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THE SYMPTOMS OF THE SHIFT TOWARDS AN AUTHORITARIAN STATE IN TANZANIA'S PRESIDENT JOHN POMBE MAGUFULI'S RULE

ABSTRACT In the early 1990s, political changes in Tanzania led to political liberalization and the reintroduction of formal democratic institutional structures. Political pluralism was established under the control of the ruling party of Chama Cha Mapinduzi (CCM), which gave it the opportunity to maintain state power, stability within the party and to establish limitations in terms of systemic changes. However, the party's hegemony was shaken during the last presidential election, where only a slight majority (58%) was won by CCM's candidate John P. Magufuli. From the moment of taking office as President, he began to implement his electoral postulates. In 2016, Magufuli was appointed the world's best president by United Nations Economic and Social Council for tightening and reducing public sector spending. There is no doubt that during the two and a half years of rule, Magufuli introduced significant changes in the governance structures and lives of Tanzanian people. However, his recent methods of governing the state seem to ignore basic human rights, women's rights, freedom of speech and the press, the independence of courts and respect for the multi-party system in the country.

Key words: John P. Magufuli, political party, Tanzania, authoritarianism, political changes

INTRODUCTION

The overwhelming majority of African countries were characterized by two trends of systemic changes after independence. The first of these is military rule, and the other is a one-party system. The state leaders made efforts to restrict competition in the political area and created neo-patrimonial regimes. As Leander Schneider (1996) argued, such a trend was not simply an “institutional legacy”, but it was formed in a more subtle way, for example in terms of the deeply paternalistic imagination that built the state, with its president philosopher at the forefront, as the only authority competent to issue judgments about the fate of the population¹. The end of the Cold War, the collapse of the USSR and the economic crises of the 1970s and 1980s ended politics based upon Marxist ideology. In order to apply and receive development aid and credit for social economic development purposes from development partners, African countries started to shift towards democratization processes through the liberalization and transformation of the economy. However, the relationship between colonial and neo-colonial politics is increasingly visible. Mohmood Mamdani (2006) argued that the nature of both the contemporary state and politics on the African continent, characterized by a common tendency towards authoritarianism and despotism, is the result of the institutional legacy that colonialism left on the continent². This legacy of colonialism created the institutional structure of a divided state for citizens and elites that hindered the process of democratization. After the struggle for independence, all nationalist governments tried to reform the state, creating a proprietary version of despotism, which took two directions. The first of these was the conservative regimes that support the rule of the chief and the customary authority brought by ethnic directions, in which the authoritarian nature of state power played the most important role based on the customary and despotic authority of the leader. The second direction was an attempt to eliminate ethnic divisions, unite the country and diminish common rights in favour of uniform common customary law, but with the authoritarian presidency of the president. Thus, there is a strong continuity of policy in the colonial assumptions and post-colonial elites. The rhetoric emphasizing universal participation, decentralization and democratization was evident both in the British colonial administration and in the independent government of the United Republic of Tanzania (Tanzania), which in fact pursued the policy of centralization and bureaucratic authoritarianism³.

After a 21-year span of one-party governments led by Julius K. Nyerere, in the 1980s the economic crisis forced the ruling elite to start changing political, social and

¹ L. Schneider, “Colonial Legacies and Postcolonial Authoritarianism in Tanzania. Connects and Disconnects”, *African Studies Review*, vol. 49, no. 1 (2006), pp. 94-95, at <<https://doi.org/10.1353/arw.2006.0091>>.

² M. Mamdani, *Citizen and Subject. Contemporary Africa and the Legacy of Late Colonialism*, Princeton 2006, pp. 22.

³ A. Eckert, “Useful Instruments of Participation? Local Government and Cooperatives in Tanzania, 1940s to 1970s”, *International Journal of African Historical Studies*, vol. 40, no. 1 (2007), pp. 97.

economic areas. The period of systemic transformation in Tanzania, which began institutional changes in the 1990s, initiated the process of democratizing the political system and its path to political pluralism. Since then, regular multi-party elections have been conducted with a clear dominance of the ruling party – Chama Chi Mapinduzi (CCM). However, after more than two decades, it seems that Tanzania is once again heading towards authoritarian tendencies that gather all decisions making and power around the President's office.

The aim of this article is to analyse the politics and governance conducted by John P. Magufuli, and the extent to which it is shifting towards authoritarianism⁴. The author will explore the factors which led to the introduction of certain authoritarian elements into Magufuli's governance. The article was prepared using the institutional approach⁵, which will allow for the characterization of John P. Magufuli's political orientation, its implementation and economic adjustment. In addition, the considerations using primary qualitative research based on desk work, that is review and analysis of Government's documents, peer reviewed literature, open media and official statements. The research question posed is: will President John P. Magufuli's emerging route of policy implementation lead to Tanzania being referred to as an authoritarian state?

THE PATH OF CREATING PRESIDENTIAL POWER IN TANZANIA

Tanzania began its independence following the transition from colonial rule to the independent state of Tanganyika. While still in the United Kingdom's mandate, substantive work on the constitution was being prepared. The Tanganyika electoral system created by the British administration was based on political pluralism with a limited electoral law dependent on income and education. At the same time, it relied on electoral districts where voters voted for three candidates dependent on the European, African and Asian races. Thus, the colonial electoral system was not a democratic system. This increased the mobilization of the national party, which was gaining more and more electorate to marginalize the selection trends based on ethnicity, religion or race. The result of this were the undemocratic elections of 1958/59, in which the national party, Tanganyika African National Union (TANU) won the majority of votes in candidates from all races. On the eve of independence, TANU obtained an absolute majority in the elections and took over parliament without opposition⁶. In 1961, the independence constitution was passed, which provided for the establishment of a government, parliamentary supremacy, a competitive multi-party policy and a liberal democratic political and legal tradition. In 1962, Tanganyika became a republic and the

⁴ This paper focuses only on the Tanzania Mainland's political and governance systems; it excludes those of the Revolutionary Government of Zanzibar.

⁵ The main area of this method lies in detailed study of the structure, the functioning, rules, and regulations of the executives, legislatures and the departments of the Government.

⁶ A. Bakhari, „Leadership Succession and Democratization in Tanzania”, *The Indian Journal of Political Science*, vol. 64, no. 1/2 (2003), pp. 80-83.

Republican Constitution was passed, which initiated the executive presidential system, in which the president had the powers of both the head of state and the head of government. Presidential elections were held using a collective electoral system. The president was obliged to run the country according to his own judgement and was not obliged to follow external recommendations. To pave the way for a strong presidency, a repressive detention act was passed that gave the president the right to arrest and imprison all those who, in his opinion, could be a threat to the state⁷.

In the period of 1966-1967, Tanzania transitioned into the social and economic policy of self-reliance called Ujamaa. The aim of this policy was to re-establish the communal societal economic development which was local-stakeholder-centric. On February 5, 1967, the then President Nyerere set out this policy in the form of Arusha Declaration. The objectives of Ujamaa included collective forms of production, including agriculture in collective villages. Other objectives included: reducing foreign dependence by increasing the local industrial production (import substitution) of key commodities; uniting Tanzanians across ethnic lines; engaging the small and disperse communities into an political climate and economy of affection by tapping into the traditional Tanzanian attitudes by modernizing the factors of production and introducing essential services and modern technological innovations for enhancement of productivity, produced quantities, jobs, and income for the majority rural population; and fast tracking the development of the education and health sectors. All this took place under the leadership of the government that was made of cadres from the single TANU and subsequently CCM party that gave the strategic direction and top down implementation advice and orders. After one decade of Ujamaa implementation, the Constitution was revised in 1977 to pave the way for more flexibility and incorporate the emerging social political changes that took place since independence. In the period between 1978-1979, Tanzania fought a devastating war with Uganda, which was followed by a year-long drought in 1983-1984. This led to enormous economic problems for the country and it had to look for external assistance. The World Bank and IMF agreed to financially support Tanzania under the condition that it will introduce political reforms (democratization) and liberalize the economy. This resulted into a fifteen year Structural Adjustment Program (SAP) that was financed by the IMF and World Bank.

The change to a democratic multi-party system was formally adopted in February 1992, when the end of the monopoly of the party's political activities was announced at the specially convened congress of the CCM party. On July 1, 1993, art 3. of the Constitution was changed, which up until then had ensured a one-party system and, subsequently, art. 10, which had provided for the supremacy and monopoly of the CCM party, was repealed⁸. After the then President Julius K. Nyerere resigned from the post, Ali Hassan Mwinyi became the new president and Chairman of the CCM party. He

⁷ M. Nyirabu, „The Multiparty Reform Process in Tanzania: The Dominance of the Ruling Party”, *African Journal of Political Science*, vol. 7, no. 2 (2002), pp. 100-101.

