

Part II

**MULTIPARTY POLITICS AND
HUMAN SECURITY**

Zanzibar

Conflict resolution and human security in the 2005 elections

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INTRODUCTION

Tanzania is a United Republic comprising Tanzania mainland and Zanzibar. Before establishment of the Union in April 1964, Tanzania mainland was known as Tanganyika. Zanzibar comprises two islands, Unguja in the south and Pemba in the north. According to the 2002 census² the United Republic of Tanzania had a population of 34,443,503, of which Tanzania mainland had 33,461,849 and Zanzibar 981,654 people.

Zanzibar has had unprecedented national movements fighting for national independence from the colonial hegemony since the 1950s. During that time, four political parties competed in four elections, culminating in independence in December 1963. Arising from those elections, hostile relations between political parties developed. Even after independence, the reintroduction of multiparty democracy in Tanzania posed problems for the various organs mandated with the powers to administer multiparty elections and culminated in a loss of confidence and trust from the political parties that participated in the elections, as well as subsequent conflicts.

Today's violent conflicts take place within existing states rather than as wars between neighbouring states. These conflicts are a result of differences of identity, nation and nationalism, competition for resources or recognition, and power. Obviously these conflicts vary from one state to another, but the main issue remains: unmet needs and the necessity to accommodate the interests of majorities and minorities.

In a nutshell, today's conflicts are played out among internal factions and take the form of civil strife. This has forced the international community and Southern African Development Community (SADC)

countries to seek various methods of conflict resolution, many of which relate to the electoral process and/or the entrenchment of democratic culture with a view to making peace sustainable.

Zanzibar is no exception. On 27 January 2001 news from Tanzania that scores of people had been killed in a political conflict and thousands had sought refuge in neighbouring Kenya shocked the world. In a world fatigued by violent conflicts, the events in Zanzibar nevertheless came as a shock, because for a long time Tanzania had enjoyed the reputation of being an island of peace in a continent that was pockmarked by violent and even genocidal conflicts. Indeed, Tanzania had been the recipient of refugees rather than a producer of refugees.

One might ask how this could have come about so soon after the demise of the revered Mwalimu Julius Kambarage Nyerere? While no society is free from dispute, events in Tanzania serve as a lesson as to why the society failed to resolve the conflict in its nascent stages before January 2001, and perhaps more importantly, how it was eventually convinced to make a resolute effort to find a solution through direct negotiation between the two conflicting parties of Chama Cha Mapinduzi (CCM) and the Civic United Front (CUF).

Although the events of January 2001 appeared to the outside world to be unexpected, they were in many ways a direct product of difficult political relations since the 1950s. The introduction of multiparty politics in 1992 was followed by multiparty general elections in 1995 and 2000. Both elections magnified the difficult political relations that eventually gave rise to the events of January 2001. A deeper analysis and critique of a historical perspective is therefore vital for understanding the source and causes of conflicts in Zanzibar.

RELEVANCE OF THE STUDY – A CONCEPTUAL FRAMEWORK

This study is premised on the widely acknowledged proposition that conflict prevention and management strategies tend to be most effective in the early stages of the conflict cycle. If appropriate measures are not taken in time, the conflict could escalate to high intensity.³

Many African countries are embroiled in political violence. For example, the initial acts of violent conflicts in Rwanda, Burundi, Somalia and Liberia generated cycles of retaliation and retribution that became difficult to break. The killings of 26/27 January in Zanzibar represent a low level of violence. Therefore, this is a crucial opportunity for conflict management and prevention, as the concerned parties still maintain channels of

communication. It would be regrettable if this opportunity were missed. This study has been taken as highly appropriate in contributing towards conflict control management and resolution, particularly in the building of human security as Tanzania embarks on the October 2005 general elections.

METHODOLOGY

Data for the report was collected through primary and secondary sources.

Dialogue, open-ended interviews and discussion with various stakeholders were the primary sources of data collection. A number of people were identified as stakeholders in political developments in Zanzibar. These include 10 senior officials of political parties, 11 members of political parties, 6 government officials, 10 leaders, 12 members of civil society organisations, 4 retired politicians, 6 members of the private sector, and 20 ordinary voters. The study team met the individuals and discussed with them various issues with a focus on multiparty elections in Zanzibar.

Secondary sources were grouped into three main categories. These include published research reports and books, published elections monitoring reports such as those by Principles for Election Management, Monitoring and Observation in the SADC Region (PEMMO), the Tanzania Election Monitoring Committee (TEMCO) and the Zanzibar Election Monitoring Group (ZEMOG), as well as papers presented at various conferences, workshops and seminars.

LIMITATIONS OF THE STUDY

The atmosphere during the study was propitious and was marked by amicable discussions and focused responses from the fieldworkers. There were some constraints, however:

- The timing of the study coincided with the local government election campaigns in Tanzania and the resultant pressure on voters to register. Preliminary administration of study instruments and preliminary views from respondents made the study team focus more on issues of human security related to elections. Issues threatening human security were largely based on election management in Tanzania, particularly in Zanzibar.
- The issue of anonymity took preference during the study. Most interviewees/respondents preferred to remain anonymous and requested that their anonymity be adhered to.

- The incidents of insecurity that culminated in the death of two activists in Pemba and Temeke (Tanzania mainland) affected the rate of research in that most respondents feared to supply tangible data. We had to recruit research assistants to cross-check the validity of the data.

THEORETICAL FRAMEWORK: MULTIPARTY POLITICS AND THE BUILDING OF HUMAN SECURITY

A WORKING DEFINITION OF HUMAN SECURITY

There are many useful definitions and characterisations of human security. Sabina Alkire⁴ proposed a working definition of human security as “... to safeguard the vital core of all human lives from critical pervasive threats, in a way that is consistent with long-term human fulfillment”. In concrete terms, human security is deliberately *protective*. It recognises that people and communities are threatened by events beyond their control. These events could be a financial crisis; a violent conflict; the HIV/AIDS pandemic; a national policy that undercuts public and private investment in health care or education; terrorist attacks; water shortages; chronic destitution; pollution in a distant land – to mention but a few.

According to Alkire, the safeguarding of human lives involves not only institutions that intend to promote human security overtly, but also institutions that unintentionally undermine it. Alkire identifies various strategies associated with providing human security: identifying threats and then seeking to prevent them from materialising; mitigating the harmful effects of those that do happen and helping victims cope; and respecting human security, meaning that all actors, be they institutional, corporate or individuals, must ascertain that their actions do not unintentionally threaten human security.

The emphasis on human beings distinguishes human security from the objectives of protecting state territories that dominated security policies in the 19th and 20th centuries. Human security, being ‘people-centred’, shifts that focus onto people, regardless of gender, race, religion, ethnicity, citizenship, etc.

