council and its functions.

Part III: *The House of the Representatives of Zanzibar*

This part consists of the following articles: The House of Representatives of Zanzibar and legislative functions and Authority of House of Representatives.

Chapter Five

Part I: *Dispensation of Justice in the United Republic*

This part consists of the following articles: Authority of dispensing justice, and Independence of the Judiciary.

***Part II:** The High Court of the United Republic*
This part consists of the following articles: High Court of the United Republic and its jurisdiction, Judges of the High Court and their appointments, Tenure of office of Judges of the High Court and Judges' oath of office.

***Part III:** The Judicial Service Commission*
This part consists of the following articles: Judicial Service Commission, Powers and functions of the Commission and Membership in political parties.

***Part IV:** The High Court of Zanzibar*
This part consists of the following articles: The High Court of Zanzibar and Jurisdiction of the High Court of Zanzibar.

***Part V:** The Court of Appeal of the United Republic*
This part consists of the following articles: Interpretation, Court of Appeal of the United Republic and its jurisdiction, Chief Justice and Justices of Appeal and their appointments, Jurisdiction of Justices of Appeal, Tenure of office of Justices of Appeal, Procedures relating to discipline of Justices of Appeal, Oath of office of Justices of Appeal, Quorum at sittings of the Court of Appeal and Jurisdiction of a single Justice of Appeal.

***Part VI:** Procedure for Service of Notices and Execution of Orders Issued by the Courts.*
This part consists of the following article: Execution of court orders in the whole of Tanzania.

***Part VII:** The Special Constitutional Court of the United Republic*. This part consists of the following articles: Special Constitutional Court of the United Republic, Jurisdiction of the Special Constitutional Court, Composition of the Special Constitutional Court and Procedure at sittings of the Special Constitutional Court.

Chapter Six

***Part I:** The Commission for Human Rights and Good Governance*
This part consists of the following articles: Commission for Human Rights and Good Governance, Functions of the Commission and performance procedures, Powers of the Commission and procedures for performance of functions.

Part II: *Public Leaders' Ethics Secretariat*
This part consists of the following article: Public Leaders' Ethics Secretariat.

Chapter Seven

Part I: *Contribution and Allocation of Revenue of the United Republic*
This part consists of the following articles: Joint Finance Account and Joint Finance Commission.

Part II: *The Consolidated Fund and Finances of the United Republic*
This part consists of the following articles: Consolidated Fund of the Government of the United Republic, Conditions for withdrawal of moneys from Consolidated Fund, Procedure for authorising expenditure out of Consolidated Fund, Conditions of taxation, Procedure for authorisation of expenditure in advance of appropriation, Contingencies Fund and virement, Public Debt, Remuneration of certain holders of public offices to be a charge on Consolidated Fund, Controller and Auditor-General of the United Republic, Removal from office of the Controller and Auditor-General.

Chapter Eight

Public Authorities: This chapter consists of the following articles: The local government authorities and Functions of local government authorities.

Chapter Nine

Armed Forces: This chapter consists of the following articles: Prohibition to raise and maintain armed forces and Powers of the Commander-in-Chief.

Chapter Ten

Miscellaneous Provisions: This chapter consists of the following articles: Provisions relating to resignation from various offices established by the Constitution, Provisions relating to procedure of succession to office in Government service, Interpretation, Title, commencement and application of the Constitution.

Activity 3.1

In groups, under the guidance of the teacher, make a summary of any two chapters of the Constitution of the United Republic of Tanzania. Then present the findings in class.

How the Constitution is made

The current Constitution of the United Republic of Tanzania was passed by the Constituent Assembly on 25th April, 1977 and published in the government gazette on 26th April, 1977. The Constitution making process in Tanzania involves the four major stages which are summarised below.

Stage one: This stage involves collecting citizens' views and opinions for the new constitution. This is done by a special commission which is elected by the President of the United Republic of Tanzania. The role of the commission is to collect and coordinate public opinions. It examines and analyses the consistency and compatibility of the constitution provisions in relation to the sovereignty of the people, political systems, democracy, rule of law and good governance. The other roles are to make suggestions on each term of reference and submit a report on citizens' views.

Stage two: This stage involves the formation of the Constituent Assembly. The Assembly is nominated by the President of the United Republic and it comprises of all members of the National Assembly of the United Republic of Tanzania, all members of the House of Representatives of Zanzibar and a member appointed by the Union President in agreement with the President of Zanzibar. The Constituent Assembly also comprises of the appointed members representing various interest groups such as pastoralists, farmers, religious leaders, youths, elders and non-governmental organisations. The main duty of the Constituent Assembly is to make provisions for the new constitution.

Stage three: This stage involves the formation of citizen constitutional forums by the constitutional review commission. The forums are based on the geographical diversity of the United Republic of Tanzania and involve representatives from various groups of people within the communities. The major role of these forums is to collect public opinion on the draft constitution through meetings organised by the commission.

Stage four: This is the last stage which involves a referendum. This is a process whereby eligible citizens vote to decide on the proposed constitutional bill made by the Constituent Assembly.

How the Constitution is related to the Government of Tanzania

The close relationship between the Constitution and the Government of Tanzania is realised in the following ways:

(a) *Taking oath of leaders:* Appointed government officials such as Judges, Permanent Secretaries, Regional Commissioners, District Commissioners and Director Generals are sworn in and take the oath to defend and protect the Constitution.

(b) *Tenure of office for political leaders:* The Constitution specifies the terms of all political leaders in the office. They serve their office for a term not exceeding five years. These leaders include the President of the United Republic of Tanzania, Members of Parliament and Councillors.

(c) *Role of state powers:* The Constitution defines the role and responsibilities of each power. For example, the role of the Legislature is to make laws, the role of the Executive is to enforce laws, while the role of the Judiciary is to interpret laws.

(d) *Forms of government which exist in the United Republic of Tanzania:* The forms of government existing in Tanzania are in line with the Constitution provisions. For example, the Government of the United Republic of Tanzania (Chapter 1 and 2), the Revolutionary Government of Zanzibar (Chapter 4) and the Local Government authorities and their functions (Chapter 8)

(e) *The practice of multiparty democracy:* Since 1992, the multiparty system was reintroduced in Tanzania following the eighth constitutional amendment.

Activity 3.2

In groups, use various sources to discuss the relationship between the Constitution and the Government of Tanzania. Present your findings in class.

How to safeguard the Constitution

As the fundamental law of the country, the Constitution must be well defended and protected by every person in the United Republic of Tanzania. There are various ways of protecting and safeguarding the Constitution as briefly described below.

Dissolving all organs involved in Constitution making: After a new Constitution has been made, all appointed committees and other organs should be dissolved. This is done to prevent these organs from considering themselves superior to the Constitution. These include the Constituent Assembly and Constitutional review commission.

No law should contradict the Constitution: The Constitution is the fundamental law from which all other laws are derived. No law should contradict the Constitution. In this way the Constitution becomes the supreme law in all matters in the country. Public education should be provided to all people so as to ensure that every person understands the content of the Constitution and abide to it. All court proceedings should be done in adherence to the articles of the Constitution.

Taking the oath to defend the Constitution: All elected and appointed civil servants, armed forces, national security officials and any other top public officials take the oath to safeguard the Constitution.

Existence of clear separation of powers: The powers of the State are divided into three pillars whose functions are to ensure that there is no organ that violates the Constitution.

Exercise 3.2

1. Explain the importance of having a Constitution in our country.
2. Give five effects of violating the Constitution.
3. Briefly explain how the Constitution of the United Republic of Tanzania is made.
4. With reference to Tanzania, give reasons for the existence of an interim constitution.

Constitutional Amendment

A constitutional amendment is the process of modifying some articles of the constitution in order to meet the current needs and demands of the society. Article 98 of the Constitution of the United Republic of Tanzania 1977, states that “Parliament may enact law for altering any provision of this Constitution in accordance with the following two principles:

(a) *a bill for an Act to alter any provisions of this Constitution, (other than those relating to paragraph (b) of this sub article) or any provisions of any law specified in List One of the Second Schedule to this Constitution shall be supported by the votes of not less than two thirds of all the Members of Parliament;* and

(b) *a bill for an Act to alter any provisions of this Constitution or any provisions of any law relating to any of the matters specified in List Two of the Second Schedule to this Constitution shall be passed only if it is supported by the votes of not less than two-thirds of all Members of Parliament from Mainland Tanzania and not less than two-thirds of all Members of Parliament from Tanzania Zanzibar.*

Major Constitutional Amendments to the Constitution of the United Republic of Tanzania, 1977

The 1977 United Republic of Tanzania Constitution has undergone several amendments. However, there are four major amendments made in the Constitution of the United Republic of Tanzania of 1977, as listed below.

The Fifth Amendment of 1984: Parliament in its constituent capacity introduced the bill of rights in the Constitution under Act No. 15 of 1984.

The Eighth Amendment of 1992: The Parliament re-introduced multiparty system in the country under Act No. 4 of 1992.

The Eleventh Amendment of 1994: The Parliament introduced the system of "running mate" under Act No. 34 of 1994. The Vice-President becomes a running mate to the Union President and Zanzibar President to be a member of the Union Cabinet.