⁸ C.M. Peter, *Constitutional Making Process in Tanzania. The Role of Civil Organisations*, Department of International Law, University of Dar es Salaam, 1999, p. 10.

introduced the country to a free market system. This led Tanzania to intensify its relations with western countries and international organizations. The Law on Political Parties introduced in 1992 resembles a law passed by the British colonial government, which was supposed to control the activities of emerging political parties. One of the most anti-democratic changes in the constitution was the exclusion of the independent candidate that did not belong to any political party. On the one hand, although the shift from a one party monopoly by changing Art. 8 in the constitution had good intentions, but years later it turned out that in fact it strengthened the position of CCM in multi-party politics, because most opposition parties were in the nascent phase. Essentially, the constitution denied citizens the right to engage in politics on their own behalf outside the institutional framework of politics. Although Tanzania had a multi-party electoral system after 1992, political competition was not much different from the previous one-party system.

The multi-party electoral system began its operation in 1995 with new seats assigned for women. The presidential election was based on the popular vote – the winning candidate had to hold more than 51% of citizens' votes. During the first multi-party elections in 1995, CCM won the elections with over 70% support, which caused a crisis in all opposition parties⁹. The poor election results of the opposition in 1995 led to similarly poor election results by opposition parties in 2000, with CCM still enjoying the strong support of the electorate. The lack of any real opposition reinforced the policy of a one-party system¹⁰. After the first multi-party elections, some circles referred to Tanzania as a "hybrid regime," whose political system formed the basis of neo-patrimonial practices, because despite formally having a democracy and a multi-party system, its practices ensured the continuing domination of CCM and their political elites¹¹. On February 1, 2002, after not achieving the minimum required number of votes, the official opposition ceased to exist in parliament. One of the election observers said that this country is returning to the one-party principles¹². For a long time, part of society demanded the creation of a new constitution that would take into account the interests of all parties in the country, from workers, low-income farmers, students, religious groups, experts and politicians themselves.

Instead of resolving the current contentious issues, the ruling party remained adamant. It was argued that the current constitution was both legal and had full legitimacy of the authorities, so writing a new constitution would make no sense. It was only decided to change the thirteenth amendment, which, apart from the growing position of

⁹ P.R. Reeves, K. Klein, *Republic in Transition: 1995. Elections in Tanzania and Zanzibar*, IFES Observation Report, International Foundation for Election System, 30 November 1995, pp. 188-194.

¹⁰ A. Mhina, A. Makulilo, *Consultancy on the Review of Various Aspects on Electoral Systems and the Electoral Commission in Tanzania*, Dar es Salaam, Constitutional Review Commission of the United Republic of Tanzania, 1 July 2013, p. 24.

¹¹ D. Nyaluke, E. Connolly, "The Role of Political Ideas in Multi-Party Elections in Tanzania: Refuting Essentialist Explanations of African Political Systems", *Irish Studies in International Affairs*, vol. 24 (2013), p. 42.

¹² M. Nyirabu, "The Multiparty...", p. 105.

women in parliament, was a departure from democratic pluralism and aimed at concentration of power in the presidential institution and a return to conducting a one-party policy. This led to the abolition of the constitutional democratic culture and the possibility of creating a powerful presidential institution at the expense of other institutions (especially the parliament) and the lack of public participation in the process of creating the state order – which should be the basic constitutional entry¹³.

A CANDIDATE FROM NOWHERE

The first clashes in the ruling CCM party leading to internal conflict appeared prior to the elections in 2015. Significant internal controversy arose, leading to the departure of some of the leading members to other political groups. The main split caused by growing factionism took place between the outgoing President Jakaya Kikwete and the former Prime Minister Edward Lowassa. Each of them began gathering his own sympathizers and support groups within the party. President J. Kikwete supported the candidacy of Benard Membe while E. Lowassa was gathering his supporters in order to receive the nomination for a presidential candidate. The uncertainty associated with nominations fuelled speculation as well as the split within the CCM ruling elite. At that time, the name of John P. Magufuli, receiving a low probability of nomination, appeared on the list of future candidates¹⁴. The tense situation in the party regarding the choice of the next presidential candidate could only be ended by a compromise on all sides. This compromise was the emergence and final selection of an alternative Dr. J. P. Magufuli's (born in October 29, 1959) candidacy for president. Dr. Magufuli was never part of the inner circle of those governing CCM, so it came as a surprise to his critics that he secured its candidature for presidency. His nomination angered the CCM stalwart and ex-Prime Minister Edward Lowassa¹⁵. In an unprecedented move, one of the then leading potential candidates, E. Lowassa was invited and crossed to the main opposition party Chadema with several leading high ranking followers, such as the former Prime Minister Fredrick Sumaye and long time, icon TANU and CMM ideologist Kingunge Ngombalemwiru. This caused some jitters in both CCM and Chadema, and substantial strategic realignments had to be made. Chadema had its own nominees for the Presidential race, but due to the popularity of E. Lowassa and

¹³ M. Baregu, *Tanzania's Hesitant and Disjointed Constitutional Reform Process*, Conference on Constitution-Making Process in Southern Africa, 2000, pp. 6-10.

¹⁴ M. Collord, "Presidential Profile – John Pombe Magufuli. An outsider with an ambitious (and controversial) agenda", *Presidential Power*, at <<https://presidential-power.com/?p=5955>>, 12 September 2018.

¹⁵ Edward Lowassa was forced to resign from the prime minister's role in connection with the corruption scandal in the Richmond Energy case. The allegations concerned the unfair conclusion of the Tanzania Electric Supply Company LTD (TANESCO) contract with the American company Richmond Development Company LLC. Another issue was the suspicion of money laundering in Great Britain by a company founded by E. Lowassa and his wife.

the mass following that he had, Chadema picked him to be its candidate for President. This caused frustration and regression among those who vied for presidency and led to prominent figures such as the two-time Chadema presidential candidate and Chadema's Secretary General Dr. Wilbrod Peter Slaa to leave the party and retire from politics¹⁶. The intra-party hierarchies in the ruling and opposition parties were shaken and election results were unpredictable. Another significant event that took place was, for the first time ever, the amalgamation of the leading opposition parties into UKAWA and the nomination of E. Lowassa as their presidential candidate. This strategic move was the first time that opposition parties came together, shared resources, and made election collaborative arrangements for local government, parliamentary, and presidential elections. This move strengthened the opposition status and gave it a strong positioning that has never been seen before in Tanzania Mainland politics. These events were followed by country-wide competitive political debates, political rallies, and long lines of queuing voters that have never been seen since independence in 1961. The current hegemony of the CCM government undoubtedly provided stability to Tanzania, but the public was clearly demanding political, economic and social changes. This was very noticeable in the pre-election period, during which surveys indicated a change in the party's position. For the first time, CCM had many opponents.

Throughout his political career, J. P. Magufuli avoided internal party politics and never held an official position within the CCM, thanks to which many other prominent politicians rose to the top of the party and government circles. In the October 2015 elections, the support for CCM fell significantly due to widespread public disillusionment with the current policies. It was necessary to find a candidate unrelated to political and business scandals. J. P. Magufuli had an unblemished reputation for honest, trustworthy, hardworking, ethical, results-oriented, policy-driven politics, corruption free, devoid of scandals. This opinion among the public was built while working as the Deputy Minister for Works. After retaining his seat as Chato member of parliament in Western Tanzania, near Lake Victoria, in the following elections in 2000, Dr. Magufuli was promoted to full ministerial position under the same docket. He has been a minister in subsequent elections in 2005, and 2010 during which he served as a Minister for Lands, Housing, and Human Settlements, and Minister for Livestock Development and Fisheries from 2010 to 2015. The commendation of his activities made him an appropriate candidate for changing the party's image and attempting to regain the confidence of the electorate¹⁷. During his time at the Ministry of Works, he gained support among both the political environment and the public with his ferocity during the construction of national roads which gave him the nickname "bulldozer". During his work he was adamant and focused on achieving the set goals. In addition, despite the many possibilities of becoming rich through corruption, there have never been any accusations or suspicions against him.

¹⁶ On February 16, 2018, Dr W. Slaa was sworn in to be the Ambassador of Tanzania to Sweden.