Alkire concludes that the term ‘safeguard’ must not be misunderstood. She states that human security is not ‘threat-centred’ but ‘people-centred’. It is a condition that results from effective political, social, economic, and cultural settings, not from executing a set of

administrative procedures. According to Alkire's definition of human security, the safeguarding of the 'vital core' of all human lives from critical pervasive threats focuses on fundamental human rights, basic capacities, and absolute needs of individuals in the society. The 'vital core' is a non-technical term describing the concerns that underpin human security. It could be defined in the context of capabilities; the freedom people have to do and to be. It encompasses elements of the fundamental human rights that all people and institutions are obliged to respect or provide, even if the obligations are not perfectly justifiable. The rights and freedoms in the 'vital core' pertain to survival, livelihood, and basic dignity.

Alkire's proposed working definition does not specify the rights and freedoms that pertain to the 'vital core', beyond identifying these three categories. The task of prioritising rights and capabilities is a value judgement and a difficult one, which may best be undertaken by appropriate institutions and researchers in accordance with a specific country dispensation, history, and party system. Yet, the judgement is necessary if human security is to be realistic and effective.

The concept of human security received its most familiar definition from the United Nations Development Programme (UNDP), which stated that security has for far too long been interpreted narrowly – as security of territory or as protection of national interests or as global security from the threat of nuclear holocaust – and that it neglected the legitimate concerns of ordinary people who sought security in their daily lives. According to the UNDP, human security can be said to have two main aspects. It means, first, safety from such chronic threats as hunger, disease and repression. Second, it means protection from sudden and hurtful disruptions in the patterns of daily life:

“... safety for people from both violent and non-violent threats. It is a condition or state of being characterized by freedom from pervasive threats to people's rights, their safety, or even their lives. From a foreign policy perspective, human security is perhaps best understood as a shift in perspective or orientation. It is an alternative way of seeing the world, taking people as its point of reference, rather than focusing exclusively on the security of territory or governments. Like other security concepts – national security, economic security, and food security – it is about protection. Human security entails taking preventive measures to reduce vulnerability and minimize risk, and taking remedial action where prevention fails.”⁵

In essence, the UNDP stipulates that the range of potential threats to human security should not be narrowly conceived. While the safety of people is obviously at grave risk in situations of armed conflict, a human security approach is not simply synonymous with humanitarian action. It highlights the need to address the root causes of insecurity and to help ensure people's future safety. There are also human security dimensions to a broad range of challenges, such as gross violations of human rights, environmental degradation, terrorism, transnational organised crime, gender-based violence, infectious diseases, and natural disasters. The widespread social unrest and violence that often accompany economic crises demonstrate that there are clear economic underpinnings to human security. The litmus test for determining whether it is useful to frame an issue in human security terms is the degree to which the safety of people is at risk.

The African Union Declaration on Elections, Democracy and Governance spells out the cardinal aspects of human security:

“Essential elements of representative democracy include, inter alia, respect for human rights and fundamental freedoms, access to and the exercise of power in accordance with the rule of law, the holding of periodic, free and fair elections based on secret balloting and universal franchise as an expression of the sovereignty of the people, the pluralistic system of political parties and organizations, and the separation of powers and independence of the branches/organs of government.”⁶

The African Union Guidelines for African Union Observation and Monitoring Mission of February 2002 observed that:

“Electoral observation and monitoring has become an integral part of the democratic and electoral processes in Africa. International, regional and national observers have come to play important roles in enhancing the transparency and credibility of elections and democratic governance in Africa and the acceptance of election results throughout the continent. Election observation and monitoring missions can also play key roles in diminishing conflicts before, during, and after elections.”⁷

Given the political history of Zanzibar, the incidents during multiparty elections have been the major causes of human insecurity. Efforts have been made to tackle election management, monitoring and observation commensurate with the SADC Region Principles for Election

Management, Monitoring and Observation adopted on 6 November 2003 in Johannesburg, which recommended that human security principles should address the following:

- the need for a comprehensive constitutional and legal framework;
- the importance of transparent and accessible pre-election procedures (including the delimitation process, voter registration and candidate nomination);
- the equitable use of the media and public resources and issues of political party finance;
- the organisation and management of the election phase, including the location of polling stations, their layout, and access to them;
- the secrecy of the ballot and the counting process;
- the post-election phase, including the settlement of election disputes and ways of ensuring that results are acceptable; and
- the requirements for unhindered, credible, professional and impartial monitoring and observation of the electoral process.

Although AU and SADC countries have committed themselves to upholding what Alkire calls the ‘vital core’, for example the fundamental rights and freedoms embodied in their constitutions and various accords and multiparty elections that are free, fair, credible and legitimate, their political will and commitment alone do not translate into ‘best democratic practice’, which is a crucial element of democracy. A vivid example is the Zanzibar conflicts, which, like others in the region, can only be resolved through a process of dialogue between the major stakeholders in the electoral process and by learning from the experience of others. This can be attained only if we are able to foresee tension between the need for participatory engagement and scrutiny of the elements of the ‘vital core’ by many (especially those whose security is endangered) and the need for international agencies, NGOs, researchers, and other public institutions, among others, to clearly define a ‘vital core’ and create procedures and institutions that prepare to protect it effectively. The imperfect but operational response to these tensions is to maintain a vague, wide-ranging definition of human security and to articulate procedures for operationalising the definition in concrete terms.

The management of the Zanzibar 2005 elections has much to learn from this working definition, particularly when linked to human security. Having in place a comprehensive constitutional and legal framework

that mirrors the fundamental rights and freedoms that are embodied in constitutions and various accords will enhance multiparty democracy in Zanzibar.

GROWTH OF PARTY POLITICS

The system of political parties is a contemporary phenomenon in the political history of humankind. The ideas underlying the system began to develop in Western Europe between the 17th and 19th centuries with the growth of capitalism and liberal political ideas that supported the new social system. The intention was to get rid of European monarchies based on the feudal social system. Capitalism demanded republican and representative governments and thus political parties played a significant role. By the 19th century the system of political parties began to consolidate in the form of multipartism, not only in Europe but also in North America.

In Africa the system of party politics began in the period of the struggles for national independence from the late 1940s to the 1960s. The colonised people established political parties in order to use them as institutions for demanding independence. In countries where independence had to be attained through armed liberation, political parties took the form of liberation movements. The party system took the form of multipartism up to the period soon after independence.

MULTIPARTY POLITICS AND THE BUILDING OF DEMOCRATIC SOCIETIES

This study was aimed at examining the extent to which multiparty politics can contribute to the development of human security. To do so it was necessary to examine how multiparty politics can facilitate the building of democratic societies.