The Thirteenth Amendment of 2000: This amendment made by the Parliament introduced four major changes in the constitution under Act No. 3 of 2000.

(i) Changes related to the election of the President in Tanzania, whoever gets the highest, not the majority, of valid votes gets elected, i.e. simple majority system;

(ii) The proportion of seats of up to 30 percent in the National Assembly are reserved for women;

(iii) The Judiciary has the final say on the matter of determining rights and duties according to law and dispensation of justice;

(iv) Establishment of the human rights and good governance commission; and

(v) The Presidents' power to appoint up to 10 Members of Parliament.

Constitutional Principles

There are a number of constitutional principles applied to construct a democratic Constitution in a nation. The extent to which these principles are reflected in a Constitution gives us an idea of whether the Constitution is democratic on not. There are seven constitutional principles, as detailed below.

(a) *Sovereignty of the people:* In modern democratic theory, sovereignty resides in the people. That is to say, the source of power or authority is the people. This has been accommodated in both constitutions of the United Republic of Tanzania and Zanzibar.

(b) *Supremacy of the Constitution:* A Constitution is considered to express the will of the people and as such, it is supreme. The Union and Zanzibar constitutions both declare the supremacy of the Constitution and clearly stipulate that any law which is contrary to the Constitution shall be 'null and void', meaning it will not have legal force.

(c) *Separation of powers:* This principle refers to state power being separated and vested in three pillars of the state. The Union Constitution in Article 4 stipulates separation of State powers into three pillars, namely, Executive, Legislature and Judiciary.

(d) *Independence of the Judiciary:* Judicial independence implies that the Judiciary should be independent from the other State pillars. The functions of the Courts should not be interpreted or influenced by other pillars of the State or from private or partisan interests. It is for these reasons that the Constitutions in Tanzania since 1961 have always provided for an independent Judiciary in their preamble.

(e) *The rule of law:* The rule of law means that the exercise of political power is in accordance with rules and laws of the State. In other words, power is to be exercised within these rules and laws and not according to personal whims or desires of the ruler. The Union Constitution in its various provisions stipulates and emphasizes the rule of law.

(f) *Respect for Human Rights:* Respect for human rights is an important principle of democratic constitution. The pre-union and post-union Constitution of Tanzania did not contain a bill of rights until 1984, when the Fifth Amendment of 1984 introduced for the first time a bill of rights in the Constitution of the United Republic of Tanzania.

Exercise 3.3

1. What is meant by "constitutional amendment''?
2. Identify major constitutional amendments to the Constitution of the United Republic of Tanzania, 1977.
3. With reference to Tanzania's Constitution, explain why it is necessary to have constitution principles.
4. Identify four major changes introduced in the thirteenth constitutional amendment of 2000.

Activity 3.3

In groups, discuss the reason for ensuring that the Judiciary in Tanzania is independent and impartial. Present you findings in class

Revision exercise

A. Write **TRUE** for a correct statement and **FALSE** for an incorrect statement.

1. The Constitution is the mother law in a country.
2. The Constitution is not a tool of managing state authority.
3. Zanzibar had no Constitution soon after the revolution.
4. According to the Constitution, the President of the United Republic of Tanzania is the Head of State and Commander in Chief while the Prime Minister is the head of the government.
5. The House of Representatives of Zanzibar needs to be covered in the Constitution of the United Republic of Tanzania.

B. Match each item in **Column A** against its corresponding item from **Column B**.

Column A	Column B
1. 2000	(a) separation of power
2. Checks and balance	(b) principal law of the country
3. 1965	(c) first stage in the formation of the Constitution
4. Constitution	(d) the interim Constitution of the United Republic of Tanzania
5. Citizens' views	(e) bill of the human rights was enshrined in the Constitution of the United Republic of Tanzania
	(f) Acts of Union

C. Answer the following questions:

1. Why do you think there is a need for the Constitution to show separation of power among the pillars of the state?
2. Identify any five elements of rule of law as stipulated in the Constitution of the United Republic of Tanzania.
3. Explain why appointed civil servants take the oath before starting their duty?
4. Show the relationship between the Government and the Constitution.
5. Describe the concept of public authority as stated in the Constitution of the United Republic of Tanzania.

Chapter Four

Democracy

Introduction

Democracy ensures the exercise of political power and authority for the people. In this chapter, you will learn about the meaning of democracy, types of democracy, and principles of democracy. It also differentiates democratic from non-democratic governments, assesses the implementation of democracy in Tanzania, and analyses common features of multiparty democracy and its advantages and disadvantages. In addition, the chapter explains how individuals participate in democratic activities in society, the meaning and indicators of democratic elections as well as the importance of democratic elections in the country. The competencies developed will help you to apply democratic principles in your daily life.

The concept of democracy

The word democracy is derived from two Greek words *demos* and *kratos* where *demos* means people and *kratos* means rule or power. Democracy simply means the rule or power of the people. It entails the ability of the people to elect government leaders of their choice. Democracy was first practiced in the city states of Greece such as Athens, Sparta and Corinth. It is in Greece where adult male citizens over the age of 20 met in an open ground to discuss and make decision on various administrative issues of their city. However, democracy was not unique to Greek society. Other societies in the world also practiced democracy. Therefore, there is no single definition of the term democracy. In this chapter, the term democracy denotes a system of governance in which political power and authority are exercised by all citizens either directly or indirectly. In other words, democracy refers to a system of governing in which the supreme power remains in the hands of the people. This is achieved by ensuring that the 'rulers' are elected periodically by the 'ruled' through free and fair elections. In democratic countries, almost all adult citizens who meet the required criteria participate in democratic processes and practices.

Principles of democracy

Principles of democracy refers to the accepted basic rules that exist to guide democratic processes and practices in a nation. The principles of democracy help a person to assess whether a particular state is democratic or non-democratic and the extent to which it exercises democratic principles. The basic principles of democracy are described below.

Rule of law: In democratic countries, government officials exercise their powers and authority on the basis of basic laws of the state. Where the rule of law is adhered to, no one is above the law. In democratic states all leaders either elected or appointed must discharge their duties and responsibilities according to the established laws of the state.

Respect for human rights: Human rights are the basic rights, which a person has by virtue of being a human being. They are recognized by legal documents and therefore, they should be protected, respected and promoted. In a democratic nation there is a high degree of observation, promotion and protection of human rights. Human rights which are highly respected in democratic nations include freedom of association, freedom of expression, right to protection of a person's life, right to vote and being voted for and other basic rights.

Citizens participation: This is the process of involving citizens in different affairs such as voting in elections, discussing and deciding on public matters and development planning. Participation of citizens is very important in democratic countries because it helps the citizens to feel that they are part and parcel of the government and achieved developments.

Equality: In countries where democracy is fully practiced, all citizens have equal rights and equal opportunities in political, economic, and social aspects regardless of their differences in gender, religion, ethnicity, race, political and economic power as well as social status.

Multiparty system: Democratic states allow the existence and operation of more than one political party within a state. Political parties must be free to participate in elections and government processes. In a multiparty democracy citizens can choose any candidate from any political party during elections.

Transparency: Democracy is based on the principle of transparency. It requires government officials to act openly in a way that citizens can be aware of what is going on in their country. Democratic governments make their citizens aware of government affairs through free mass media and regular meetings. A transparent government is receptive to views from experts in particular and the public in general, with respect to government policies, plans and expenditures.

Political tolerance: This is one of the basic principles of liberal democracy. It involves the willingness of the government or the ruling party to extend basic rights and civil liberties to persons and groups within a country, whose view-points or ideologies are different from those held by the government. However, political tolerance is not limited to the government or the ruling party. For the wider interest of the nation, the opposition and critics of government, should also be willing to accept government policies even if they are not to the best of their interests.

Accountability: In democratic societies, the principle of accountability requires government officials to be responsible for their decisions and actions. For example, when government officials or public servants breach the law, they are required to step down or apologize publicly. Thus, officials must make decisions and fulfil their duties in accordance with the law.

Economic freedom: In a democratic nation, citizens have freedom of choice to engage in different legal economic activities. They are free to own property, join trade unions, economic groups and compete in markets. In democratic nations, ownership of physical and intellectual properties is constitutionally protected.

Separation of powers: Separation of powers among the three pillars of the state is one of the principles of democracy. The three pillars of the state are the Executive, the Legislature and the Judiciary. In democratic nations these pillars should operate independently without interference from each other. Separation of powers aims at preventing abuse of power by any pillar of the state through checks and balances. This means that any of the three pillars of state cannot limit the power of the other.

Freedom of expression: This is one of the key principles of democracy. Freedom of expression is a means by which citizens express and exchange ideas and information in accordance with the law. A democratic government guarantees the freedom of expression of its citizens. At the same time, it guarantees citizens the right to be honestly informed through free mass media which ought to operate without discrimination.

Types of democracy

Democracy is usually divided into two major types, which are: direct or pure democracy, and indirect or representative democracy.