¹⁷ M. Collord, "Presidential Profile – John Pombe Magufuli...", *Presidential Power*, 30 January 2017, at <<https://presidential-power.com/?p=5955>>, 12 September 2018.

His election campaign was based on the image of a humble man from a poor environment who, thanks to his work, was awarded the title of Ph.D. in chemistry at the University of Dar es Salaam. During the campaign, the candidate described himself, in his own words: "Our home was grass-thatched and like many boys I was assigned to herd cattle, as well as selling milk and fish to support my family... I know what it means to be poor. I will strive to help improve people's welfare"¹⁸. These words were to reach primarily the electorate living in the countryside, which is estimated at over 80% of the population of the country¹⁹. The rhetoric used during the election campaign was intended not only to convince voters to vote for Magufuli, but above all to return to the roots of the CCM party, which in its election campaigns always referred to the difficult situation of people living in the countryside. His opponents, however, maintained a different opinion claiming that Magufuli is an aggressive man and will not heed someone's opinion.

At the beginning of the presidential campaign, Magufuli had to deal with many issues. As previously mentioned, the popularity of CCM decreased during the 10 year rule of Kikwete. This gave the opposition parties the opportunity to gather ranks, unite and expand their influence and range throughout the country. But this was mainly in urban and sub-urban areas. Following the unprecedented move of key prominent CCM politicians and personalities, such as the former Prime Minister Edward Lowassa to the opposition, a new life and confidence was injected into the opposition which was evident by the increasing number of supporters and those who attended opposition rallies and across the country. Applying for a presidency against his own party attracted more attention from both society and international observers. It was speculated whether this division within the elite party could mark the end of CCM's domination. In particular, because Magufuli was a weak candidate, without his own party environment. He had to rely on the supporters of the previous president and Kikwete himself. Therefore, it was necessary to create a profile of the candidate to show that he would fight poverty, improve the lives of ordinary people, and combat all pathologies in the CCM environment – that is, corruption and sluggishness of state officials in their activities, mobilizing them to increase employment and reduce the problem of shortages and exploitation of gas resources²⁰.

Currently CCM maintains the majority of the seats in the parliament, giving it a position to formulate and enact policies, laws, and budgetary allocative actions with little influence and challenge from the opposition. But following the competition it faced in the 2015 elections, it had to make several readjustments in its structures and modus operandi. For example, on May 30, 2018 the National Executive Committee

¹⁸ R. Nesoba, "John Magufuli – Tanzania's 'Bulldozer' president in profile", *BBC News*, 24 November 2015, at <<https://www.bbc.com/news/world-africa-34670983>>, 12 September 2018.

¹⁹ Tanzania Population, *World Population Review*, at <<http://worldpopulationreview.com/countries/tanzania-population/>>, 12 September 2018.

²⁰ O. Mohammed, "Tanzania's presidential race is not as tight as previously thought – not even close", *Quartz Africa*, 22 September 2015, at <<https://qz.com/africa/507740/tanzanias-presidential-race-is-not-as-tight-as-previously-thought-not-even-close/>>, 14 September 2018.

of CMM unanimously elected the young University of Dar es Salaam's lecturer and political scientist Dr. Bashiru Kakurwa Ali to be the Secretary General of the party. In addition, it has nominated Humphrey Polepole, a young former political activist, the CCM's Ideology and Publicity Secretary. Before being appointed, Polepole, was the District Commissioner of Ubungo District in Dar es Salaam. Furthermore, CCM has influenced the Government to nominate young people for various leadership posts, such as regional and district commissioners, District Executive Directors, to realign itself with the trend of growing number of youth in the population²¹. Further transformation and renewal of the party is on the way under the leadership of Chairman J.P. Magufuli, who is holding both Government and CCM leadership posts. Currently, there are purges ongoing in CCM to remove corrupt official in order to enhance its credibility.

Recently, in the year 2018, there have been defections among opposition members of parliament and local government councillors citing being impressed by President Magufuli's policies.

JOHN MAGUFULI'S POLICY OBJECTIVES

The president was sworn in on November 5, 2015, after a tough but peaceful electoral battle. It was one of the most important events in recent political history of Tanzania and Africa, turning Tanzania into a rising star of sub-Saharan Africa. From the very first day of his presidency, Magufuli began implementing election goals by combating corruption, improving management and harmonizing legal and tax regulations, tax collection, combating poverty and wasteful expenses that plague many African nations. In his speeches, he also stressed the strengthening of regional integration, the strengthening of regional trade, the capitalization of natural resources and the facilitation of industrialization, changing Tanzania's status to a middle-income country by 2025²². The new approach to government and high ambitions has had a significant impact on the functioning of the state. This met with considerable approval and recognition from domestic and international observers.

After taking office and determining the priorities of his government, Magufuli also pointed to the range of problems plaguing the political and administrative spheres of Tanzania, which included corruption, maladministration, embezzlement of public funds, waste of funds by the administration, excessive bureaucracy in state offices, lack of coordination and poor conduct surrounding strategic infrastructure investments, which were caused on one hand by inadequate attitude and governance (meritocracy)

²¹ According the National Bureau of Statistics "Tanzania in Figures 2015" the Intercensal population growth rate is 2.7%; young population below 15 years is 43.9 %; and youth population between 15-35 years is 34.9%, see at <https://www.nbs.go.tz/nbs/takwimu/references/Tanzania_in_Figures_2015.pdf>, 14 September 2018.

²² "Magufuli: My Priorities", *The Citizen*, 21 November 2015, at <<http://www.thecitizen.co.tz/News/Magufuli-My-Priorities/1840340-2965662-m73ssd/index.html>>, 14 September 2018.

and on the other by not rewarding hard work and excellence²³. His firm statement at the inauguration was intended primarily to point out that such issues would no longer be tolerated. The tone and one-and-a-half-hour statement was to be a warning to the still-operating office of his predecessor as well as people employed in public administration. He pointed out that the unfavourable situation of Tanzania was a result of this type of behaviour and pathology, claiming that: "Now is the time to work and I, as your president, will walk the talk in delivering all that I promised during the campaigns...I will not triumph in economic growth statistics that do reflect on the day to day lives of the ordinary citizens"²⁴. During his speech, both in his tone of speech and in the words itself, he referred to J. K. Nyerere saying that poverty and unemployment remained the biggest challenges for Tanzania by adding: "...poverty and unemployment remained Tanzania' biggest challenges..."²⁵. Other areas that Magufuli mentioned during his inauguration were improving education, water supply, improvement and better access to health care and strengthening economic opportunities for all citizens. In matters of infrastructure, he promised improvements to railways, seaports and airports. A lot of emphasis was also placed on industrialization, which is based on the production of clothing and textiles, foodstuffs and agricultural and livestock products. However, the discovery of gas deposits was to be the catalyst for changes. His forecasts indicated the creation of new jobs in the production sector, which will diversify the economy and will constitute 40% of all jobs by 2020²⁶. Magufuli in the first three years as a president began to implement most of the objectives that were his priorities. However, the outcomes of the emerging reforms and changes can be divided into positive ones as well as those that can be seen as moving back the democratization process. These include not progressing with the implementation of proposed Warioba draft constitution of 2014, violation of human rights, curtailing freedom of speech and privacy, and not respecting regional and international agreements.

NEW PRESIDENT: HERO OR TYRANT?

During the first days of the Magufuli office, he won the local and international public opinion and critics. One of his first decisions was to prohibit the purchase of first and business class tickets for government officials' travel with the exception of the president, vice president and prime minister. On the third day of office, he forbade foreign travel of government officials (international affairs were to be resolved through ambassadors and commissioners delegated abroad) in exchange for increasing domestic travel

²³ Ibid.

²⁴ Ibid.

²⁵ Ibid.

²⁶ M. Nsehe, „Africa's Youngest Billionaire Mohammed Dewji Promises to Create 100,000 Jobs in Tanzania", *Forbes*, 10 June 2016, at <<https://www.forbes.com/sites/mfonobongnsehe/2016/06/10/africas-youngest-billionaire-mohammed-dewji-promises-to-create-100000-jobs-in-tanzania/#431538452880>>, 14 September 2018.

with a focus on rural areas in order to understand the issues faced by the local population. He pointed out that in period 2013-2015, the costs of food and airline tickets costs the Government about 163 million USD, which could be shifted to the construction of 400 km of asphalt roads²⁷. Therefore, he decided to create a cabinet with fewer officials, which would reduce the waste of public spending and which will be directed to education, health and access to water funds.