Since the emergence and growth of multiparty politics in Western Europe and North America the system has been associated with the building of democracy. Concepts such as democracy were developed long before the party system was conceived, however. In the era of Ancient Greece, between the 5th century and 3rd century BC, democracy was one of the political systems applied in Greek city-states such as Athens. It was based on the direct participation of male citizens through city assemblies.⁸ Although the system of democracy was biased in that it excluded women, slaves and foreigners, it was a direct democracy in which all those who were eligible participated.

In the period of the Roman Empire, from the 3rd century BC to the 5th century AD, there was little democracy as the system was an imperial one imposed through conquest on many European and Mediterranean societies. A Greek philosopher, Polybius, based in Rome, developed ideas on a mixed system of government, which was periodically exercised at the headquarters of the Empire in Rome. In this system democracy through assemblies was mixed with elements of aristocracy and monarchy. The Roman Emperor represented the monarchy, while a council of advisors represented the aristocracy.⁹

The third stage in the development of ideas on democracy was the period of the growth of liberal ideas between the 17th and 19th centuries. Although this was partly a revival of ideas from Ancient Greece and the period of the Roman Empire, a number of new developments took place. Among the most important were demands for individual rights and freedoms, the establishment of parliamentary republican states, and representative forms of democracy instead of direct democracy. It was at this stage that democracy came to be associated with the multiparty system.

There has been a great deal of debate and discussion as to whether a multiparty political system represents real democracy.¹⁰ At the centre of the discussion is the argument that the system negates real democracy, since political parties deny people direct participation through party representation. However, as we shall see later, in most parts of the world it has not been easy to avoid implementing the multiparty system.

With the consolidation of capitalism in the 19th century, ideas on socialism emerged that facilitated workers' struggle against the capitalist system. These ideas grew at that stage only in Europe. They had many dimensions, but our main concern here is to note ideas on democracy in relation to the party system.

Briefly, socialist democracy placed due emphasis on economic aspects. It was argued that real democracy could not be achieved in a system of economic exploitation and socio-economic inequality.¹¹ One cannot regard a system in which there is a big gap between the few rich and the majority poor as a democratic system. Real democracy must be based on both political and socio-economic democracy.

However, unlike liberal democracy, socialist democracy came to be based on a one-party system. Socialist ideas continued with the idea of having republican states with a one-party system. In Russia, after the socialist revolution, the one-party system was viewed as one that could facilitate dictatorship by the working class or the proletariat, and later,

in Third World countries such as China and Cuba, as dictatorship by the working people, including artisans and peasants.¹²

Ideas that associated democracy and a one-party system were developed soon after independence. Early African leaders and philosophers such as Mwalimu Julius Kambarage Nyerere, Kwameh Nkrumah and Sékou Touré advanced concepts of African democracy. They advocated a democratic system based on traditional African political systems and on consensus and reconciliation rather than political competition. Such democracy emphasised unity, brotherhood, cooperation, equality, justice, and the dignity of man. Nyerere was of the opinion that the party under the one-party system should be a strong party. He outlined the role and position of such a party as follows:

“The job of a strong political party is to act as a bridge linking the people to the government they have elected, and the government to the people it wishes to serve ... For the truth is that it is not the party which is an instrument of the government. It is the government which is the instrument through which the party tries to implement the wishes of the people and serve their interests.”¹³

These ideas on democracy were associated with a one-party system for various reasons. First, a one-party system avoided political competition, which was not part of the traditional African political system. Second, a one-party system would ensure unity in the newly independent African nations. Third, because of national unity, the one-party system would ensure fast socio-economic development, particularly because African countries emerged from colonialism with undeveloped economies and social services.

However, in some cases the one-party system was regarded as a transitional phenomenon. For instance, although Nkrumah and Nyerere advocated a one-party system in post-independence Africa, they recognised the importance of a multiparty system. They both argued that the multiparty system could be adopted later, when African countries had achieved national unity and development. Given the colonial legacy of socio-economic backwardness, ethnicity, racism, regionalism and religious antagonism, Africa needed a transition period with a one-party system.

Ideas on a one-party system which were developed through ideas on socialism and African nationalism could not facilitate the building of democracy. In most socialist countries one-party states developed

bureaucratic and dictatorial tendencies, thus negating the very principles of socialist democracy. The one-party system in African countries also developed authoritarian and dictatorial tendencies. Military coups arising out of such tendencies brought about military regimes that were even more dictatorial and oppressive.

Thus struggles and movements towards the establishment of a democracy based on a multiparty system began in the late 1980s in socialist countries such as the Soviet Union, in Eastern Europe and in African countries. Besides internal struggles, there was pressure from Western capitalist nations and institutions to ensure democratisation through the adoption of multipartism. In African countries the process has popularly been regarded as the democratisation process.

The main concern in Africa has been how best democracy can be developed to avoid the shortcomings of the previous systems of democracy. Given the predominance of the multiparty system we would suggest the development of democratic developmental multiparty politics.¹⁴ It is our hope that this type of multiparty politics will ensure the building of peace and human security.

TOWARDS THE ESTABLISHMENT OF DEMOCRATIC DEVELOPMENTAL MULTIPARTY POLITICS

Although a few countries in Africa (for example Uganda) have not adopted the multiparty political system, most African countries and those elsewhere in the world have done so. Even in the few countries that have not adopted it, struggles and movements demand multipartism. For example, although Uganda is exercising a movement political system, there is serious demand for the adoption of the multiparty system by a number of unofficial opposition parties. Developments indicate that in the near future Uganda will officially adopt the multiparty system.¹⁵

Our argument here is that the multiparty political system is a factor in African countries. But we need to know how to transform it into a democratic developmental multiparty political system.

Many ideas have been developed as to how that transformation can be carried out. At the political level six aspects have been identified, including the establishment of democratic political parties, the development of strong political parties to ensure equality in political competition, and the existence of parties with non-ethnic politics and without divisive and segregated tendencies. Other aspects are ensuring both direct and representative democracy through the empowerment of the people,¹⁶ developing traditional principles of politics of consensus and

reconciliation,¹⁷ and ensuring people-centred politics and democracy. At the socio-economic level there is a strong need for rapid socio-economic growth and development, establishing principles of social and economic equality and justice, ensuring employment and lifting the standard of living of all the people through the provision of basic social services and all necessities of life, and creating conditions for people-centred development. When all these political and socio-economic aspects are achieved, conditions for peace and human security will be established under the multiparty system.