Direct or pure democracy

Direct or pure democracy is a type of democracy that allows all eligible members of the society to participate directly in decision making. In ancient Greece, direct democracy involved only wealthy adult male-citizens and not women, slaves, poor male and people who were not of Athenian origin. In Tanzania, direct democracy is practiced in settings where there are communities with small populations that can easily sit in one area to discuss and make decisions on their social, political and economic affairs. Such settings include villages, schools and other groups or associations.

Advantages of direct or pure democracy

(a) It promotes a sense of honour and ownership of the decisions made by the community members because every community member feels to be part of the decision making process;

(b) It makes the decisions made more legitimate because they are made by the majority members of the community concerned; and

(c) It is less expensive compared to the indirect or representative democracy.

Disadvantages of direct democracy

(a) It is not viable for large groups of people;

(b) It is time consuming as it allows every member of the community to contribute in discussion and decision making;

(c) It does not work properly where community members have different interests and socio-economic status; and

(d) It can be affected by different levels of skills and knowledge since, those with more skills and knowledge have a better chance of dominating discussions and decision making.

Indirect or representative democracy

This is a type of democracy in which power and authority of making decisions are vested in few people elected by citizens. In such circumstances, few representatives who are elected by popular votes make decisions on behalf of other citizens. The United Republic of Tanzania is an example of indirect democracy. Here eligible voters elect representatives like Ward Councillors, Members of Parliament, Members of the House of Representatives, and the President during the general elections which is held after every five years.

Forms of indirect democracy

Indirect or representative democracy has been categorised into three forms. They include the following:

(a) Parliamentary representative democracy;
(b) Presidential representative democracy; and
(c) Mixed representative democracy.

Parliamentary representative democracy: This refers to the type of representative democracy whereby the citizens elect Members of Parliament who will elect the Prime Minister who then becomes the head of the Executive and the head of the government in the Parliament. He or she is obtained from the political party with the majority of the Members in the Parliament. The Prime Minister stays in power for the whole period of life of the Parliament as per constitutional provisions. Nevertheless, Members of Parliament can, in the event of misconduct, cast a "vote of no confidence" to remove the Prime Minister from office. The United Kingdom is a typical example of countries practising parliamentary representative democracy.

Presidential representative democracy: This is a type of democracy whereby citizens elect both Members of Parliament and the head of the Executive, the President. In this type of democracy, the Legislature and the Judiciary are independent from the Executive, but each has power to scrutinize the performance of the other. This is referred to as "checks" and "balances" in the sense that, the Parliament and the Judiciary oversee the Executive under the President and vice versa.

Under this system of democracy, there is clear separation of power among the pillars of the government. In Africa, this kind of democracy is practised in various countries including Kenya, Democratic Republic of Congo and South Africa.

Mixed representative democracy: This is a type of representative democracy whereby citizens elect Members of Parliament who will elect the Prime Minister. It is also referred to as a hybrid form of government. In some cases it combines the Parliament with a ceremonial President who is elected by a special council while in other cases it combines the Parliament with a ceremonial monarchy. Jordan, Israel, Ethiopia, United Kingdom and Eswatini are typical examples of countries which practise mixed representative democracy.

Activity 4.1

In groups, use the available sources of information to find out countries which practice parliamentary representative democracy. After that, write down incidences which may lead the Prime Minister to step down. Then, present your findings in class.

Advantages of indirect democracy

(i) It is appropriate in an area with a large population density and large geographical areas;
(ii) It is suitable in societies with freedom which allows the representatives to oversee and advise their government;
(iii) It saves time since few elected representatives make decisions on behalf of other citizens; and
(iv) It provides a wide choice to the people to elect leaders of their choice during democratic elections.

Disadvantages of indirect democracy

(i) It does not allow the highest level of participation in decision making as only a few representatives participate;
(ii) When there is no free and fair election, conflicts may occur as a result, it may cause civil war;
(iii) It can lead to underdevelopment in the area represented by incompetent and uncreative representatives;
(iv) It gives room for individual or minority interests instead of national interests;
(v) It requires effective, frequent and open communication; and
(vi) It is costly since electoral processes always require sufficient resources.

Exercise 4.1

1. Define the term democracy.
2. Explain the difference between direct and indirect democracy.
3. List the advantages and disadvantages of pure democracy.

Activity 4.2

Observe your school leaders and establish whether they practice direct or indirect democracy in decision making. Then, present your observation in class for further discussion and clarification.

Democratic and non-democratic governments

There are two types of governments; democratic and non-democratic governments.

Democratic government

This is a type of government in which political powers are obtained through a democratic process such as free and fair elections. The legitimacy of this form of government is derived from the popular votes through free and fair elections. In a democratic government, leaders come to power through free and fair elections which are held periodically. Examples of democratic governments include the governments of Tanzania, Kenya, South Africa, Ghana, Malawi, and United States of America.

Features of a democratic government

The following are features of a democratic government:

(i) The government comes into power through democratic elections which are free and fair, and the candidate with majority votes holds public office;
(ii) People are free to vote for candidate of their choice;
(iii) There is clear observation of the rule of law;
(iv) There is division of powers which ensures checks and balance;
(v) There is high level of protection and promotion of human rights;
(vi) There is high level of transparency; and
(vii) The government is accountable and responsible to the people.

Non-democratic government

This is a form of government in which leaders come to power through the use of coercive means such as a military coup. The non-democratic government, which is also referred to as dictatorship, is a government which comes into power without public legitimacy. Examples of non-democratic governments are the former governments of Uganda under Idd Amin Dada, Nigeria under Sani Abacha, Central African Republic under Jean Bedel Bokassa and Zaire (Democratic Republic of Congo) under Mobutu Seseseko.

Forms of non- democratic government

There are six different forms of non-democratic government. These forms are:

Autocratic: This is a form of dictatorship government in which the leader has absolute power. Leaders in autocratic governments hold all political, economic, social and military powers in a nation. A good example of this form of government is the former government of Uganda, under Idd Amin Dada.

Authoritarian: This is a form of government in which the powers to rule the country are vested in the hands of people who dictate policies, decide what goals should be achieved and direct and control all activities.

Aristocracy: This is a form of government in which all the powers belong to the highest class of people with noble birth, who hold hereditary titles and offices. A good example of this form of government is the government of Saudi Arabia.

Totalitarianism: This is a form of dictatorship government that attempts to assert total control over the lives of its citizens. It is characterized by a strong central rule that attempts to control and direct all aspects of individual life through coercion.

Caesarism: This is an authoritarian or autocratic political repression philosophy inspired by Julius Caesar. It is a system of imperial authority or system of political absolution.

Fascism: This is a far right form of government in which power is held by one ruler. Fascist governments are usually totalitarian and authoritarian. Typical examples of fascist governments existed in the 20th Century particularly in Italy under Benito Mussolini, in Germany under Adolf Hitler and in Japan under Hideki Tojo.

Features of a non-democratic government

The following are features of a non-democratic government:

(i) The government leaders come into power without the legitimacy of the people, they are not elected by the citizens;

(ii) They do not conduct democratic elections and political leaders in these governments obtain power by force;

(iii) The major means of the economy are owned by the minorities especially the rulers, who use and distribute the available resources to fulfil their personal interests;

(iv) There is no clear distribution and separation of power and all power is vested into the hands of one person or a small group of people;

(v) There is high violation of human rights and citizens have either limited or no right to speech, worship, giving opinions or forming associations; and

(vi) There is no rule of law, and leaders are not bounded by laws in discharging their duties.

Exercise 4.2

1. State five reasons why the Government of Tanzania is democratic.
2. Briefly explain how the rule of law can foster democracy.
3. What is your comment on the effectiveness of principles of democracy in Tanzania?
4. With vivid examples, outline five indicators of the rule of law as applied in Tanzania.

Activity 4.3

Under the guidance of your subject teacher, form a group, then analyse the differences between forms of non-democratic governments and present them in class.

Implementation of democratic principles in Tanzania

Tanzania is one of the countries which practice democracy. The following are various practices showing how Tanzania implements democracy:

Citizen participation: Tanzania is a country whose citizens are part and parcel of its political, social and economic development. To a large extent, her citizens are involved in various government issues either directly or indirectly. For instance, individuals can participate in political activities such as supervision of elections, voting, debating, and attending political meetings. In addition, the government, particularly the local government leaders can engage citizens in various development activities including construction of schools, hospitals, roads, and bridges.

Protection and promotion of human rights: The Government of the United Republic of Tanzania promotes and protects human rights. For instance, in 1984, the government included the Bill of Rights in the Constitution. One of the basic rights promoted by the government is the right to basic education.

Separation of power: In the Government of the United Republic of Tanzania, power is shared among three pillars, namely, Executive, Legislature and Judiciary. For the sake of checks and balances, these pillars operate independently where none of them assumes more power than the other. Constitutionally, the Parliament has the power to impeach the President and remove him or her from office, at the same time, the President can dissolve the Parliament and call for general elections. Also, while the President has limited power to remove the Chief Justice and other judges, the Judiciary under the Chief Justice ought to operate impartially.

Multiparty system: The Government of Tanzania re-introduced multiparty democracy in July 1, 1992. The system provides freedom to the citizens of Tanzania to join any political party of their choice. Many political parties were formed and were registered by the office of the Political Parties Registrar. In 25th October, 1995 Tanzania conducted first general elections under a multiparty system for electing Ward Councillors, Members of Parliament and the President.