He also lowered the budget for the first parliamentary meeting by over 90%, and saved 90,000 USD for the purchase of hospital beds and road works. Reduction of trips, organization of conferences and trainings in public buildings (instead of renting conference rooms in expensive hotels) with no refreshments and calling on public institutions to reduce spending made the Government to save USD 429.5 million in one year. In addition, he decided to cancel the parade on Independence Day, and the expenses of 1.9 USD million saved in connection with the resignation of the annual celebrations were earmarked for the development of roads and for the organization of the Health Day to address the cholera epidemic²⁸. His personal involvement in Dar es Salaam cleaning resulted in thousands of Tanzanians joining this intervention and it is being undertaken across the country every Saturday. From the first day of office, he kept his election promises. His actions in the fight against corruption gave him the title of Best President 2016 by United National Economic and Social Council.

Tanzania's economic growth remains at about 6.5-7% per annum, despite the volatility in the international food, gold and energy markets. Since 2011, Tanzania has overtaken both Kenya and Uganda in growth rates, and has been a leader in East Africa in attracting Foreign Direct Investment (FDI)²⁹. However, despite these indicators, the state has been plagued by problems inside the administration. Corruption remained at a high level, which was characterized by Magufuli as a threat to further growth and economic development. The fight against corruption began on the first day of the President's operation. The first step was the aforementioned reduction of the cabinet from 30 to 19 Ministers. His warnings against malpractices were given in every public speech while addressing ministers and major state officials, stressing the lack of tolerance for corruption, laziness and bureaucracy. He warned his co-workers to work tirelessly, carrying out all the tasks that would be posed to them. He added that it was necessary to give up life of excess in government positions, which means hard work, and whose motivation should be to serve the society.

Up until this point, all candidates during the election campaign were supposedly motivated by the desire to take a government position in order to serve the public, although it is questionable to what extent this was achieved. Interviews with representatives of public administration during the study trip in 2015 and 2016 revealed that

²⁷ "JPM foreign travel ban saves Sh900bn", *The Citizen*, 10 February 2017, at <<http://www.thecitizen.co.tz/News/JPM-foreign-travel-ban-saves-Sh900bn/1840340-3807722-5jbury/index.html>>, 14 September 2018.

²⁸ Ibid.

²⁹ *World Investment Report 2018. Investment and New Industrial Policies*, UNCTAD, Geneva 2018, p. 41.

officials did not know exactly what problems the rural population was facing, which were instead dictated by politicians in the city. However, the real surprise was the lack of knowledge of the problems of the urban community living on the outskirts of Dar es Salaam. This is surprising considering the visibility of urbanization, unemployment and the spread of the grey economy in urban areas.³⁰

The president also ordered a review of public procurement, which revealed that goods and services were purchased at inflated rates. He announced that any subsequent abuse by a civil servant would end with dismissal and criminal liability. During the first three months of his inauguration, he dismissed 150 officials from the Tanzania Revenue Authority (TRA) and the Tanzania Ports Authority (TPA). The list of dismissed persons included the Director of the Prevention and Counterterrorism Bureau (PCCB), the Commissioner General of the Department of Immigration Services, the Managing Director of Reli Assets Holding (RAHCO) and the Director General of the Civil Aviation Authority of Tanzania.

The President's review, audits and personnel assessment in public administration institutions revealed 10,000 ghost workers whose false employment generated costs of 2 million USD per month³¹. Magufuli also conducted an investigation into the use of fraudulent employees of public administration, checking over 400,000 academic certificates. Persons using false certificates were given an ultimatum of voluntary resignation, otherwise they would be charged with a criminal offence³².

Unannounced visits were the new *modus operandi* of Magufuli himself and his new administration. For instance, by making an unannounced visit to a state hospital, he saw that a large number of patients were lying on the floor with limited care, due to doctors' absenteeism. It also turned out that the key diagnostic equipment either did not work or did not exist at all. Patients were forced to do medical tests in private health centres at exorbitant prices. A visit to the hospital ended with the dismissal of its director and the transfer of money to improve the situation. It was an action aimed at signalling to the public that such pathologies would be terminated and the provision of public services would be improved³³.

President Magufuli plans are to follow in Julius K. Nyerere's footsteps and focus on, first and foremost, on developing the social infrastructure and soft and hard infrastructure such as provision of free quality education to all at primary and secondary level.

³⁰ L. Worrall, S. Colenbrander, I. Palmer, and others, "Better urban growth in Tanzania. A preliminary exploration of the Opportunities and Challenges", *Coalition For Urban Transition*, London–Washington 2017, p. 12.

³¹ F. Ng'wanakilala, "Tanzania says over 10,000 'ghost workers' purged from government payroll", *Reuters*, 16 May 2016, at <<https://www.reuters.com/article/us-tanzania-corruption/tanzania-says-over-10000-ghost-workers-purged-from-government-payroll-idUSKCN0Y70RW>>, 14 September 2018.

³² B. Taylor, "Clampdown on fake academic certificates", *Tanzanian Affairs*, no. 118 (2017), at <<https://www.tzaffairs.org/2017/09/clampdown-on-fake-academic-certificates/>>, 15 September 2018.

³³ R. Barclay, "Tanzania: Decoding 'the Magufuli way' and forging a path for constructive private sector engagement", *Africa Practice* (2016), pp. 1-2, at <<http://www.africappractice.com/wp-content/uploads/2016/08/Africa-InDepth-Tanzania-Decoding-the-Magufuli-Way-2016.pdf>>, 15 September 2018.

The education policies such as the 2001 Primary Education Development Program (PEDP) are being reviewed. In the new free education for all primary schools, the contributions from parents and relatives of public school students were banned. Magufuli promised more funds for free primary and secondary education. He also pointed out that the low quality of education is caused by the teachers' low skills and low pay, which does not allow for a decent life, or for increase their qualifications. Studies conducted by Twaweza indicate that 96% of teachers are dissatisfied with their work, while 1 in 3 teachers were not satisfied with their profession due to the difficult work environment and low earnings.

This direction of the government's policy is also related to the implementation of the Sustainable Development Goals (SDGs), which were to be accomplished by 2030 – free, fair and high-quality education for all children in the world³⁴. The public, on the other hand, positively perceived changes in the education sector and believed that the government would contribute to improving the quality and availability of education.

On the political and economic front, he ordered a review of all public privatization contracts that were undertaken in the 1990s, through the IMF and World Bank's dedicated Structural Adjustment Program. It turned out that many investors who bought public firms did not abide to the contractual agreements. Some turned them into other businesses or sold the machines and turned the factories into warehouses. Efforts are under way to return those failed factories back to the government and resell them³⁵.

An important point in implementing the goals set by Magufuli was to reorganize and streamline the tax regime. He decided to discontinue top-down tax credits for mainly foreign enterprises and increase the number of enterprises paying taxes³⁶. The president wanted immediate results, so he made changes day by day and quickly passed the Financial Act for 2016/2017, introducing new rates of taxes and duties³⁷. The capital obtained was to be redirected to an increase in government expenditure by 31%, mainly focused on infrastructure and industrial projects. Recently the Tanzania Revenue Authority (TRA) has increased its tax revenues collection from 900 billion TZS per month to more than 1.8 trillion TZS. In addition, to ensure an equitable sharing of outputs from the extractive industry, the Magufuli's Government reviewed the operations and tax regime paid by the mining companies and other firms dealing in the extractive industry. On June 29, 2017, the Government enacted new laws: the Natural Wealth and Resources (Permanent Sovereignty) Act 2017 and the Natural Wealth and Resources (Review and Re-negotiation of Unconscionable Terms) Act 2017 (Contract Review Act). This led to misunderstanding and disputes with the mining companies that threatened suing the Magufuli government at the international arbitration courts for the introduction of new law on fair share of mining resources for Tanzanians. The

³⁴ Ibid.

³⁵ "Magufuli: My Priorities"...at

³⁶ Ibid.