RESEARCH FINDINGS

HISTORICAL BACKGROUND OF ELECTIONS IN ZANZIBAR TO 1990

Introductory remarks

Nationalist movements began fighting for independence from colonial powers after World War II in 1945. In Zanzibar the nationalist movements began in the 1950s¹⁸ when anti-colonial consciousness became very high. Nationalist political parties were established: the Zanzibar Nationalist Party (ZNP) in 1955, the Afro-Shirazi Party (ASP) in 1957; the Zanzibar and Pemba Peoples Party (ZPPP) in 1959; and the UMMA Party (UP) in 1963. These parties competed in the elections. As a retired revolutionary veteran and leader during the advent of the Zanzibar revolution narrated when asked to comment on the growth of racial or ethnic consciousness and divisions in Zanzibar during the colonial period:

“The colonial period was characterized by growth of racial or ethnic consciousness and division due to the colonial policy of divide and rule. This growth of racial groupings and divisions resulted into the establishment of racial associations since 1910, which latter formed racial nationalist political parties from 1950s. About twenty-three racial organizations were formed during this period. The strongest ones among them were the Arab Association, the African Association, the Shirazi Association, and the Indian Association. Each of these associations fought for the interest of its racial group.”¹⁹

Two phases of elections will be analysed in this section. The first constitutes elections during the nationalist struggles for independence from 1950s to 1963. The second phase constitutes elections under a one-

party system from 1964 to 1990. Elections after the establishment of the current multiparty system in 1992 will be analysed separately.

The elections of 1957–1963

TEMCO has outlined four elections during this period. The first was in 1957. Two political parties contested the elections: the Zanzibar National Party (ZNP) and the Afro-Shirazi Party (ASP). The aim of the first election was to choose six members of the Legislative Council, with the Sultan nominating six others. The ASP won a landslide victory, winning five out of six seats. A religious-based party called the Muslim Association won the sixth seat.²⁰

The second and third elections were held in January and June 1961, respectively. These elections were held under a new constitution that was adopted in 1960. Three political parties participated: the ASP, ZNP, and Zanzibar and Pemba Peoples Party (ZPPP). The parties contested 22 seats in the Legislative Council. The ASP narrowly won by taking 10 seats, the ZNP got 9 seats, and the ZPPP got 3 seats. However, the ASP could not form a government, because two of the ZPPP representatives decided to join the ZNP, while only one ZPPP seat went to the ASP. Therefore, the ASP and ZNP each controlled 11 seats in the Legislative Council. A deadlock ensued and new elections were called for June.

In the June 1961 elections the three political parties contested 23 seats instead of 22. The turnout was high: 90,595 voters, constituting 96.15% of those who had registered. The ASP got 10 seats, the ZNP also won 10 seats, and the ZPPP got 3 seats. While the ASP and ZNP balanced in terms of the number of seats, the ASP gained a higher percentage of votes. However, based on winning the majority of seats in the Legislative Council, the ZNP and ZPPP formed a coalition government with 13 seats against the ASP's 10. ASP supporters were incensed that the ZNP and ZPPP combined had fewer votes than the ASP but were still able to form the government. Riots erupted and eight people died with 400 people injured and 1,000 arrested.²¹ The riots, deaths and injuries occurred mainly in Unguja.

The last elections before independence were held in July 1963. This time, four political parties took part: the ASP, ZNP, ZPPP and UMMA Party, formed by members who had defected from the ZNP. However, the UMMA Party did not nominate candidates; they merely gave support to the ASP. The ZNP and ZPPP formed a coalition and together they won 18 seats. The ASP won 13 seats. Again the ASP won more votes by getting 54.2% of the votes. The ZNP got 29.8% and the ZPPP 15.9%.

Table 1 Election results for Zanzibar, 1963

Unguja

Constituency	ASP	ZNP	ZPPP	Spoilt votes	Total
Forodhani	175	2,403	–	59	2,637
Shangani	390	2,391	–	55	2,842
Mlandege	2,736	3,135	–	66	5,937
Kikwajuni	4,062	1,203	–	84	5,349
Mwembeladu	5,066	809	–	104	5,979
Kwahani	5,701	–	216	74	5,991
Nungwi	2,615	3,198	–	94	5,907
Tumbatu	2,310	3,667	–	119	6,096
Donge	4,564	545	–	64	5,173
Chani	3,908	1,147	–	109	5,164
Mangapwani	1,898	3,290	–	57	5,245
Kiboje	2,958	618	–	35	3,611
Dole	2,965	1,518	–	55	4,538
Chwaka	3,785	720	–	55	4,558
Fuoni	3,534	1,928	–	76	5,538
Jozani	3,818	–	1,631	101	5,550
Makunduchi	2,741	–	2,725	89	5,555
Total	53,232	26,572	4,572	1,294	85,670

Pemba

Constituency	ASP	ZNP	ZPPP	Spoilt votes	Total
Konde	1,585	3,565	–	178	5,328
Tumbe	1,810	–	2,971	90	4,871
Wingwi	4,390	–	1,705	148	6,243
Wete	2,719	3,140	–	79	5,938
Piki	2,563	–	2,756	90	5,410
Shengejuu	2,042	–	3,581	83	5,706
Ziwani	1,793	3,038	–	112	4,943
Ole	1,793	3,397	–	124	5,655
Chake Chake	2,347	2,627	–	68	5,042
Pujini	2,746	–	2,983	146	5,875
Chambani	1,569	–	3,469	87	5,125
Kengeja	2,573	3,506	–	155	6,234
Mtambile	1,913	–	3,572	57	5,542
Mkoani	4,169	1,605	–	155	5,929
Total	33,853	21,378	21,037	1,573	77,841

Total votes for Unguja and Pemba

Constituency	ASP	ZNP	ZPPP	Spoilt votes	Total
Unguja	53,232	26,572	4,572	1,294	85,670
Pemba	33,853	21,378	21,037	1,573	77,841
Total	87,085	47,950	25,609	2,861	163,511

Percentage (%)			
	ASP	ZNP	ZPPP
Unguja	63.2	32.4	5.4
Pemba	44.4	28.0	27.6
Total	54.2	29.8	15.9

Source: Zanzibar Protectorate Report of Election Supervisors, Government Printer, 1963.

However, owing to the coalition between the ZNP and ZPPP the two parties formed the government that led Zanzibar to independence on 10 December 1963. After independence the two parties controlled the government with the Sultan as head of state. The ASP felt that the coalition between the ZNP and ZPPP was a conspiracy to deny the ASP its electoral victory and therefore organised the Zanzibar Revolution of 12 January 1964. Table 1 shows the election results of the 1963 elections.

Three lessons can be drawn from the elections during the nationalist struggle for independence. First, these were multiparty elections, but because of the colonial legacy, the political competition was characterised by both ethnic and racial tendencies²² and class tendencies. In terms of racial and ethnic tendencies the ASP was identified with Africans of mainland origin, the ZNP with Arabs, and the ZPPP with the Shirazi people. In terms of class the ZNP was identified with the land-owning aristocracy, the ASP with permanent and seasonal labourers, and the ZPPP with the peasantry.