Rule of law: In Tanzania the rule of law is observed since all powers and authorities of government leaders must be executed in accordance with the law. The laws treat all human beings equally regardless of their origin or socio-economic conditions. Tanzanian laws are in harmony with basic human rights enshrined in the Universal Declaration of Human Rights. In Tanzania, no one is above the law and all citizens are equal before the law.

Accountability of government leaders: Leaders of the Government of the United Republic of Tanzania are required to be accountable for their actions and decisions. They have to make sure that while discharging their duties and responsibilities they serve the interests of the citizens. When government leaders fail to fulfil their duties and responsibilities as they are supposed by law, then they have to resign or apologise publicly.

Activity 4.4

In groups, attend and observe a Village or *Mtaa* meeting held in your locality and assess the extent to which democratic principles are implemented.

How students can participate in democratic activities in the society

Participation in democratic activities is the right of everyone in the country. Students participation in democratic activities will make them learn how democracy works in their country.

There are different ways through which students can participate in democratic activities. These are elaborated in the sections below:

Opinions-sharing at the family level: A student like any other family member can be encouraged to contribute ideas and opinions on various family matters. However, he/she has to be courageous and confident in order to make a good contribution. Therefore, involving students in discussions of family matters is one way of making them participate in democratic activities.

Election of student governments: Students participate in electing their school government leaders who represent them in various fora for policies and decision making. Some students participate through contesting for various leadership positions in student governments. During elections all students of a particular school community have equal rights to vote or to be voted for.

Debating on various issues in the society: Students can also participate in different debates going on in the society. They can contribute ideas to various social, economic and political issues. In this way, students can influence decisions and plans that affect their lives.

Seeking and disseminating information: Every citizen in democratic countries has the right to information and to inform others of what is going on in the country. One can access information by reading newspapers, watching television and listening to the radio and disseminate such information to others.

Participating in democratic processes and practices: Students who have reached the age of 18 and above have the right to join civil societies and political parties of their choice and participate in voting for their government leaders through local and general elections. They also have the right to contest for various leadership positions.

Multiparty democracy

A multiparty system refers to a political system which allows the existence of many political parties in a country. Each of the political parties has the right to participate in elections and form a government if it wins the election. In Tanganyika, for instance four political parties existed before independence, namely, United Tanganyika Party (UTP), Tanganyika African National Union (TANU), African National Congress (ANC) and All Muslim National Union of Tanganyika (AMNUT). In Zanzibar at the time of the minority Arab government, there were four registered political parties: Afro-Shiraz Party (ASP), Zanzibar Nationalist Party (ZNP), Zanzibar and Pemba People's Party (ZPPP) and UMMA party. Multiparty democracy in Tanzania prevailed until 1965 when the country abolished the multiparty system and adopted a single party system. As a result, Tanzania Mainland remained with TANU while Zanzibar remained with ASP. However, in 1977, the two parties were merged to form a single political party called Chama Cha Mapinduzi (CCM).

On the 1st July, 1992, multiparty system was re-introduced in the country and a number of political parties were registered by the Office of the Registrar of political parties. The registered parties include Chama Cha Mapinduzi (CCM). Civic United Front (CUF), Chama cha Demokrasia na Maendeleo (CHADEMA), United Democratic Party (UDP), Chama cha Haki na Ustawi (CHAUSTA), National Convention for Construction and Reform (NCCR-Mageuzi), Democratic Party (DP), Tanzania Democratic Alliance (TADEA), Sauti ya Umma (SAU), National League for Democracy (NLD), Union for Multi-party Democracy (UMD), National Reconstruction Alliance (NRA), Demokrasia Makini, The Alliance for Change and Transparency (ACT-Wazalendo), Chama cha Ukombozi wa Umma (CHAUMA), Tanzania Democratic Alliance (TADEA), Progressive Party of Tanzania (PPT-Maendeleo) and Tanzania Labour Party (TLP).

Reasons for the adoption of multiparty democracy in Tanzania

The re-introduction of multiparty system in 1992 was mainly due to the factors discussed below.

Ideological changes in the world: This happened because of the major political changes that occurred in the world at that time. Before 1990s the world was ideologically divided into two blocks, namely, capitalist and socialist blocks. The socialist block was led by the Union of Soviet Socialist Republics (USSR) which supported socialist countries including Tanzania. The capitalist block was led by the United States of America (USA) supported capitalism. After the collapse of the

USSR, the USA remained as the only powerful nation in the world perpetuating liberal principles which promoted multiparty democracy.

Spread of neo-liberal policies in USA and Europe: In 1980s, most African countries, including Tanzania, experienced an economic crisis. To recover from this crisis, African countries, Tanzania included, sought assistance from the developed countries, notably, the USA and Great Britain. In order to qualify for financial assistance from western donor countries, African countries had to adopt neo-liberal policies which emphasised multiparty democracy, free trade and privatization. These policies were implemented under the banner of the Structural Adjustment Programmes (SAPs) that was propageted by the World Bank (WB) and International Monetary Fund (IMF).

Challenges from civil societies and pressure groups: Another factor for the introduction of a multiparty system in Tanzania was the challenges the government experienced from the pressure groups and civil societies which criticized the single party political system. The single party system was condemned for denying people political freedom such as freedom of association and expression.

Widening the scope of freedom: Tanzania adopted multiparty politics in order to widen the scope for alternative opinions in government policies and practices. A multiparty system is a way of widening freedom of people in the country and make them have many choices while choosing their leaders.

Activity 4.5

Under the supervision of your subject teacher, conduct a discussion in groups on the main objectives of political parties and present your findings in the class.

Features of multiparty democracy

Multiparty democracy has its own essential features which include the following:

(i) The laws must allow more than one political party to operate in a country and each party must be legally recognised;

(ii) There must be a special office to handle political parties affairs. (In Tanzania, it is known as the office of the Registrar of Political Parties);

(iii) In a multiparty democracy, when a political party wins majority votes, it acquires the legitimate mandate to form a government;

(iv) There must be political tolerance in such a way that, political parties which lose election can concede defeat and support the winning party for the well-being of the people; and

(v) A multiparty democracy allows debates and discussions on national policies and development plans.

The importance of a multiparty system

Creation of fora for representation: A multiparty system is naturally inclusive as it allows each party to create a platform which represents the overall will of the people. Through multiparty politics, citizens are able to get representatives who will represent them into various decision making bodies.

Improvement of good governance: A multiparty democracy helps political parties to co-operate and ensure good governance in the country. The existence of many political parties creates pressure to the government so as to become more serious in serving citizens. The ruling party therefore, is always charged with the responsibility of improving social, political and economic development.

Promotion of the political awareness of citizens: A multiparty system enables the citizens to enjoy a wider space in their political activities. In this way they become more aware of their rights and responsibilities as well as the functions of the government.

Enhancement of citizens' participation in political affairs: Countries with multiparty political systems tend to have greater voter participation in elections. Citizens or voters can freely join any political party of their choice and have wider chance of participation during elections.

Exercise 4.3

1. Define the following expressions:
   (a) political party
   (b) multiparty democracy
2. Give the reasons behind the re-introduction of the multiparty system in Tanzania, in 1992.
3. What are the roles of the press in maintaining peace and security in a nation like Tanzania?
4. What is political awareness and how is it maintained in Tanzania?

Democratic elections

An election refers to the deliberate process whereby a group of people can choose an individual or individuals to represent them. It is normally conducted through voting procedures whereby eligible citizens are given an opportunity to choose the candidates. In this process contestants are subjected to equal, free and fair electoral rules.

Indicators of democratic elections at the national level

For an election to be democratic it must meet the criteria that are listed below.
Free and fair campaigns: For a successful democratic election to be realised ,there must be free and fair campaigns which expose the citizens to different manifestos of contesting political parties. This can be accomplished through public meetings and media such as radio, television, video and internet. During campaign rallies, each contesting political party informs the citizens how it will implement development activities.

Equal opportunities to all political parties: In democratic elections, political parties must be treated equally. They must have equal opportunities to use the media to meet their followers, and equal space. For example, if one party is granted a public space for conducting its campaign rallies, the same space or equivalent should be granted to other political parties.

Equal access to the mass media: In democratic elections all candidates and their respective political parties must have equal access to mass media to air out their manifestos. The national television, radio, and newspapers should be fair to all political parties. For example, if one party has two hours of using the media, the same time must be granted to other political parties.

Abiding to the agreed code of conduct: All candidates in democratic elections should conduct their campaigns in accordance with the provisions of the codes of conduct. A political party that goes against the agreed rules is sanctioned accordingly. Some of these codes of conduct require political parties to avoid the use of provocative language, and interference of other political party meetings. Election campaigns should be conducted in a civilized manner, and all political parties are obliged by law to accept the results of a free and fair elections.