³⁷ R. Barclay, "Tanzania: Decoding 'the Magufuli way' "..., pp. 2-3.

government ordered Acacia Mining³⁸ to pay 190 billion USD of unpaid taxes, interest and fines and threatened the nationalization of the mine. The issue is still to be resolved. On the other hand, Petra Diamonds closed its mine after the government took over the exported goods on suspicion of underestimating its value³⁹. The mining industry in Tanzania is important from a political and economic point of view in negotiating agreements with international mining companies that are an important element during election campaigns. Renegotiation of contracts was one of the priority tasks for Magufuli. The opposition and the media accused the CCM of the lack of firmness in previous contract negotiations and expressed their concerns about the arrangements with international mining companies of the newly discovered gas fields. Magufuli, however, decided that he would not make the decision to review gas contracts until the new government formed by him would explain previous agreements that were concluded on unfavourable terms for Tanzania. In addition, he assured that all aspects of the regulatory framework will be made public. Magufuli also undertook a revision of TANE-SCO, whose members were accused of corruption and the use of drought for their own benefit and overcharging of electricity prices⁴⁰. In addition, corruption inside TANE-SCO was diagnosed as the main factor increasing the scale of its debt. The president decided to implement a new strategy for the reform of the energy sector and the division of TANESCO into several separate companies.

Radical reforms in the public administration, and the above actions and interventions were the cause of praise in Tanzania itself and in the international arena. However, the group that suffered the most from the Magufuli's revolution were the party colleagues, which led to the escalation of internal divisions. During the formation of his cabinet, it was expected that the prime minister would become one of the key members of the CCM party, and who would care for party-government relations in which Magufuli was not familiar. The expectations of the prime minister fell upon Kassim Majaliwa, for whom the nomination was also a surprise because he had only entered the party ranks in 2010. Majaliwa quickly went to work by making unannounced visits and conducting audits in the port of Dar es Salaam, showing that more than 3,000 containers left the port without paying customs duties and taxes and those 350 containers worth 37 million USD disappeared from the warehouses. Magufuli immediately dismissed the head of the port and suspended the head of the Tanzania Revenue Authority⁴¹. Only a small number of Kikwete ministers had the opportunity to be nominated, mainly because the premise of Magufuli was to start a new policy without interference from the previous regime and to reduce ministers.

³⁸ Acacia Mining is a subsidiary of the largest gold mining company Barrick Gold.

³⁹ R. Davies, "Petra Diamonds market value falls after Tanzania seizes \$15m shipment", *The Guardian*, 11 September 2017, at <<https://www.theguardian.com/business/2017/sep/11/petra-diamonds-market-value-falls-tanzania-seizes-shipment>>, 15 September 2018.

⁴⁰ Tanzania acquires energy mainly by hydroelectric power.

⁴¹ "TPA container fleet dwindles with corruption crackdown", *IPP Media*, 13 March 2016, at <<https://www.ippmedia.com/en/news/tpa-container-fleet-dwindles-corruption-crackdown>>, 16 September 2018.

ROUTE TO AUTHORITARIANISM

While the Magufuli administration is effectively implementing the electoral manifesto and development ambitions that will bring Tanzania to a middle-income country, he had to make tough decisions, radical changes and reforms. However, the Magufuli government has not only fought against corruption, poverty and the implementation of its plans, but there are some indications that it is slowly turning into an authoritarian regime. In reply, President Magufuli's supporters are sighting how before elections both citizens and the opposition were demanding a strong Presidency to address the socioeconomic malaise and increased well thought and tough decisions making. One such intervention is the reversal of devolution of powers to the local government authorities that was initiated in 1998. Following the inefficiencies and capacity inadequacies at the sub-national level and in local government institutions that are constraining implementation of national and local development plans, the Government has decided to bring back some key functions to the central government. These include land, health care, education and strategic productive sectors' operations.

Many aspects of Magufuli's approach are positive for both the society and the economy. Conducting its unique policy, it contributed to maintaining GDP growth at the level of 6,8 %, eradicating corruption from key institutions, while improving their management, efficiency and effectiveness⁴². His reformist approach is based on the need to transform Tanzania into an effective state with a virtuous, transparent and responsible administration. But Magufuli's policy has also created significant risks to human rights, freedom of speech, political pluralism, development of the private sector and attracting and maintaining FDI. This is due to his emphasis on results which, although immediate, may cost Tanzania in the future. History has shown that in terms of politics, economy and society, short-term profits can cost long-term strategies. Thousands of people have lost their positions, and in their place new and inexperienced people have been appointed, who along with the officials who have kept their position work under enormous pressure to achieve the set goals – often too high and unattainable. This creates an area of risk associated with an arbitrary way of implementing changes and ill-considered decision-making.

Observers, as well as the opposition, argue that Magufuli's actions represent a return to the one-party era with a constitutional ban on the formation of opposition parties and with the dominant role of the president⁴³. Accusations against Magufuli also concern authoritarianism, which includes inadequate following of the rule of law, established governance procedures, and abiding to the principles of the separation of powers of the three governance pillars – the Executive, Legislature, and the Judiciary. This prompted the opposition to organize a boycott of the plenary session in the parliament and

⁴² "Tanzania National Bureau of Statistics, Highlights for The Third Quarter (July–September) Gross Domestic Product", 2017, at <<https://www.nbs.go.tz/nbstz/index.php/english/client-service-charter/965-highlights-for-the-second-quarter-july-sept-gross-domestic-product-2017>>, 16 September 2018.

⁴³ "John Magufuli is bulldozing the opposition and wrecking the economy", *The Economist*, 19 October 2017, at <<https://www.economist.com/middle-east-and-africa/2017/10/19/john-magufuli-is-bulldozing-the-opposition-and-wrecking-the-economy>>, 16 September 2018.

national protests began. In response to these actions, the police issued a ban on political gatherings, and the President issued a statement on 22 June 2016 banning all political activities until the next elections in 2020. His argument for this ban referred to the fear of escalating civil violence and delaying the implementation of his plans and the development of the country⁴⁴. Critics questioning the ban on political meetings to election year 2020⁴⁵ and calling for opposition through social media were arrested for anti-government activities⁴⁶. Representatives of the civil society as well as religious organizations, NGOs and the European Union issued a statement expressing concerns about the attack on the opposition, democracy and the rule of law. Magufuli's leadership differs greatly from that of his predecessor. This turn towards authoritarianism may be caused by the unprecedented power of the opposition, which is still growing in strength. It's important to remember that the elections of 2015 had been won by the ruling party's smallest ever majority. Since then, Magufuli has been fulfilling his election promises regardless of the inherent obstacles and constraints, and he is even unexpectedly over surpassing them, which is confirmed by his nickname "bulldozer". He believed that the criticism of his person and the style of conducting policy hindered the implementation of these tasks. Therefore, not only the opposition but also his critics had to face the penalty of imprisonment. Magufuli in this way tries to prevent possible protests of the opposition in the future by limiting its space and thus reducing the risk of failure in the future. The strong-handed politics have been directed against not only opposition activists but also ordinary citizens. A resident of Arusha was sentenced to three years in prison for insulting the president through WhatsApp. Other WhatsApp users were also accused of insulting the president in accordance with the cybercrime law issued during the Kikwete government prior to the election campaign⁴⁷, and later changed by Magufuli⁴⁸. Political considerations also affected threats coming from cybercrime. The criticism of the government or president through media communities was immediately recognized as cybercrime. The Act, in addition to the regulation of actual crime on the Internet, such as child pornography or cyber bullying, has a clause that can be used to restrict freedom of speech by declaring a statement to be "misleading" or "false" according to art. 16⁴⁹.

⁴⁴ D. Paget, "Magufuli has been president for two years: how he's changing Tanzania", *The Conversation*, 2 November 2017, at <<https://theconversation.com/magufuli-has-been-president-for-two-years-how-hes-changing-tanzania-86777>>, 16 September 2018.

⁴⁵ Political meetings ban was later partially abolished.

⁴⁶ R. Ahearne, "Tanzania keeps tightening restrictions on free speech under president Magufuli", *Quartz Africa*, 31 May 2018, at <<https://qz.com/africa/1292873/tanzania-keeps-tightening-restrictions-on-free-speech-under-president-magufuli/>>, 16 September 2018.

⁴⁷ C. Cross, "Tanzania is stepping up its policing of social media and with it fears of government abuse", *Quartz Africa*, 1 November 2016, at <<https://qz.com/africa/824177/tanzania-is-stepping-up-its-policing-of-social-media-and-with-it-fears-of-government-abuse/>>, 16 September 2018.

⁴⁸ The new law on media services assumes further restrictions on the freedom of expression.