The second lesson is that despite ethnic and class tendencies, each political party tried to win the support of all ethnic and class-based groups in order to ensure strength in the elections. For instance, after their poor performance in the 1957 elections the ZNP sought support from the Shirazi and peasants, as well as from the working class and Africans of mainland origin. The alliance between the ZNP and ZPPP in the two elections of 1961 and 1963 are typical examples.²³

The third lesson is that the level of competition was so high that in some situations it resulted in violent conflict. There was also mistrust in the management of the elections. For example the ASP, which received the majority of votes in all the elections, felt that the colonial authorities were

manipulating their victories. Consequently ASP refused to recognise the results of the 1961 and 1963 elections, and the situation culminated in the Zanzibar revolution of 12 January 1964, which was carried out by the ASP overthrowing the new independence government under the Sultan. In short, the elections were a threat to peace and human security.

The elections under a one-party system, 1964–1990

Soon after the Zanzibar revolution of January 1964, the ASP and the Zanzibar government decided to enter into a union with Tanganyika to form the United Republic of Tanzania on 26 April 1964. From 1964 to 1980 there were no elections in Zanzibar and the Revolutionary Council was the main decision-making and policy-making body. However, the people of Zanzibar participated in the Union elections of 1965, 1970 and 1975.

After the revolution, Zanzibar adopted a one-party system because the revolutionary government abolished all other political parties and ASP remained the only party. In 1977 the ASP merged with the Tanganyika African National Union (TANU) of Tanzania mainland to form a new party, Chama Cha Mapinduzi (CCM). With the CCM as the sole party for the whole of Tanzania, steps began to be taken to ensure that elections were held in Zanzibar. In order to do so a new constitution was created for Zanzibar in 1979, which laid the foundation for the establishment of a legislative body, the House of Representatives.²⁴

The first elections under a one-party system were held in 1980. They were elections for the House of Representatives and the Zanzibar president. The CCM played an influential role in the conduct of the elections. For instance, the party appointed the presidential candidate. A special committee of the party, which was responsible for the affairs of Zanzibar, proposed two names to the central committee of the party. The latter deliberated on the two names and made a recommendation to the National Executive Committee (NEC) of the party, which was to select one candidate to be voted for in the form of a yes or no.

During the elections of 1980 and 1984 the second candidate withdrew before the names were forwarded to the NEC.²⁵ The elections of 1984 were only presidential because President Aboud Jumbe had resigned and an election had to be organised to fill the position. In the 1984 elections Ali Hassan Mwinyi was elected president of Zanzibar.

The other two one-party elections – for the Zanzibar president and the House of Representatives – were held in 1985 and 1990. For the presidential election the CCM carried out the processes of nominating

the candidate, as usual. The nomination raised complaints from some people in Zanzibar, in particular those from Pemba. In the 1985 elections the complaints were caused by the nomination by the NEC of Abdulwakil as the sole candidate through a narrow margin against Seif Shariff Hamad.²⁶ That was viewed as an imposition of the CCM, which was dominated by Tanzania mainland. The people of Pemba expected Seif Shariff Hamad to become the first president from Pemba, because all presidents since independence had been from Unguja. As a result Abdulwakil got only 24% of the votes from Pemba.²⁷

A similar complaint arose around the 1990 elections. In 1988 the Zanzibar president dismissed Seif Shariff Hamad from his post as chief minister. He was also removed from other leadership positions from the party and the government. Supporters of Seif Sharrif Hamad – from Zanzibar in general and from Pemba in particular – viewed that as a strategy to prevent him from becoming a presidential candidate in the 1990 elections. Since he could not become a candidate in those elections, the elections faced a number of problems. One major problem was that many eligible voters, particularly in Pemba, were reluctant to participate in the elections. After much government pressure only 72% registered, and of those only 38% of those eligible were registered in Pemba.²⁸ In those elections Dr Salmin Amour, also from Unguja, was elected president of Zanzibar.

Most people in Pemba boycotted the elections. These acts were met with repressive measures by the government soon after the elections. Public meetings were banned; many civil servants, teachers and students from Pemba were expelled from Unguja and sent back to Pemba. State organs such as the police, the Field Force Unit, the army, the militia and volunteers greatly increased. In short, the government pursued confrontational measures against the opponents.²⁹

From the elections under the one-party system we learn a number of lessons. First, owing to the mood of the revolution, no elections were held for 16 years (1964–1980). Thus the people of Zanzibar were denied the democratic right and freedom to elect their representatives and leaders. Second, even when the elections did take place from 1980 to 1990, the predominant position of the party rather than the wishes of the people determined the nomination of candidates. Third, a regional divide between Unguja and Pemba grew sharply. The Wapemba developed a feeling of being oppressed and marginalised politically and economically. Fourth, there was a lack of consensus and reconciliation. The retaliatory measures taken by the government are indicative of that situation.

MULTIPARTY ELECTIONS UNDER CURRENT MULTIPARTY POLITICS IN ZANZIBAR

Establishment of the multiparty system in Tanzania

Tendwa³⁰ outlines the factors that helped Tanzania to adopt a multiparty political system and abandon the one-party system in 1992. External factors include the disintegration of the Soviet Union and other communist states of Eastern Europe together with their communist ideology, global economic changes towards a market-oriented economic system, and pressure from the World Bank and International Monetary Fund (IMF) as well as rich Western donor nations.

Internal factors include the first movements for the demand of democracy and the multiparty system. From about the mid-1980s civil society organisations and even underground political groups were formed and carried out campaigns for political reforms. One of the steps taken by the movements was the organisation of a seminar in Dar es Salaam in June 1991 where the reformists laid down strategies how to continue demanding a multiparty system. The second factor was the role played by Mwalimu Julius Kambarage Nyerere. Although he was the founder of the one-party system, his wisdom and foresight prompted him to advise the party and the government to carry out political reforms towards a multiparty system. The third internal factor was the contribution of the Presidential Commission for One Party or Multiparty System, commonly known as the Nyalali Commission, as the then chief justice, Francis Nyalali, headed it. The commission was established early in 1991 to collect views from people in Tanzania and even outside the country as to whether Tanzania should adopt multipartism or continue with a one-party system. In 1992 the commission produced a report which recommended the adoption of the multiparty political system.³¹ Constitutional amendments were made and by July 1992 multipartism was officially declared the new political system in Tanzania.