Presence of an independent electoral commission: A democratic election requires the presence of a competent and independent electoral commission which must guarantee a free and fair election. Independent electoral commissions should conduct elections without pressure from the ruling party or the government. This is achieved through transparency and fairness throughout the election process from voters' registration, campaigns, voting and finally announcing the results. A democratic election requires the presence of internal and external observers who observe the entire process of election. The presence of these observers increases the possibility of having a free and fair election. In Tanzania, internal observers include pressure groups such as Non-Governmental Organisations (NGOs) while external observers include delegates from the United Nations (UN), African Union (AU), European Union (EU), Southern African Development Community (SADC), Embassies and International organisations.

Activity 4.6

Suppose you want to contest for the position of head boy or head girl in your school:

1. What procedures would you follow to achieve your dream?
2. What would you tell your fellow students during the campaign to win their votes?
3. Suppose you lose in that election, what would you do?

Importance of democratic elections

Democratic elections are important in the following ways:

(i) They give power to the people and enable them to choose their leaders who will make decisions on their behalf.

(ii) They confirm the worth and dignity of individual citizens. Citizen participation in an election reinforces their self-esteem and self-respect.

(iii) They give citizens an opportunity to express their sense of ownership.

(iv) They help to get a legitimate government through the consent of the people. Democratic elections also reinforce the stability and legitimacy of the political community, as they help to facilitate social and political integration.

(v) They help the country to consolidate democracy when they are repeated from time to time and become normal to the society.

(vi) They help to promote rule of law and good governance by electing people who are responsible to the voters.

(vii) They enable people to vote for, or against specific issues.

Voting procedures in democratic elections

Democratic elections follow different procedures from registration of voters to the declaration and certification of winners. These procedures are described below.

Registration of voters: All eligible citizens are registered by the electoral commission in a permanent voters register. After being registered they are provided with special voter's identity card that will be used during the elections.

Commencement of election campaigns: After the voters' registration exercise is completed, the National Electoral Commission announces a special date for the registered political parties intending to participate in the election to start their campaigns. Through election campaigns plans and strategies of each political party are communicated to the citizens.

Voting process: The electoral commission declares a special day of voting for all eligible citizens in the country. Voters cast their votes secretly in a voting chamber by putting a (√) sign beside the photos of the desired candidates on the ballot paper.

Counting of votes: After voting the electoral commission officials and representatives from political parties will count the votes and later sign up a special form of confirming the number of votes each candidate obtained.

Announcement of election results and certification of winners: In a democratic election the results of the election are announced by the responsible authority as stipulated in the election laws and principles. The winner of the election in Tanzania is always the candidate with the majority of votes. The electoral authority gives certificates to the winners who become official leaders after swearing in. This marks the end of the election process. However, except for presidential results, if the loser is not satisfied with the results, he or she can appeal to the court of law through legal procedures.

Activity 4.7

Using examples from previous general election in Tanzania, discuss in your own groups how democracy was practised.

National Electoral Commission (NEC)

The National Electoral Commission is the organ responsible for supervision and coordination of general and by-elections conducted in the United Republic of Tanzania. The head of the National Electoral Commission is the Chairperson who is assisted by a Vice-Chairperson both appointed by the President of the United Republic of Tanzania from among the judges of the High Court or Court of Appeal. Either of the two has to come from the other side of the Union (Constitution 1977, Article 74(1)-(3)). They are assisted by the Director of the Election who is appointed by the President on the recommendation of the commission. The Director is the head of Secretariat of the Commission which is responsible for executing daily routine activities of NEC (Constitution 1977, Article 74(7). Zanzibar has her own electoral commission known as the Zanzibar Electoral Commission (ZEC). However, the two electoral commissions (i.e NEC and ZEC) are constitutionally required to operate collaboratively.

Functions of the National Electoral Commission

The following are functions of the National Electoral Commission:

(i) Supervision and coordination of voters' registration;
(ii) Delimitation of constituencies and other electoral areas;
(iii) Supervision and coordination of elections;
(iv) Declaring elected Members of Parliament and Councillors for women's special seats; and
(v) Conducting any other functions related to elections.

Electoral System

An electoral system or voting system is a set of rules that determines how elections are conducted and how results are determined. These rules govern all aspects of the election process like determining the eligible voters, eligible candidates, how ballots are marked and cast, how the ballots are counted, how votes translate the election outcome, limits on campaign budget, and other factors that can affect the results. Electoral systems are defined in constitutions and electoral laws of a specific country and they are implemented by responsible electoral commissions. There are two main electoral systems which are used by electoral commissions in democratic nations. These are Simple majority representation and Proportional representation.

Simple majority representation

A simple majority system is a type of electoral system whereby the candidate or party which obtains majority of votes becomes the winner. It is often referred to the first-past-the-post or winner-takes-all. The simple majority arrangement requires the voter to cast a single vote in one constituency whenever there are two or more candidates. The winner is the candidate who has secured the largest number of votes. The National Electoral Commission of Tanzania adheres to this type of electoral system, other countries include United Kingdom, United States of America, Canada, India and Malaysia. One disadvantage of using the simple majority representation system is that there are normally many "wasted votes". Waste votes are those votes cast by electorates but are not taken into consideration in the formation of the representative government. For example, in a general election of country X, four candidates contested for constituency Y and each candidate secured the following percentage of total votes. Candidate A 20%, candidate B 10% candidate C 25%, candidate E 5% and candidate F 40%. By using simple majority or first-past-the-post electoral system, candidate F with 40% of the votes will be the winner, and the remaining 60% of total votes will be left out as "waste votes". At the end, the constituency Y will have an election winner who is not supported by 60% of total votes.

Proportional representation

Proportional representation is a type of electoral system in which parties gain seats in proportion to the number of votes cast for them. This electoral system is suitable for multi-ethnic societies because it allows every vote to be counted. Therefore, it provides a strong incentive for minority parties and other political groups to promote their political articulations. In proportional representation, first a quotient of total vote is calculated. This is the minimum number of votes that allows a candidate to win. It is calculated by dividing the total number of votes by the number of seats to be filled plus one and then adding one again to get results. For example, if the total number of votes cast is 150 and there are four seats to be filled, then the quotient will be calculated as follows:

Hence, $\frac{150}{4+1}+1$

So, 30+1

Therefore, the quotient obtained is 31.

Therefore, a candidate must get at least 31 votes to be elected by using the criteria of quotient in proportional representation in an election. During the voting process, each electorate votes for all the candidates by ranking the candidates according to preference. The first choice is assigned number 1, 2, 3 until the end, and the candidate who gets 30 votes is elected. The excess 4 votes are then distributed proportionally to the remaining candidates and the next candidate who attains 26 votes or more is also elected. This routine continues until all the four seats are filled. In order to make sure that there are no waste votes, the votes for the candidate who scores the lowest are also divided proportionally among other candidates.

Tolerance in democratic elections

Tolerance refers to willingness to accept an opinion or behaviour that one may not agree with. The spirit of tolerance is important for our society as it helps individuals to:

(i) Accept constructive criticism that challenges one's ideas: Criticism helps to develop a new perspective and see things that have been overlooked or never considered.

(ii) Promote unity and cooperation in the sense that allows people of different backgrounds, races, and religion to live and work together hence strengthening collaboration and unity in the society.

(iii) Maintain peace and harmony in the society regardless of diversity of views and preferences of others.

(iv) Build a good foundation for individuals to share ideas and discuss various issues related to their development and reach a consensus among themselves.

Intolerance in democratic elections

There are different circumstances or situations in the society which make people lose the spirit of tolerance in democratic elections. Intolerance occurs where there is failure to accept criticism and defeat. The following are some of the factors that lead to political intolerance:

(i) Violation of human rights such as freedom of expression and association;

(ii) Misuse of public office that may influence corruption, hence affect people's welfare;

(iii) Election irregularities such as rigging and unnecessary delays in announcing the results; and

(iv) The use of provocative language in political meetings and campaigns. This behaviour can cause conflict among voters, contestants or political parties, hence disruption of peace and harmony.

Exercise 4.4

1. Explain the meaning and indicators of democratic elections.
2. Briefly explain the importance of democratic elections in Tanzania.
3. Describe features of a free and fair election.
4. Analyse factors which can lead to lack of tolerance in political campaigns.

Activity 4.8

Conduct class discussion on simple majority representation and proportional electoral system then, write down the merits and demerits of each electoral system.

Revision exercise

A. Choose the letter of the correct answer.

1. Willingness to accept criticism, belief or opinion which differ from yours is referred to as:
   - (a) political tolerance
   - (b) awareness
   - (c) personal differences
   - (d) political activism
2. Which of the following is an important process of election?
   - (a) election law
   - (b) politics
   - (c) political campaigns
   - (d) candidates
3. Which of the following is an example of a provocative act during election campaign?
   - (a) burning the flags of other parties
   - (b) participating in the campaigns of other parties
   - (c) pronouncing other parties slogans
   - (d) interviewing the contestants

4. The following are advantages of a multiparty system except:
   (a) checking abuse of power in the government
   (b) violating human rights
   (c) facilitating the governing process
   (d) participating in political affairs

5. Which of the following stages involves a session in which candidates present their manifestos and voters ask questions?
   (a) during election
   (b) voting process
   (c) political campaign
   (d) election results

B. Write **TRUE** for a correct statement and **FALSE** for an incorrect statement.

1. Tanzania is a democratic country.
2. Freedom of movement is among the indicators of democracy.
3. Violation of human rights is always a result of lack of the spirit of tolerance.
4. A general election involves Presidential and Members of Parliament election only.
5. In a non-democratic government there is no sharing of power.