⁴⁹ The wording of the article is: *Any person who publishes information or data presented in a picture, text, symbol or any other form in a computer system knowing that such information or data is false, deceptive, misleading or inaccurate, and with intent to defame, threaten, abuse, insult, or otherwise deceive or mislead the public or counselling commission of an offence, commits an offence, and shall on conviction be*

WhatsApp application has changed political communication in Tanzania. It was used by all parties taking part in the election, because it was the fastest way to reach voters. In Tanzania, mobile telephones have spread with considerable speed not only in cities, but also in rural areas. In previous decades, the political message reached the rural population (which is the majority of society) through the radio, which was controlled by the ruling party. When mobile phones and the Internet became widely available, the WhatsApp application became the main tool for propaganda. According to partial data, over 11 million Tanzanian people have access to the WhatsApp application, and this value is still growing⁵⁰. A spokesman for the CCM campaign and the outgoing minister of communication, science and technology stated that false and negative messages are usually transmitted using internet communication and platforms⁵¹. The Tanzania Cybercrime Act 2015 allows both police and Tanzania Communications Regulatory Authority to track who and what is published via the media, and when the information provided by the user is unflattering to authorities, they face up to 10 years in prison⁵². The government claims, however, that the new law will deal with unprecedented forms of crime that are not covered by the current law. Representatives of civil society, NGOs, international institutions and the opposition argue that the new law will significantly limit freedom of the press and speech. It also consists of the fact that the new law was implemented two months before the election, which was received as a silencing of critical opinions on CCM and Magufuli. Those fighting for human rights have asked to review and repeal certain clauses, especially those that violate the right to privacy⁵³. In March 2017, the musician Emmanuel Elibariki in his song suggested that in Tanzania there is no longer any freedom of expression, and the country is heading for dictatorship. His song was banned and the musician was arrested. Other opposition activists such as Zitto Kabwe, the founder of the opposition party Alliance for Change and Transparency, were criticized for criticizing the parliament's chairman, Maxence Melo, the initiator of Jamii Forums, an online platform where users can publish the most important political news and discussions about them⁵⁴. A member of the main opposition party, CHADEMA Tundu

liable to a fine of not less than five million shillings or to imprisonment for a term of not less than three years or to both. The United Republic of Tanzania, *The Cybercrimes act, 2015* Gazette of the United Republic of Tanzania, vol. 96, no. 22(2015), p. 15; C. Cross, "Tanzania's social media policing increases the risk of government abuse", *The Conversation*, 30 October 2016, at <<https://theconversation.com/tanzanias-social-media-policing-increases-the-risks-of-government-abuse-67478>>, 16 September 2018.

⁵⁰ H. Mibei, L. Karanja, S. Gakuo and others, "Mobile Landscape Analysis: Tanzania", *Cabi Working Paper*, vol. 10 (2017), p. 16, at <<http://dx.doi.org/10.1079/CABICOMM-36-3825>>.

⁵¹ O. Mohammed, "WhatsApp is now the primary platform for political trash talk in Tanzania's election campaign", *Quartz Africa*, 27 September 2015, at <<https://qz.com/africa/510899/whatsapp-is-now-the-primary-platform-for-political-trash-talk-in-tanzanias-election-campaign/>>, 16 September 2018.

⁵² "Letter from Africa: Tanzania's cybercrime law", *BBC News*, 18 October 2015, at <<https://www.bbc.co.uk/news/world-africa-34517711>>, 16 September 2018.

⁵³ C. Cross, "Tanzania's social media..." *at*.

⁵⁴ P. Velt, "The Risks of Making a Difference: Tundu Lissu Shot in Tanzania", *World Resources Institute*, 16 October 2017, at <<https://www.wri.org/blog/2017/10/risks-making-difference-tundu-lissu-shot-tanzania>>, 16 September 2018

Lissu, was arrested several times for insulting the president and two weeks after the last arrest an attempt was made to assassinate him⁵⁵. This is also related to the legal office of IMMA Advocates dealing with court cases against the government, in which bombs causing three explosions were planted. The opposition claims that the ruling party is behind it, and the lawyers of IMMA Advocates claim that this is an attack on the freedom and independence of the legal profession. Tundu Lissu (before the shooting) who is also the president of Tanganyika Law Society, called an extraordinary meeting of the Supervisory Board, which initiated a boycott of court proceedings throughout the country. The police have neither found the culprits nor any evidence showing links with the government⁵⁶. Tanzania is not isolated in its activities regarding restricting online space or making arrests in connection with state criticism. All governments in East Africa curtail certain freedoms of speech, justifying it as necessary to maintain national security.

References to national security and public security were used to suspend the Mawio Weekly publication, because of an article highlighting problems in Tanzania's mining and publishing a picture of two former presidents. The weekly Mwana HALISI was also suspended as claimed by the authorities: "...due to repeated unethical reporting, publishing a fabricated and inciting article and endangering national security", for a headline asking whether society should pray for shooting Lissu or the president⁵⁷. Closing the newspapers as a warning to other publishers was possible thanks to The Media Services Act, signed in 2016, giving the right to suspend or close media organizations that infringe the license and publish „seditious publications”⁵⁸. This is because the media are subject to the government's authority. The information minister responsible for annual licensing may refuse to issue a license for publication contrary to the public interest. However, the law does not explicitly define either public interest or national significance that can be broadly interpreted by the authorities. Journalists who are professionally active are required to obtain accreditation from the Board and be members of the Media Council, which is responsible for compliance with both ethical and professional standards. However, although the Council and the Board are independent institutions, the Minister of Information is responsible for appointing their members. Since mid-2016, about eight media publications have been blocked or suspended, and about 25 journalists have been arrested or threatened with arrest. Freedom of the press has reached an unprecedented crisis. According to the Tanzania Editors Forum (TEF), at least five newspapers and two radio stations have been suspended for a period of 3 to 36 months in connection with the publication of false information, incitement of

⁵⁵ "John Magufuli is bulldozing the opposition..." at

⁵⁶ F. Kapama, "Tanzania: Lawyers Isolate Lissu Over Immma 'Bomb'", *All Africa*, 29 August 2017, at <<https://allafrica.com/stories/201708290102.html>>, 16 September 2018.

⁵⁷ F. Ng'wanakilala, "Tanzania shut down another 'days numbered' newspaper", *Reuters*, 20 September 2017, at <<https://www.reuters.com/article/us-tanzania-media/tanzania-shuts-down-another-days-numbered-newspaper-idUSKCN1BV14Y>>, 16 September 2018.

⁵⁸ "Tanzania: Newspaper Mwana Halisi banned for sedition", *Article 19*, 22 September 2017, at <<https://www.article19.org/resources/tanzania-newspaper-mwanahalisi-banned-for-sedition/>>, 16 September 2018.

rebellion or threatening national security⁵⁹. In addition, journalists are often attacked, which is confirmed by the coalition of human rights' defenders in Tanzania, noting several cases of attacks on journalists or arbitrary arrests. The president of TEF during the interview with IPI media added that: "Due to the number of threats, journalists have started to censor themselves"⁶⁰. However, the provisions introduced in March 2018, regarding online media and electronic communications enforce a fee more of 900 USD per year for bloggers and Internet radio and television services. Persons posting any electronic content must also apply for a license, but before they are to apply for it must bear the costs of setting up and running a business. For the average Tanzanian, it is an excessive fee, in particular, that the income per capita in Tanzania is significantly lower than 900 USD per year⁶¹. Jamii Forums, after the arrest of its founder, attempted to register and acquire the license, was met with refusal and was shut down⁶². It is worth adding that violations of democracy and freedom of speech are facilitated by not only the above-mentioned legal framework, but also by the lack of clear constitutional provisions. The Constitution of Tanzania contains an article on freedom of speech, but it does not guarantee freedom of the press.

Magufuli also often expressed views contrary to human rights during his speeches. The president has introduced a reform of education allowing free education at the secondary level, however, by the same resolution he strengthened discrimination. He forbade school attendance for pregnant girls, who will be immediately expelled from school due to the fear that they will be a bad example for other girls, encouraging them to have sex. The new regulations introduced the possibility of forcibly carrying out a pregnancy test at school and expelling girls whose test was positive. Thus, there is no law protecting children against sexual harassment⁶³. Corporal punishment in schools for students is a common method of punishment and President Magufuli himself said: "I am wondering why they stopped canning in schools...I was also caned and that's why I am standing here today"⁶⁴. In mid-2016, the government initiated an unprecedented repression of rights against LGBT people and their supporters. Representatives of public administration threatened to arrest gays, lesbians and their defenders and supporters

⁵⁹ A. Dahir, "Tanzania has banned a newspaper for two years as it tightens its media clampdown", *Quartz Africa*, 19 June 2017, at <https://qz.com/africa/1009353/magufulis-government-has-shut-tanzanian-newspaper-mawio-for-two-years/>, 16 September 2018.