The restoration of multipartism in Tanzania was much more enthusiastically received in Zanzibar. According to the conservative figures of the Nyalali Commission, 43% of the people in Zanzibar demanded multipartism, compared to 19% on the Tanzanian mainland. However, the road to multipartism was not easy, as one senior opposition leader commented:

“Restoration of multipartism in Tanzania is only one part of democratization. On the other part Tanzania had to go through a painful process to overcome one-party mentality and her hegemonic government and state

institutions amid the turbulence of emerging opposition parties. The existing Constitutions and laws in Tanzania and Zanzibar were written under one-party systems, and they have been marginally amended to allow for existence of multiple political parties while leaving an enormous concentration of powers in the hands of the government and the ruling party CCM. A case in point is the recent 14th Constitutional amendment of 2005 where the opposition protested and marched out of the Union Parliament, still to have the amendment passed.³²

The multiparty elections of 1995 and 2000 in Zanzibar

The 1995 and 2000 elections were held in a multiparty political system. These elections appeared to have more serious problems in terms of corruption and rigging tendencies, thus making the elections not free and fair. The problems grew more serious in the 2000 elections than in those of 1995.³³ Election monitors and observers identified the problems in the various stages in the election processes.

During the process of nominating candidates there were no serious problems, but there were complaints that, in some cases, decisions at lower levels of the parties were not respected by higher levels. During the elections of 2000 there were also complaints about ethnic bias against certain aspiring candidates.³⁴ Otherwise nomination processes were carried out according to laid-down regulations.

A number of problems arose in connection with the registration process. One problem concerned the illegal registration of voters. During the 1995 elections the CCM complained that 124 people had been illegally registered in favour of the CUF, while the CUF complained of 382 people who had been illegally registered in favour of the CCM.³⁵ In the 2000 elections there were more serious allegations of illegal registrations. It was alleged that the CCM had brought thousands of youths from Tanzania mainland to register in Unguja and Pemba under the pretext that they were transferred JKU (Jeshi la Kujenga Uchumi) members. The CUF was also alleged to have brought some youths from Kenya.³⁶

Another problem concerning the registration process was restrictions on eligible voters from registering. It was observed that the *shehas*, local traditional leaders who acted as ex officio agents of the Zanzibar Electoral Commission (ZEC), were mainly responsible for the restrictions. Since most of them were said to favour the ruling party, the restrictions were mainly placed on people believed to be members or supporters of opposition parties, particularly the CUF. The restrictions were made

on the basis of age and residence. Young people of 18 or above were declared to be below 18 and thus could not be registered. There was an election regulation that anybody who had not been a permanent resident in his/her constituency for the previous five years could not be registered as a voter. This regulation could be used to prevent eligible voters from registering. There were other problems such as lodging unnecessary objections on those who had already registered.

Campaigns were normally carried out well, with enthusiasm. The level of participation of people in the campaigns was very high, indicating that the majority of people in Zanzibar were politically conscious. However, in both the 1995 and 2000 elections some problems arose. One major problem was that the political playing ground was not level. The CCM and CUF were financially powerful compared with the other political parties. These two parties, therefore, could carry out their campaigns much more effectively than the other political parties.

Other shortcomings included carrying out illegal campaign meetings through religious, wedding and other ceremonies, denying some opposition parties space for campaign meetings, and the use of abusive and threatening language. For example, other parties saw the common use of the word *ngangari* by CUF as threatening language.

On the whole the voting processes in the 1995 and 2000 elections went well. But a number of serious problems arose regarding the counting of votes and the announcement of results.

In the 1995 election the House of Representatives results were announced in time, but the announcement of the results for the president of Zanzibar was delayed for two days. When it was made, the CCM candidate, Salmin Amour, was declared the winner, defeating his opponent, CUF candidate Seif Shariiff Hamad, by a narrow margin of 0.4%.³⁷

The CUF did not accept the Zanzibar presidential results, for various reasons. First, the counting was prolonged for two days by the ZEC without a plausible explanation. Second, two days before the announcement of results, Dar es Salaam Television (DTV) and the newspaper *Majira* announced that Seif Shariiff Hamad had won. Third, CUF party agents testified that according to their figures it was Seif Shariiff Hamad who had won. Thus, the CUF believed that the delay in counting was a manoeuvre by the ZEC to steal votes from the CUF candidate and give them to the CCM candidate. This culminated in a serious political crisis between the CCM and CUF.

Various views were aired regarding the 1995 election results. At first, the Organisation of African Unity (OAU) Election Observer Group, the

“Non-Represented Peoples’ Organisation”, and the then United Nations Coordinator for the UN group, Victor Angelo, had positive views about how the elections were conducted, stating that they were satisfied with the results. But then they changed their minds. Owing to the crisis that arose in announcing presidential election results, they were no longer satisfied. The International Foundation for Election Systems (IFES),³⁸ a US-based organisation, felt that the elections did not represent the will of the people. In their report ZEMOG (Zanzibar Election Monitoring Group) were not positive, stating that they could not affirm that the elections were free and fair.

The second multiparty elections took place in October 2000. Many political parties participated in the Zanzibar elections. Again, the strongest competitors were the CCM and CUF. The 2000 elections in Zanzibar were characterised by greater corrupt tendencies, such as rigging and other irregularities, than the 1995 elections. Again the CUF felt that victory in the presidential elections as well as some House of Representatives and parliamentary elections had been snatched by the CCM through illegal means. The CUF refused to recognise the results, boycotted the House of Representatives and parliamentary sessions, and demanded a rerun of the elections.

The views of local and international observer groups on the conduct and outcome of the 2000 elections were negative. The OAU Observer Group said that it was unable to endorse the 2000 Zanzibar general elections as having been free and fair and called for the ZEC to follow the cardinal principle of transparency and credibility in the conduct of elections. The IFES was of the opinion that the elections were mismanaged, particularly the voting process, and called for new elections. The Commonwealth Observer Group also called for the cancellation of the Zanzibar elections in their entirety and for reform of the organs responsible for elections. The Commonwealth Observer report strongly criticised the way the elections had been conducted and pointed out that in many places the elections were a shambles, because of massive incompetence or a deliberate attempt to wreck at least part of the election. It also emphasised that the outcome of the elections represented a colossal setback for ordinary Zanzibaris and their aspirations for democracy. It thus called for new properly conducted polls to be undertaken throughout Zanzibar under a reformed electoral commission and under new impartial electoral laws.³⁹ The main local observer group, TEMCO, issued a strongly worded statement soon after 29 October in Zanzibar characterising the elections as abortive. The statement declared that the

state instruments responsible for managing the elections in Zanzibar had let down the people and multiparty democracy. Like all other observers, TEMCO called for the cancellation of elections for all of Zanzibar and the organisation of fresh elections.⁴⁰

Thus the 2000 elections in Zanzibar resulted in yet another serious political conflict between the CCM and CUF. On 26 and 27 January 2001 the crisis culminated in a violent confrontation between CUF demonstrators and the police. Thirty-one people were killed and more than 2,000 fled to Kenya. The report of the Presidential Commission that investigated the incident gave the number of deaths as 31, but the CUF claimed that more than 70 people were killed. A senior CUF party leader later confirmed this:

“My party [CUF] had no confidence in the integrity of the October 2000 elections, and it blatantly refused to participate in the re-run in the town constituencies a week later. The dreaded Field Force Unit fully armed with antipersonnel carriers and bazookas as if they were going to war against a foreign enemy reinforced the police. A day after the election the full force of police brutality was unleashed against unarmed civilians in camera. After failing to get redress of our complaints my party called for a peaceful demonstration. More than 40 people were killed, hundreds were arrested, and more than 2000 became the first Tanzania refugees in Mombasa, Kenya. In our history, this was a time when a peaceful Tanzania lost its innocence in the eyes of the world.”⁴¹

From the two multiparty elections two important aspects are identified. First, the elections were a source of conflict because they were not free, fair and democratic. Second, in multiparty elections each political party should be ready to win or to lose through free and fair elections. It is very difficult to avoid conflict if the elections are not free and fair. It was the violent aftermath of the 2000 elections that led to Muafaka II, as we shall see below.