C. Answer the following questions.

1. Write short notes on each of the following terms:
   (a) free and fair elections
   (b) spirit of tolerance
   (c) National Electoral Commission (NEC)
   (d) democratic election
   (e) political tolerance

2. Briefly explain the importance of the mass media during general elections in Tanzania.
3. Differentiate between pure and representative democracy.
4. Justify why a democratic election is important in maintaining peace and security.
5. Mention and explain the principles of democracy.

Chapter Five

Gender

Introduction

Gender is embedded so thoroughly in our actions, beliefs, and desires as well as in institutions and society in general. In this chapter, you will learn about the meaning of gender, different gender concepts, gender issues in society and socio-cultural practices that hinder equal participation between men and women in our society. You will also learn about measures to rectify controversial socio-cultural practices, women empowerment and level of empowerment. The competencies developed will help you to deal with gender issues and take corrective measures to resolve controversial socio-cultural practices

The concept of gender

Many people tend to use the term gender and sex interchangeably, even though the two terms have different meanings. Gender is defined as description of roles, activities and responsibilities assigned to men and women in a given society. The word gender also refers to the social relationship between males and females as they interact in different situations. Due to this fact, men and women are expected to perform some specific roles assigned to them by the society. Generally, gender refers to socially prescribed roles which can be performed by men and women in the society. These roles include farming, business, domestic chores and professional activities.

On the other hand, sex can be defined as the physical and biological differences between male and female. Sex cannot be changed because it is natural and predetermined. Sex is generally associated with reproductive roles which differ between men and women.

Gender related concepts

Gender related concepts include gender roles, gender equality, gender equity, gender sensitivity and gender blindness. Others are gender bias, gender analysis, gender mainstreaming, gender discrimination, gender awareness, gender stereotype, gender gap and gender oppression. These are clearly explained below.

Gender roles: These are activities and responsibilities which men and women carry out in the society. Gender roles are not necessarily determined by biological make up, hence they can change according to the environment, culture and time. In some societies such as the Maasai, the role of women is to perform domestic activities like fetching water, cooking and washing utensils while men engage themselves in politics and other economic activities like herding cattles and constructing houses. Basically, the gender roles carried out by men and women in a society are determined and constructed by the society or culture in which one lives. Child caring is a gender role. Although both men and women are capable of taking care of children, traditionally in some societies and cultures that role has been assigned to women and not men.

Gender equality: The notion of gender equality refers to equal availability of rights and opportunities, resources and exercise of power between women and men in society. Basically, it implies equal access to various development opportunities including education, health care, employment, and business.

Gender equity: Means fairness of treatment for women and men, according to their respective needs. This may include equal treatment that is different but which is considered equivalent in terms of right, benefits, obligations and opportunities.

Gender sensitivity: This is the ability to recognise and identify gender disparity and how it affects treatment and effective participation of both men and women. It is based on a high level of consciousness or awareness that considers the needs between men and women in social, economic and political settings. For example, due to different needs between girls and boys, the school administration can decide to build latrines according to the needs of each sex.

Gender blindness: This is a condition that involves failure to recognise that there are differences in gender roles and responsibilities between male and female. It can be a product of conscious or unconscious decision to ignore gender differences and their negative impacts on the individual and the society.

Gender bias: Gender bias refers to positive or negative attitudes, towards men or women. It entails preference of one sex over the other. For example, in some culture, the tendency is to consider boys as being more valuable than girls, while in others girls are considered more valuable than boys.

Gender analysis: It is a systematic process of identifying and understanding issues affecting both men and women in the society. It involves collection of gender specific information from the community that enables one to state whether the society has fair treatment of both sexes or not.

Gender mainstreaming: This is a process of taking into consideration gender issues at all levels starting from the family, community and the nation. In practical terms, it means, involving men and women in planning, making laws, policies and development programmes. This helps women and men to benefit equally from development projects.

Gender discrimination: This refers to unequal and unfair treatment of women and men based on their sex difference. For example, a qualified woman pilot can be denied employment simply because she is a woman. In many countries, including Tanzania, women are denied equal access to education, employment opportunities and inheritance, simply because they are women.

Gender stereotype: This refers to general perceptions or assumptions constructed by society towards a certain sexual group. It presupposes a fixed false perception about attributes or characteristics or roles that ought to be possessed or performed by men and women. For instance, there is general perception in society that girls are weak, and that they cannot do well in science subjects and mathematics; however, that is a false perception because there are many girls who are better in science subjects and mathematics.

Gender gap: This refers to social, economic and political differences that exist between men and women in the society. For example, when a big number of government leaders includes more men than women, then, that is a clear indication that there is gender gap in leadership. Similarly there is a gender gap in leadership if the majority of leaders are women.

Gender oppression: This is a situation in which individuals are degraded because of their sex category. It involves the use of power to maintain a system which degrades one of the two sexes at all levels of society.

Gender relation: This refers to the ways in which people of a certain culture define rights, responsibilities, and the identities of men and women. It defines how men and women in society interact with each other. Figure 5.1 shows gender related concepts.

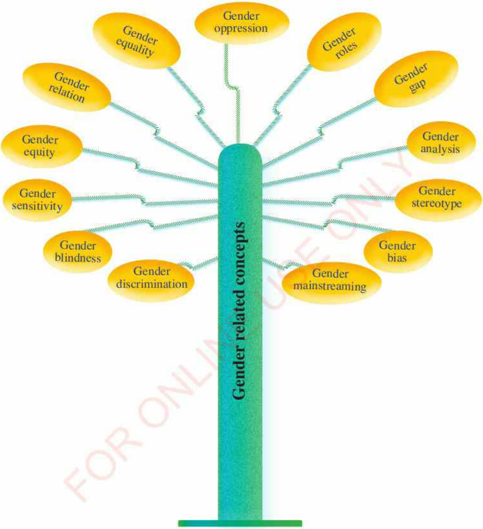
Gender oppression
Gender equality
Gender roles
Gender relation
Gender gap
Gender equity
Gender analysis
Gender sensitivity
Gender stereotype
Gender blindness
Gender bias
Gender discrimination
Gender mainstreaming
Gender related concepts

Figure 5.1: *Gender related concepts*

Exercise 5.1

1. Write **G** for gender roles and **S** for sex roles against the following expressions.
   (a) Child bearing.
   (b) Child care.
   (c) Playing football.
   (d) Washing clothes and home utensils.
   (e) Breastfeeding.
   (f) Cooking.
   (g) Housekeeping.
   (h) Fishing.
2. Describe how gender equality contributes to the development of your community.
3. Using your own words, define the following gender related concepts:
   (a) Gender blindness
   (b) Gender roles
   (c) Gender gaps
4. Differentiate the following gender related concepts:
   (a) Gender equity vs gender equality
   (b) Gender stereotyping vs gender mainstreaming
   (c) Gender gap vs gender bias

Activity 5.1

Suppose you have attended a discussion on gender equality. What would be your contribution about the rights of women in society? Prepare your response and then present it in class for discussion.

Gender issues in society

The idea of gender issues often denotes social, political and economic problems that negatively affect men and women in any given human society. Traditionally, however, it is women and not men who have been bearing the brunt of gender related problems. Part of the explanation for this is that women have not been well represented in the socio-political and economic affairs in society. In almost all societies, it has not been easy for women to be accorded equal rights and opportunities in education, employment, decision making and rights to own property. In recent years, this state of affairs, has raised a heated debate in many countries, with some civil societies advocating for equal rights and participation in education and employment opportunities, while other groups demanding maintenance of the status quo. While it may indeed be the case that in some instances men too experience problems related to gender, women have been more vulnerable. Presented in the following section, therefore, are socio-cultural practices that have denied women in Tanzania and elsewhere in Africa, equal participation in social, political and economic affairs.

Socio-cultural practices that hinder equal participation between men and women in our society

The participation of women in social, political and economic affairs in our society has been weakened mainly because of the following socio-cultural attitudes, beliefs and practices.

(a) **Female Genital Mutilation (FGM):**

The traditional cultural practice of cutting and removing the external female genitalia usually affects girls between the age of four and five years old. In traditional societies, the practice is carried out by female practitioners in collaboration with the girl's parents or relatives. Although in some societies FGM is a ritual of initiation and marks the transition from childhood to adulthood, the practice has a downside to it, in that it can prevent women from active participation in productive activities in the society. In communities where FGM practice is common, uncircumcised women can be prevented from getting married, and from going to school. Conversely, the feelings of anxiety and depression that sometimes develop as a result of a woman being circumcised, can also prevent her from getting married as well as participating actively in productive activities in the society.

