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Hapa Kazi Tu! Democratic, Political and Legal Contestations in Tanzania's 2020 Elections



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OPINION Dr Olivia Kokushubila Lwabukuna 29 October 2020

The 2020 Elections actually started in 2015 when the current longest ruling party in sub-Saharan Africa, Chama cha Mapinduzi (CCM) presidential candidate, John Pombe Magufuli got elected in one of the most contested elections in Tanzania. At the time and to a large extent now, Magufuli presented to Tanzanians a much-needed option that they had lacked for quite some time. Magufuli had credibility as a career politician and committed technocrat, he was a high performer who had delivered beyond standards, within all the portfolio ministries he had been assigned to. He was a doer and did not waste time playing politricks, he was also perceived to be incorruptible and impatient about nepotism or bureaucratic corruption.

Much to the chagrin of the opposition, Magufuli, presented what the nation was seeking: He presented a clean start. For that, he gave CCM a new lease of life, and the opposition's cards were stacked up against them, because they had presented the candidate Edward Lowassa representing everything people had grown tired of within CCM: elitism, party corruption, inefficiency and nepotism. Five years later, it is time for new elections and Tanzania is at crossroads again, this time for a different set of reasons. Magufuli is the

incumbent and a very contentious one for that matter. In the last five years he has delivered both the good, and questionable. From the much-glorified development and infrastructure projects, to fighting grand and petty corruption, to cleaning up institutional structures, including legal and political innovations, he has kept everyone on their toes, those within the CCM inner circle have not been exempt. His style of politics is unconventional, predominantly considered populist and nationalist, pundits have been quick to conclude that he lacks a support base within his own party. That may be true, he was not a man from the inner circle, and his approach to limiting rent-seeking might not endow him with friends, but the main question is will it deliver him votes?

Over the past five years murmurs of repression, a widening democratic deficit and state-controlled monitoring, illegal detentions as well as legal and regulatory misuse, to shut down not only the political opposition, but also average Tanzanian's who raise issues have been silenced; or met with almost silence. As much as the population is delighted by an attempt to get things to work, and clean up the clogs, the bite is beginning to get felt closer. For instance, the current government has passed legislation on access to information, cybercrime, and, most recently, the media, which may be enforced to limit access to information and private freedoms. Laws limiting social media participation, criminalising widely defined actions online and imposing licencing on most aspects of life online (Facebook, Twitter and WhatsApp) have followed the Rwandese and Ugandan approach. Crafty legislation and regulation have also come into place too close to this year's election, affecting political party space for debate and campaigning. Is Magufuli or his government authoritarian people ask? Magufuli himself insists that he is simply getting his government to function and his people to enjoy the benefits of a functioning system and a better economy. Yet, the fact that he has surrounded himself with men who performatively wage wars at his whim, and he is quick to fire anyone who raises questions, surely raises eyebrows. This dramatic and performative response has also created bureaucratic terror as senior leaders emulate Magufuli's approach and leave fear in their wake. The real question is, can and will that affect the voter's decision? Will that affect the outcome of these elections?

I doubt it will. There will be simple and quick conclusions to the effect that the election was rigged and its fate was predetermined. That is a possibility one cannot exclude in a country that has been a de-facto one party state. There is also the argument that the Tanzanian opposition has always been weak, and

like political oppositions in other African countries, it tends to get more vocal as elections approach, and less credible and visible after that cycle. One aspect of the weakness is tied to failure of cooperation. The 2015 election stood better chances of success, if the main opposition parties had been working together. This year the opposition is still not united, they might have nominees who have public profiles that stand out, such as Tundu Lissu of CHADEMA, and the defected CCM former foreign Affairs minister Bernard Membe standing for ACT Wazalendo, but their lack of unity will still be their downfall. Despite the fact that Membe has endorsed Lissu, in what is dubbed a loose coalition, a proper coalition would have made the greater difference. That combined with the fact that government machinery is likely to be more mean and less objective, including the fact that the National Election Commission is considered impartial, might lead to an outcome we have all predicated. In fact, Wednesday's election (28.10.2020) faced restricted coverage because government amended laws to require international radio and television broadcasters to have licenced local partners before they get the regulatory body's permission to air content.

What about the Tanzanian people (*wananchi*), do they have a say in this, at all? From the conversations one has on the ground, issues of lack of accountability, transparency, repression and every other legal jargon, are international distractions that people on the ground are not interested in engaging with. Even those who agree that there is some level of repression, still feel a little pinch is okay for the outcomes they have so far received. That is, systems seem to be working better, the World Bank just recently announced that the country attained a lower middle income status, notwithstanding its relevance to the average person, infrastructure is working, the economy is expanding and life is more fair, more equal. Not even the drag brought about by apparent failure to engage with, much less address the COVID-19 pandemic, seems to be dampening anyone's spirits, in fact it seems that part of that equation has made would be voters more amenable to go back to the polls and bring Magufuli, 'The Bulldozer' back.

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