The Pemba by-elections, 2003

The Pemba by-elections were held on 18 May 2003. The elections involved electing Union Members of Parliament (MPs) and Members of the House of Representatives in 17 constituencies in which seats were vacant because of the political crisis that followed the 2000 elections. Since the CUF did not recognise the results of the 2000 elections, its

Union MPs and Members of the House of Representatives boycotted meetings of both the Houses of Representative and the National Assembly. They were eventually expelled from these Houses.

Holding by-elections was part of the agreements contained in the second reconciliation or Muafaka II. It had been stipulated in Muafaka II that the vacant seats in the 17 constituencies in Pemba should be filled through by-elections on completion of the implementation process of Muafaka. Although not all aspects of the Muafaka II agreements had been implemented, because the implementation process was in progress, it was decided that the by-elections should be held in May 2003.

Unlike the elections of 1995 and 2000, the performance of the by-elections was rated as very good. Both internal and external observer groups concluded in their monitoring reports that the elections were free and fair. The conclusion of the TEMCO report (2004) was as follows:

“Considering all that has been said about how the by-elections were conducted, and taking into account the balance between the positive and negative things that occurred in the management of all stages of the elections, TEMCO awards a certificate of free and fair elections to the by-elections conducted in Pemba (17 constituencies) and a qualified free and fair certificate for the mainland by-elections (4 constituencies).”⁴²

This indicates that the by-elections in Pemba were even better conducted and better managed than those in four constituencies on Tanzania mainland, which were held on the same day.

In the report TEMCO⁴³ pointed out a number of aspects that confirm this. These include transparency in conducting the elections in all stages; non-intentional election management discrepancies; fair and equitable dealing with all parties by state instruments of law (such as the police) and state media; and the making of critical decisions by the key actors such as political parties in resolving conflicts and misunderstandings. Other aspects were concurrence by internal and external observers that the electoral exercise in Pemba was largely free and fair, relative ease in obtaining information by media personnel, the opportunity to register complaints by key stakeholders (voters, candidates and party agents) and that the president of Tanzania and chairman of the ruling party, the CCM, Benjamin William Mkapa, publicly hailed the way in which the by-elections were conducted in Pemba.

Despite this very good performance TEMCO and other observers' reports revealed a few problems. At the nomination stage three problems

were observed. One was gender imbalance. Only 3.6% of the nominated candidates were women. This means that of 111 nominated candidates from all political parties, only four were women. The main problem was that the women themselves did not fill in nomination forms. Out of 150 people who returned forms to their parties only five (3.3%) were women. But in terms of registration, attending campaign rallies and voting, women were more numerous than men. The second problem was that some political parties failed to follow laid-down democratic procedures in the nomination process.

The third problem was the raising of a number of objections against some nominated candidates. Successful objections were made by the National Convention for Constructive Reform – Mageuzi (NCCR–Mageuzi) against CUF candidates. On 13 May the Zanzibar High Court upheld the ZEC's decision that the six CUF candidates should be barred according to Zanzibar Electoral Law 49 (5), which gives the ZEC final authority over interpreting and deciding cases involving electoral law. The objections were partly due to the weakness in the CUF's nomination procedures. However, they threatened to disrupt the by-elections and the Muafaka between the CUF and CCM.

There were not many problems with the process of registration, although only 76% of the eligible voters had registered. This means that out of an estimated 142,340 eligible voters, according to the 2002 census, only 108,271 had registered. A number of objections were made against some registered voters. Of the 217 objections only 29 were upheld.

The campaign stage had two main shortcomings. The first was the inequality between political parties in terms of financial resources and even followers. Of the five political parties that participated in the elections, the CCM and CUF were the only two that were financially strong. They could therefore hold all their campaign rallies according to the established programme. The CUF, followed by the CCM, was also the party that had the largest following.

The other political parties that participated were the National Convention for Constructive Reform (NCCR–Mageuzi), Tanzania Labour Party (TLP) and Tanzania Democratic Alliance (TADEA). These three were relatively weak financially and had few followers, as indicated in campaign rallies. They could not hold all their campaign rallies and TADEA in particular held very few rallies. This means that the political playing ground was not level.

The second shortcoming was the use of abusive, foul and even threatening language. Some political parties complained that there were

some elements of segregation, as indicated by foul and abusive language. Another feature of the campaign rallies was the presence of large numbers of small children who should not have attended such rallies.

One serious problem arose in connection with the stage of voting and counting of votes. Although the processes went smoothly, it was realised while counting the votes for the House of Representatives elections that many votes in the six constituencies where the CUF's candidates had been barred were spoilt. The spoilt votes ranged from 61% to 82%. Table 2 shows spoilt votes and their percentage in each of the six constituencies.

Table 2 Spoilt votes for the House of Representatives elections in six constituencies

Constituencies	Total votes cast	Spoilt cotes	% of spoilt votes
Chonga	6,126	3,745	61%
Chake Chake	5,910	4,385	74%
Micheweni	7,330	4,659	63.5%
Wingwi	4,478	3,521	78.6%
Tumbe	6,116	5,019	82%
Kojani	6,528	4,963	76%
Total	36,488	26,292	72%

Source: TEMCO's Report on the May 18th 2003 Tanzanian elections, p 111.

During the campaign rallies CUF leaders urged their members and supporters to vote for ghost candidates, commonly known as *maruhani*. Those were spoilt votes. This meant that CCM candidates who won the seats in the six constituencies received a very small percentage of the votes, ranging between 10% and 20%.

The good performance of the Pemba by-elections was due to a number of factors. One of these was Muafaka II, which played a very significant role. Because of the Muafaka a number of election laws were reformed and a new ZEC, which was relatively independent, was established. The second factor was the roles played by the ZEC and NEC in managing all stages and processes of the elections. Even state organs – notably the police – tried to play neutral and impartial roles, unlike in the 1995 and 2000 elections. Third, the consciousness and commitment of the people to the elections was very high.