Factors leading to FGM

There are several factors attributed to the persistence of FGM practices in our society. They include the following:

(i) Belief that FGM is necessary to raise a girl properly and prepare her for adulthood and marriage;

(ii) Assumption that FGM reduces women's sexual desire, and thereby preserves virginity and prevents promiscuity;
(iii) Belief that FGM makes women clean;
(iv) Belief that FGM improves a woman's ability to endure the pain of childbirth;
(v) Perception that FGM is supported and mandated by African traditional beliefs; and
(vi) Notion that FGM is an important cultural tradition that should not be questioned or stopped, especially by people from outside the community.

Negative effects of Female Genital Mutilation

The following are some of the negative effects of female genital mutilation:
(i) Pain caused by injuries during circumcision;
(ii) Possibility of the victim developing feeling of anxiety and depression due to differences in appearance of their genitals;
(iii) Death due to excessive bleeding especially during circumcision or during child delivery;
(iv) Spread of HIV and AIDS because of the use of unsterilised tools during the operation; and
(v) Incontinence.

Measures to prevent Female Genital Mutilation

The prevention of FGM should be considered as a cross-cutting issue. Every citizen and institution should take measures to prevent it. The following are some of the measures that can be taken to prevent it.
(i) Punish people who practise it;
(ii) Provision of education to citizens so as to develop awareness of the causes and effects of such practices; and
(iii) Enact laws which prohibit the practice.

(b) Widow inheritance

The practice of a married woman to be remarried to a relative of her deceased husband is very common in African societies. While it may have some merits, it is currently viewed as detrimental to the participation of women in productive activities. For example, an inherited woman has a big chance of contacting HIV and AIDS, a health condition that is likely to hinder her participation in productive activities in the society.

Factors leading to widow inheritance

There are several factors contributing to inheritance of widows in Africa. They include:

(i) Protection and promotion of African cultural values;
(ii) Management and retention of family wealth after the death of a husband;
(iii) Continuation of clan bloodline or family lineage after the death of a husband;
(iv) Comforting the widow and keeping her free from loneliness; and
(v) Continuation of the bond between the families of the widow and the deceased.

Negative effects of widow inheritance

Though commonly practiced, widow inheritance has the following negative effects:

(i) Spread of HIV and AIDS among the members of the communities;
(ii) Increase of street children due to poor parental care;
(iii) Misuse of the wealth left by the deceased husband;
(iv) It can lead to psychological problems to the widows because of forced marriage or humiliation by the new husband;
(v) Conflicts arising from inheritance of the wealth left by the late husband;
(vi) Conflicts between the wife or wives of the new husband and the inherited wife; and
(vii) It deprives the widow of moral autonomy to choose the man she loves.

Measures to address the practice of widow inheritance

Although African traditional customs encourage the practice of widow inheritance, and conceives it to be important, in our times the practice is seen to be detrimental to the welfare of women. Measures that can be used to address the problem include the following:

(i) Taking legal measures against those who practice it;
(ii) Providing civic education for people who practiced it;
(iii) Establishment of mechanisms to identify widows and set a programme to provide them with financial support that will help them start various economic activities; and
(iv) Bringing together widowed women to form an associations that will help them address their specific challenges.

(c) Early marriage

The practice of early marriage, involves spouses under the age of eighteen years old. While the practice may have its own cultural justification, it is detrimental to women participation in productive activities.

For instance, girls who get married at younger age, are most likely to become pregnant, a condition that can prevent them from attending school and eventually drop out school altogether. This situation leads women to ignorance and lack of skills, situations that can prevent them from participating in productive activities in the society. In addition, due to immaturity of their reproductive organs, women involved in early marriages, expose themselves to healthy risks and complications which eventually can cause permanent disabilities and prevent them from being active participants in productive activities.

Factors contributing to early marriage

Early marriage is caused by the following factors:

(i) *Poverty:* Girls from poor families are subjected to early marriage. Poor household families normally force their young daughters to get married to rich men so as to get rid of poverty.

(ii) *Maintenance of socio-cultural values:* In some societies, early marriage has cultural values. Young people especially girls are encouraged to get married early in order to attain the values developing from the practice. Such values may include peace, harmony and blessings from the gods and ancestors.

(iii) *Avoidance of disgrace and shame:* In some African cultures young people especially girls, are encouraged to marry early in order to avoid shame and the disgrace to the family that may happen if and when the girl becomes pregnant and begets a child out of marriage.

(iv) *Irresponsible parenthood:* Some young people end up getting involved in early marriage mainly because of lack of proper guidance and counselling from their parents or guardians. Parents are either too busy to guide their children or they lack proper parenting skills. Where this is the case, young people are left to their own devices, a situation which can sometimes lead some young people to get married without consideration of their age.

(v) *Lack of freedom:* In African tradition, young people have limited freedom to choose their life partners. In most cases, it is parents or guardians who have the power to decide whom their daughters or sons should marry. This kind of power over children, leads some parents or guardians to force their children to marry without too much consideration of their age.

(vi) *Freedom from parental control:* Sometimes early marriage happens as a result of a desire by boys and girls to be free from the control of their parents or guardians. To attain that, they decide to get married early so that they can be free to determine their own lives without parental interference.

(vii) *Puberty:* When children reach age of puberty, they develop sexual desires that can sometimes push them to get married early irrespective of their age.

Effects of early marriage

The following are the effects of early marriage:

(i) Exposure to high risk of sexual and gender-based violence;

(ii) Health complications due to immaturity of their reproductive organs. (This situation often leads to disabilities and death to many girls who become mothers at the age between 15 and 17);

(iii) Risk of contacting HIV and AIDS, since they have a low level of reasoning and deciding about sexual related issues;

(iv) Increase of illiteracy rate due to the fact that girls who get married at young age are forced to drop out of school;

(v) Diminished access to opportunities such as having a job outside their home; and

(vi) Fuels the poverty circle due to lack of expertise and ability to participate in productive activities.

Measures to address early marriage

Early marriage can be prevented through several measures as described below:

Enhancing girls' access to quality education: Education plays a significant role in keeping girls safe from early marriage. Girls who lack primary education are three times likely to be married before reaching the age of 18 compared to those with secondary or higher education. There should be efforts in the societies to encourage enrolment and completion of girls in all levels of education. When girls are at school they are less likely to be involved in early marriage.

Provision of mass education to the society: In many traditional societies, parents and members of society embrace negative socio-cultural practices like early marriage. Therefore, it is important to provide them with civic education in order to change their perceptions which undermine girls and women in society. They should be made aware that early marriage puts girls at risk in all aspect of their life.

Women empowerment campaigns: Through women empowerment campaigns, girls and women become conscious of their rights, and they are likely to be confident and assertive to fight against all forms of injustice including early marriage in their society. For that matter, regular women empowerment programmes are very important in the move to address the problem of early marriage in the society.

Eradication of poverty in the society: Many families encourage early marriage because of economic hardships experienced in their society. By providing them with economic opportunities like loans and employment, they will be able to meet their basic needs and other necessities of life, hence reduce the numbers of early marriage caused by poverty in the society.

Enacting supportive laws and policies: In most African countries, there is a problem of inactive or absence of supportive laws and policies to discourage early marriages. For example, the Tanzania Marriage Act of 1971 allows girls under the age of 18 to get married with the consent of their parents. It is therefore the role of government to review the existing laws which contradicts with policies that prohibit early marriages.

(d) **Dowry payment**

The practice of paying dowry to the parents of the bride at the time of wedding, contributes significantly to the lack of women's participation in various affairs in the society. Although traditionally, dowry is a symbol of appreciation, in recent times some parents use it to solicit excessive amount of money or material goods. In that context, it has become easy for the groom to consider his wife as a purchased good, that has to obey his orders. It is in that connection, that some men have prevented their wives from acquiring education or seeking employment opportunities.

(e) **Men's negative attitudes towards women**

The attitude of most African men towards women has not always been favourable. Men generally consider women as weak and inferior, and thus unable to make any meaningful contribution to the society. Consequently, women's ideas and opinions in decision making bodies, starting from the family to the national level have not been respected. This situation leads to the alienation of women from active participation in the development activities in our society.

(f) **Food taboos for women**

African traditional societies established a custom that prohibits pregnant women from eating foods with high nutrients like meat, eggs, milk and certain types of fish. This taboo is believed to reduce the weight of a baby to be born and helps a pregnant woman to deliver safely. However, this practice has proved to be detrimental to the health of pregnant women. As a result, most women fail to participate in various political and socio-economic activities.

(g) **Assignment of different roles for men and women**

African traditional societies have almost always assigned different roles for men and women. On one hand, society has placed men in the public sphere, the arena of politics and economics, where they make decisions, govern, and allocate resources. In addition, men have also been considered to be physically strong, powerful, and pillars of society. They are often heirs, custodians of property and permanent members of the family. Women, on the other hand, have been assigned to the private sphere or the domestic arena. They are considered to be naturally physically weak, as people who belong to men, as bearers of children and temporary family members. This state of affairs has not served women very well. It has not only denied women rights to acquire education and own property, but also their full participation in decision-making bodies at all levels of society.

(h) **Women exclusion in decision making**

Women ideas and opinions in decision making starting from the family to national levels are not well taken. This is due to the belief firmly held in society that women are weak and cannot contribute any productive ideas and opinions. This situation contributes greatly to low level of development in some societies as they lack constructive ideas and opinions from women on various issues. It should be noted that women are the key stakeholders in the development of their families and the nation as whole. They should always be involved in all stages of decision making on various issues affecting their families and their nation.