⁶⁰ A. Pekkonen, "Tanzania press freedom plunges into unprecedented crisis", *International Press Institute*, 14 August 2018, at <https://ipi.media/tanzania-press-freedom-plunges-into-unprecedented-crisis/>, 16 September 2018.

⁶¹ C. Giles, "Tanzania's bloggers fight back against \$930 fee as court grants injunction", *CNN*, 12 April 2018, at <https://edition.cnn.com/2018/04/12/africa/tanzania-blogging-internet-freedom-africa/index.html>, 16 September 2018; The Gross Domestic Product per capita in Tanzania was last recorded at 900.52 US dollars in 2017.

⁶² Later, some forums were restored.

⁶³ Center For Reproductive Rights, "Forced out. Mandatory pregnancy testing...", pp. 82-83.

⁶⁴ A. Odhiambo, „In Tanzania, Sparing the Rod-and the Child- to Improve Learning", *Human Rights Watch*, 13 March 2017, at <https://www.hrw.org/news/2017/03/12/tanzania-sparing-rod-and-child-improve-learning>, 16 September 2018.

and banned registration or deregistration of organizations promoting homosexuality. In October 2017, the police organized an air raid on the Initiative for Strategic Litigation in Africa (ISLA), which organized workshops on women's rights and sexual rights. Both lawyers and activists were arrested in connection with the promotion of homosexuality. On the island of Zanzibar, the police arrested several men suspected of having sex with other men and therefore subjected them to forced anal tests, which took the form of torture. In addition, men were denied HIV treatment and access to tests and prophylaxis. The organization Human Rights Watch was also forbidden to organize a conference to discuss and publish a report related to the abuse of Tanzanian workers. On the other hand, organizations that opposed the president's statement regarding the ban on school attendance for pregnant teenagers and those who are mothers have been closed. In addition, employees of organizations protecting the rights of lesbians, gays of transgender and bisexual persons were deported⁶⁵. Magufuli also ordered the suspension of registration of refugees and ordered them to return to the country voluntarily⁶⁶.

WHAT IS THE RISK OF MAGUFULI'S POLICY?

From the moment Magufuli was sworn in as President, the type of policy in Tanzania has changed significantly. A significant part of the decision is now taken by the executive bodies without prior consultation with the factual legislator or public participation. The manner of introducing changes and taking political directions seems to exclude the participation of society in general. Moving Magufuli's cabinet and himself towards an authoritarian system also confirms the government's withdrawal from the international partnership for an open government aimed at providing an international platform for national reformers to ensure an improvement of the standard of living through open, transparent and responsible governance and improvement of democracy⁶⁷. Magufuli has shown his prioritization of development above democracy.

In his approach, there are also references to "African socialism" made by J. K. Nyerere, which raises some risk⁶⁸. The nationalization of the economy and the taking over of assets caused confusion among foreign investors. New taxes and the seizing of goods caused the number of imports and exports at the main port of Dar es Salaam to drop significantly. Tanzania is a transit gate for inland countries. The imposition of much higher taxes on the goods they pass through meant that most of the vessels were redirected to Kenya, whose ports are overloaded. Aliko Dangote expressed concern that some of the Government's actions and sudden policy shifts are deterring investors and

⁶⁵ "Tanzania and Zanzibar", *Human Rights Watch*, 2018, at <<https://www.hrw.org/world-report/2018/country-chapters/tanzania-and-zanzibar>>, 16 September 2018.

⁶⁶ This was mainly for refugees from Burundi who, due to political unrest, sought asylum in Nyaragus and Nduta Refugee Camp being a refuge for over 150,000 refugees.

⁶⁷ Open Government Ship, at <<https://www.opengovpartnership.org/>>, 16 September 2018.

⁶⁸ "John Magufuli is bulldozing the opposition..."

companies are faced with increasing uncertainty and commercial risks⁶⁹. Although Magufuli's changes have had many positive aspects, the speed at which they were implemented caused the overlooking of technical and commercial concerns, causing long-term consequences for investment, as companies could not react overnight. Investor uncertainty deepened disputes between the government and international mining companies. The earlier government policy had established very conducive conditions for foreign companies – low taxes and favourable license conditions as well as access to significant tax allowances and exemptions. By contrast, Magufuli's government has introduced three new laws that affected extractive sector corporations and increasing their costs. The government argues that this change will end the exploitation of Tanzania and support the country's industrialization. Investment in Tanzanian social capital was encouraged, forcing private entrepreneurs to train Tanzanians and use Tanzanian suppliers in the first place. These activities are actually used for Tanzania and its society, but these changes may cause companies to reduce or withdraw from Tanzania. So far, they have had a significant impact on political decisions related to corruption, but the new government and new rules of Magufuli are quite painful for companies and discourage them from further work. His militant attitude is related to internal politics and aspirations of socio-economic development⁷⁰. His decision to break the agreements and prohibit international arbitration on the one hand was a warning that the previous practices had ended, but pushed Tanzania in all economic indicators to lower positions⁷¹.

On the other hand, it must be pointed out that Magufuli's policy is effective. Although the dispute with Acacia Mining and the referral of the case to international and regional courts was widely observed, and Magufuli's actions were condemned, Acacia Mining eventually agreed to certain conditions and announced further consultations with the government. The parent company Barric Gold in October 2017, agreed to sell a 16% stake to the government from three mines and share 50% of the revenue from the mine. This does not change the fact that the government's calculations are quite high because the claims against Acacia Mining are 190 billion USD, which is four times the value of Tanzania's annual GDP. In addition, the company has agreed to pay 300m USD for the time being due to allegations of undervaluation⁷². The President's pronounced threats along the lines of: "I will close all mines and give them to

⁶⁹ Tanzania Extractive Industries (Transparency and Accountability) Act. 2015 (No. 23 of 2015). This Act establishes the Tanzania Extractive Industries (Transparency and Accountability) Committee ("the Committee") and provides with respect to transparency and accountability in commercial operations concerning extraction of minerals, oil and natural gas.

⁷⁰ D. Paget, "All bets are off as Magufuli's resource nationalism moves up a gear in Tanzania", *The Conversation*, 27 July 2017, at <<https://theconversation.com/all-bets-are-off-as-magufulis-resource-nationalism-moves-up-a-gear-in-tanzania-81632>>, 16 September 2018.

⁷¹ Acacia Mining, despite referring the case to the international court, agreed to some conditions of Magufuli.

⁷² H. Githaiga, "Tanzania to own 16 pc stake in Acacia's three gold mines", *The East African*, 19 October 2017, at <<http://www.theeastafrican.co.ke/business/Tanzania-to-own-16pc-stake-in-Acacia-gold-mines/2560-4146918-i48kim/index.html>>, 17 September 2016.

Tanzanians⁷³ suggest a desire to discourage mining companies from operating in Tanzania and attempt to nationalize strategic mines, or as some kind of desire to attract attention or utter threats without coverage. These activities may pose a risk that companies that extract natural gas will think twice about whether or not it is worth it. The change in the way the negotiations are conducted may affect first and foremost the public. After the dispute with Acacia Mining, up to 400 jobs could have been lost, and the possible withdrawal of foreign companies from Tanzania could bring about a significant crisis in the labour market, which is still in a poor condition. The International Monetary Fund also expressed its concerns about the slowdown in Tanzania's economic growth due to growing concerns of investors regarding government policy. It also pointed out that although the GDP numbers of the country are still growing, the rest of the indicators suggest a significant weakening of the country's economic activity related to slow growth, unfavourable business conditions and private sector concerns regarding government and public administration enforcement.

Magufuli also ceased to recognize the international agreement within the East Africa Community, imposing a duty on sugar from Kenya in connection with accusing the country of importing sugar and then transferring it to the EAC market. His attempts to silence the opposition may, however, lead to its strengthening, and numerous arrests and repressions may arouse reluctance in society.