(i) **Violence against women**

Usually the idea of violence refers to acts or structural arrangements that cause physical or non-physical harm to an individual or community. For example, a woman who is sexually harassed, can develop conditions like depression, loss of self-confidence, and suicidal sentiments. Physical violence against women such as rape, sexual harassment and bullying prevents women from participating in political and socio-economic activities.

In addition to physical violence, and non-physical violence, such as poverty, racial, tribal, gender and religious segregations, also prevent women from participation in productive activities. For example, poverty can prevent a woman from acquiring education as well as employment opportunities. Similarly, segregation on the basis of education, age, race, tribal, religion, or gender, can also prevent a woman from participating in the social, political and economic affairs of her society.

Activity 5.2

Identify at least five negative socio-cultural practices common in your community. Then, suggest ways to eradicate them and present the findings in class for further discussion.

Measures to rectify controversial socio-cultural practices

The following are some of the measures that can be taken to rectify controversial socio-cultural practices in the society:

(i) Taking legal action against people who practice negative socio-cultural practices such as FGM, early and forced marriage and all forms of sexual harassment;

(ii) Eliminating all harmful socio-cultural practices that oppress women;

(iii) Providing of mass education about negative socio-cultural practices to all people in the community, through various public meetings and mass media such as radio, television, social networks, and newspapers;

(iv) Discouraging early and forced marriages by introducing a compulsory basic education programme to all children throughout the country;

(v) Empowering women organisations such as Tanzania Gender Networking Programme (TGNP), Tanzania Media Women's Association (TAMWA), Wanawake na Maendeleo Foundation (WAMA) and Tanzania Women Lawyers Association (TAWLA) which defend and protect womens' rights;

(vi) Promoting gender equality by supporting education and training for girls and women in the society;

(vii) Ensuring equal involvement in decision making from the family to the national level;

(viii) Increasing religious campaigns against bad socio-cultural practices which promote gender oppression; and

(ix) Involving all stakeholders in campaigns against negative social practices in the society.

Exercise 5.2

1. With clear examples, outline efforts made by Non-Governmental Organisations in eliminating negative socio-cultural practices in Tanzania.
2. Explain how gender mainstreaming ensures gender equality.
3. Briefly explain the effects of Female Genital Mutilation to women.

Activity 5.3

In groups, discuss the contribution of the mass media in raising awareness towards fighting against negative socio-cultural practices.

Women empowerment

Women empowerment is a process of promoting women ability to engage in political and socio-economic affairs. It involves raising awareness, generating and building capacities among girls and women so as to improve their self-respect and self-image. Women play great roles in their families and the society but their voices in decision making are normally marginalised. This calls for the need to be empowered as a means for them to become more confident in managing various political and socio-economic affairs. Women and girls can be empowered in a variety of ways:

Provision of education and training: Education is a key factor in improving women's lives. The training of women enables them to acquire knowledge and skills. It enhances their ability to participate effectively in socio-economic development and in making informed decisions.

Fighting against injustice: Various efforts have been made by women and gender activists, human rights groups, government and non-governmental organisations including international agencies to fight injustice against women. These efforts create gender awareness, promote gender equality and protect the rights of women and girls. Similarly, several initiatives have been undertaken to develop concrete strategies to ensure the realisation of gender equity and equality at different levels of society.

Introduction of mentorship programmes: One of the ways of empowering women in the society is through mentorship programmes. A mentorship programme is a kind of programme whereby people with experience, knowledge and skills advise and help inexperienced or young workers preparing for work. In order to empower women or girls, mentorship can be done by inviting any woman or group of women who have made some great achievements to share their experiences and knowledge with women and co-operate with them in performing development activities for a certain period of time. Through this mentoring process, girls and women would be guided on how to overcome life challenges.

Building self-esteem and self-confidence: Self-esteem is about the ability to positively appreciate oneself. Self-esteem can be built through self-study, imitation and peer support. Self-esteem makes women feel special and strong. Even girls at school can be empowered by encouraging them to present and defend the value of their opinions.

Learning from role models: This is one of the most important ways of empowering women. Women and girls are greatly influenced by their role models. The presence of strong and successful women or girls in schools and in communities, encourages other women or girls to achieve their aspirations. The behaviours and actions of successful women are potential in shaping the behaviours of other women. Figure 5.2 shows women in training and motivation programme.

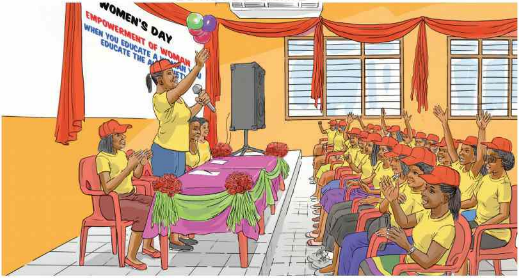

Figure 5.2: *Women attending training and motivation programme*

Levels of empowerment

Empowerment of women can take place at the following levels:

Welfare: This is a level whereby women can be empowered by defining gender gaps between men and women in access to basic needs. These needs include food, shelter and clothes. If women are supported to meet such needs they will definitely improve their welfare.

Accessibility of resources: Women do not have equal access to resources for production and development. Although theoretically women and men have equal access to resources such as education, land and health services, in reality women are facing more difficulties to access such resources. To ensure their empowerment, resources must be shared equally between men and women.

Conscientisation: Women need a high level of awareness and understanding of factors that contribute to their oppression and marginalisation. Awareness can be raised to both women and girls in the community by encouraging them to take actions against obstacles which lead to gender imbalance and discrimination.

Participation: Women and men have equal rights to participate in development processes by sharing opinions, power and resources. Women and men should be involved in development activities equally. Mobilisation, capacity building, training and skills development facilitate active involvement of women and girls in development activities. Effective participation of women in social, political and economic activities minimises or removes gender gaps.

Leadership: This aspect puts emphasis on balancing power between women and men in leadership positions in the society. By balancing power, women can get equal chances to participate in deciding and implementing social and economic development plans.

Exercise 5.3

1. Identify five levels of women empowerment.
2. Briefly explain ways through which parents and teachers can empower girls both at home and school.
3. Describe three levels of women empowerment.

Revision exercise

A. Choose the letter of the correct answer.

1. General perceptions or assumptions constructed by the society towards men or women are referred to as:
   (a) gender blindness
   (b) gender equity
   (c) gender stereotype
   (d) gender relation
2. A gender gap can be identified in different aspects except:
   (a) social structures and institutions
   (b) legislations
   (c) social structure and equal rights
   (d) laws and policies
3. Identify organisations which can help women to address socio-cultural practices that prevent women from participating actively in production activities in society
   (a) FGM and TGNP
   (b) TAMWA and WAMA
   (c) NGOs and TAWLA
   (d) WAMA and FGM

B. Write **TRUE** for a correct statement and **FALSE** for an incorrect statement.

1. Gender roles are the same in all communities.
2. Women and girls in the society have equal access to education opportunities as men and boys.
3. Gender equality can be attained by empowering women and men in the society.
4. TGNP is one of the organisations which promote gender equality and equity.
5. Gender equity is equal sharing of resources between women and men.

C. Differentiate between the following concepts.

1. Gender stereotype and gender discrimination
2. Gender bias and gender sensitivity
3. Early marriage and child abuse
4. Mentorship and training programme

Glossary

Abuse of power	the misuse of authority by taking actions for personal interest, that negatively affects the company and its employees.
Appeal	a form of request to a court or someone in authority asking for a decision to be changed. The process in which cases are reviewed by a higher authority, where parties request for formal change to an official decision.
Arbitrary arrest	the detention of an individual in a case in which there is no likelihood or evidence that they have committed a crime against legal act.
Article	a separate and distinct part of a written instrument, such as a contract, law, or constitution that is often divided into sub articles.
Association	an organisation of people with a common purpose and having a formal structure.
Attorney General	this is a public officer appointed by the President responsible for advising the Government on all legal related matters and representing the state in legal proceedings.
Embezzlement	refers to a form of crime in which a person steals the assets entrusted to him or her.
Epitomise	to be a very typical example of something.
Incontinence	a condition of loosing control over urination. It is a lack of voluntary control over urination.
Mtaa	a part or a division of a Ward and includes a part or a division of a Township situated within an area under the jurisdiction of an urban authority.
Public good	service that provided without profit to all members of society by the government or private, individual or organisation

Presiding Officer	a person who controls the business of the National Assembly by deciding who can speak and keeping order.
Referendum	public votes to make a decision on a particular issue of a national interest.
Rigging	the practise of using illegal methods to obtain a particular result in an election.
Separation of power	division of the three organs of the goverment responsibilities to limit any one branch from excercising the core functions of another.
Simple Majority	a voting requirement of more than half of all ballots cast, as when there are more than two candidates or choices.
Scrutiny	critical observation or careful and thorough examination of someone or something.
Status quo	the existing condition or state of affair.
Statute	a written law passed by Parliament. Sometimes is referred to as Act of Parliament.

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ISBN 978-9987-09-271-0