CONCLUSION

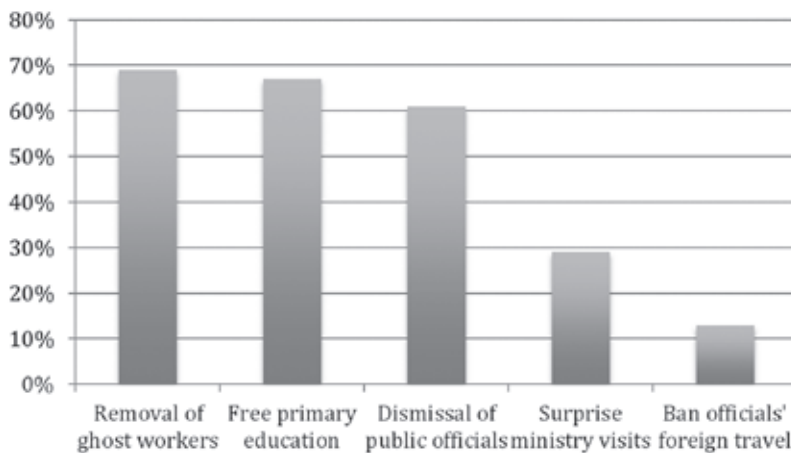
The phenomenon of personalizing power is characteristic of the majority of African leaders, regardless of the political system they chose. The origins of this phenomenon are perceived as going back to the period when sub-Saharan African countries achieved independence, but this tradition originates from the colonial era of the leader/king and the establishment of power around him. After the artificial division of African countries by colonizers, those who presided over the decolonization process concentrated power in the hands of individuals. Called national heroes, they enjoyed considerable public support in achieving success and "victory" over Europeans. The newly formed governments rapidly transformed from democratic to authoritarian or dictatorial regimes. The fathers of the nation introduced a system of governance with their unlimited power above the law, which was established by neo-patrimonial governments. Tanzanian presidency also stands above the law mainly thanks to the constitution. The president cannot be called to appear before the court even after retirement. These provisions give him the opportunity to pursue a policy without criminal liability. The current president, Dr. John P. Maufuli, skilfully combines actions that bring him popularity as well as controversial changes that can get out of hand. In his actions, one can see the autocratic character of Nyerere's rule with considerable paternalism that reflected

⁷³ D. Paget, „Tanzanian president Magufuli's record mining fine is a warning to the global extractive industry”, *Quartz Africa*, 28 July 2017, at <<https://qz.com/africa/1040731/tanzanias-president-magufulis-fine-for-barrick-gold-owned-acacia-marks-a-new-day/>>, 16 September 2016.

the colonial model, and now finds its reflection in contemporary Tanzanian politics. Autocracy has been strengthened due to strong presidency and weak institutions. Many of his opponents and critics point to the risk of swaying power and changing the constitution in order to prolong the presidency as it did in neighbouring countries.

Most of the leaders of the region, as well as of sub-Saharan Africa, are justifying their repressive measures in the name of citizens' protection, national interest and national security. In the case of Magufuli, these measures are codified in the constitution, laws and law. Despite many critics' opinions, it is worth noting that during two and a half years, Magufuli pushed through changes that other leaders had not been able to implement for two decades and conducted actions that were considered impossible by others. He denied the general assumption that African countries, due to their position, should accept all FDI without tough negotiations. Magufuli was not afraid to oppose and threaten international corporations, and managed to win the dispute even with Acacia Mining. Not only was it a success for Magufuli, but above all for the economy of Tanzania, which for years had previously struggled with contracts that had nothing to do with the principle of win-win. His successes, but also his tough character, have changed Tanzania's status-quo, which society considers its greatest value. Thanks to the construction of the symbolic narrative in 2015 and 2016, Magufuli enjoyed popularity not only in the country but also abroad. Research done by TWaweZA indicated that 96% of Tanzanians support Magufuli. Measures favouring the removal of ghost workers, access to free education and the release of civil servants have been publicly commended (see chart).

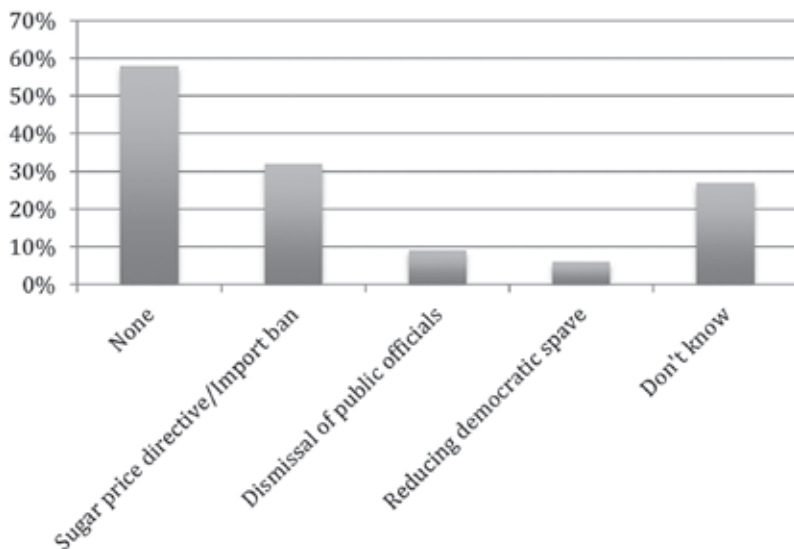
Figure 1. John. P. Magufuli's most popular actions.



Source: SautizaWananchi, mobile phone survey – Round 11 (September 2016) at <<https://www.twaweza.org/>>, 18 September 2018.

By contrast, the ban on sugar imports and price directives were not so popular. On the other hand, 6 out of 10 citizens did not condemn any of the president's actions. (see chart).

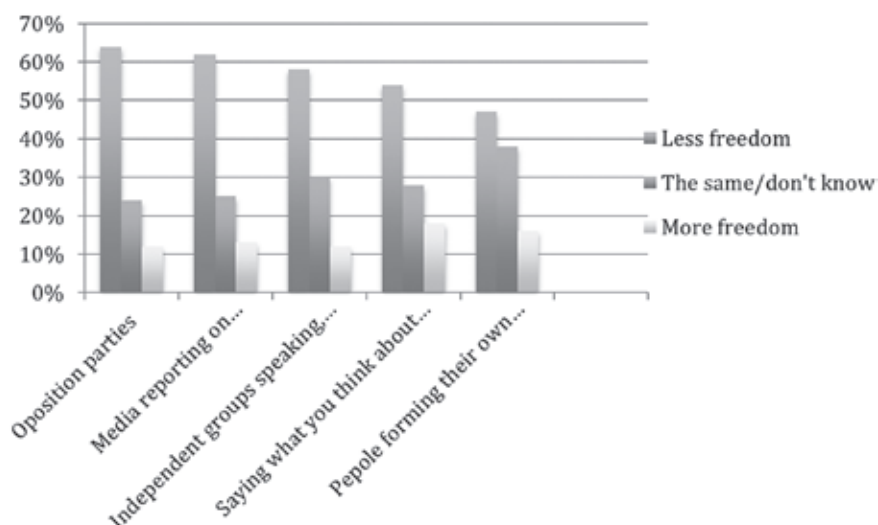
Figure 2. of President John. P. Magufuli's most disapproved actions.



Source: SautizaWanachi, mobile phone survey- Round 11(September 2016), at <<https://www.twaweza.org/>>, 18 September 2018.

However, more recently the society has begun to criticize the overly repressive actions. Most citizens have admitted that there is less freedom in Tanzania than three years ago (see chart).

Figure 3. In which area is less freedom?



Source: SautizaWananchi, mobile survey, Round 27 (April 2018), at <<https://www.twaweza.org/>>, 18 September 2018.

The same is confirmed by the Freedom House study (see chart). In addition, citizens' support for the rights of political opposition is increasing. According to the TWaweza study, although citizens want to take some action to oppose selected government policies, only 27% of them have expressed their willingness to participate in demonstrations. Despite these figures, CCM and Magufuli can still enjoy a relatively stable position, and the president himself announced on July 17, 2018 that his party will always rule.

Magufuli was underestimated as a politician or as a leader. Thanks to his radical changes, Tanzania has changed its position, primarily in the region. He has managed to become an autocratic ruler who does not accept criticism, does not recognize court sentences, issues orders to be executed immediately and a person with whom it will not be easy to negotiate. In addition, his interference in judicial independence means that this autocratic turnaround seems to be exacerbating.

However, Magufuli is not the actual cause of this type of activity, but he is just a participant of a long tradition of CCM activity. The party is still doing everything to stay in power by creating a hybrid regime every time a threat from the opposition appears. In other words, CCM is the cause of Tanzania's return to authoritarianism, not President Magufuli himself. Magufuli, on the other hand, must implement his plans and visions using repressive tactics. To become a more credible leader, he often makes decisions to associate him with the father of the nation, Julius K. Nyerere. An example of such activity is the programme of industrialization of the country, the fight against foreign companies and dishonest business contracts. His actions then become justified and gain the favour of society. Only time will tell what the actual political and socio-economic consequences of its activities will be.

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