The Pemba by-elections enabled us to draw important lessons and experiences. First, through the spirit of reconciliation multiparty political competition through elections can be carried out successfully and peacefully. Second, in multiparty elections it is very important to

have independent and impartial managing election organs such as the ZEC and neutral state security organs such as the police. Third, in election processes it is important to avoid tampering with the wishes of the people. The *maruhani* votes indicate how the electorate were denied the right and freedom to elect candidates of their choice.

MUAFAKA (RECONCILIATION) AND THE BUILDING OF HUMAN SECURITY IN ZANZIBAR

Reconciliation

The principle of reconciliation has become a common phenomenon in Africa and elsewhere in the world as a means of resolving conflict. Steps taken in conflict-resolution processes include peace negotiations, the signing of peace agreements, and the implementation of such agreements.⁴⁴ Peace negotiations can be internally or externally based. In internally based peace negotiations the conflicting parties in a particular country decide to sit down and negotiate peace. The negotiations can be direct, between the conflicting parties, or they can be conducted through an external or an internal mediator or facilitator.

Muafaka in Zanzibar constitutes the two phases, Muafaka I and II. Both are unique in that the conflicts leading to processes of reconciliation emanated from multiparty elections. Muafaka, therefore, is a means not only of resolving political conflict but also of managing multiparty elections.

Muafaka I

We have already observed the problems that arose during the multiparty elections of 1995. Briefly, the CUF refused to accept the presidential election results and boycotted meetings in the House of Representatives. Tension grew between the CCM and CUF. The Zanzibar government carried out state repression and brutality against CUF members. As a result, internal and international pressure increased on the two political parties to negotiate and resolve the latent conflict.⁴⁵

From 1996, respected Tanzanian elders such as Brigadier General Hashim Mbita, Ambassador Abbas Sykes, Ambassador Sued and the Honourable Joseph Sinde Warioba initiated dialogue in their individual capacities.⁴⁶ In February 1998 the Commonwealth Secretary General, Chief Emeka Anyaoku, through his representative, Dr Moses Anafu, took over the task of mediating the negotiations between the CCM and CUF. With the support of the Tanzania Union government a reconciliation agreement was reached between the two political parties and signed on 9 June 1999 in the House of Representatives in Zanzibar. Chief

Emeka Anyaoku signed the agreement on behalf of the Commonwealth and two party leaders, from the CCM and CUF, signed on behalf of their parties.⁴⁷

The agreement contained 15 items. The most important of these included the reform of the ZEC, constitution, judiciary, electoral laws and state media organs. Other important items were the establishment of a permanent voters' register, ensuring freedom of political parties to carry out their activities within the confines of the law, making an independent assessment of claims of properties destroyed or damaged, reinstating expelled employees and students, and instituting a programme of civic education. Further items included that CUF members of the House of Representatives were to resume attending sessions and the president was to appoint two CUF members to the House of Representatives and ensure the promotion of human rights, good governance and democratisation.⁴⁸

However, Muafaka I was not implemented. Factors contributing to the failure are summarised below:

“Despite the initial goodwill and effort that went into the agreement, Muafaka I was nevertheless beset by several problems from the outset. In the first instance, no provision was made for monitoring the agreement. Secondly, there was no mechanism for the implementation of the impact. Instead, the agreement largely depended on the good will of the parties, with the Inter-party Committee having only an advisory status. On its part, the Commonwealth was merely a moral guarantor of the accord. It was of little surprise therefore that Muafaka I remained a dead letter for the lack of political commitment, which was further fueled by suspicion between the parties. Both CCM and CUF viewed the dialogue initiators with suspicion.”⁴⁹

Only two of the 15 items were implemented. Those included representatives of the CUF resuming attending sessions of the House of Representatives and the CUF recognising the Zanzibar government. The serious problems that arose during and after the 2000 elections were to a large extent due to the failure of implementation of Muafaka I. One senior opposition leader lamented at a discussion over the failure of Muafaka I that:

“The collapse of the Peace Agreement [Muafaka I] was a terrible disappointment to the people of Zanzibar, coming as it did only a few months before the next general election in October 2000. Tanzania had to

grapple with the new election with none of the safeguards to ensure free and fair elections on a leveled playing ground.”⁵⁰

Muafaka II

Soon after the 2000 general elections the relationship between the CCM and CUF grew very tense. The situation culminated in the violent conflicts of 26 and 27 January 2001, during which more than 30 people were killed, mainly in Pemba. Many more were injured and 2,300 fled to Shimoni near Mombasa in Kenya. The killings were the result of a confrontation between CUF demonstrators and the police. The events of January 2001 were followed by nearly two weeks of beatings, mass arrests and various forms of harassment and intimidation by state organs against the people.

Pressure came from the people, civil society organisations, intellectuals and the donor community to urge the CCM and CUF to come to the negotiating table. The Union government also took a proactive stand in finding a solution to the Zanzibar crisis. A negotiating team was established under the co-leadership of the secretaries general of the two political parties. This time there was no external mediator. The negotiations began in March and the Peace Agreement or Accord was signed on 10 October 2001.

In terms of items of agreement, nearly all the items of Muafaka I were taken as part of Muafaka II. The only new items were facilitating the return of the Shimon refugees based on the principles of voluntary repatriation, carrying out the Pemba by-elections, establishing a cordial relationship between the two parties through the mechanism of the Inter-Party Commission (IPC), and establishing the office of Director of Public Prosecution (DPP). This was driven by the need to separate the government and the ruling party from the DPP.

Unlike Muafaka I, Muafaka II has largely been implemented. From the very beginning efforts were made and steps taken to address the shortcomings of Muafaka I. Soon after the signing of the Muafaka a joint commission was established to supervise the implementation of the accord. Then it was translated into an Act of the House of Representatives. In 2002 it was entrenched in the Zanzibar constitution through the 8th and 9th Constitutional Amendments.

Mwakyembe⁵¹ noted that by the end of 2003 nearly 80% of the dictates of the Muafaka had been implemented. Important areas that had been implemented included normalisation of the political situation, aspects of trust and reconciliation, aspects of good governance, and aspects of

establishing good conditions for free and fair elections. As a matter of our immediate interest this study will elaborate on the implementation of aspects related to the improvement of electoral conditions.

In an important step the electoral laws were amended so that the powers of the Director of Elections were reduced and the directorate had to follow instructions from the ZEC. The powers of the *shebas* (traditional village leaders) in voter registration were also reduced. Furthermore, residence requirements were reduced from five to three years.⁵²

The second important step was the reformation of the ZEC, which became much more independent. Among its members two had to be appointed from the opposition, notably from the CUF, two were appointed on the advice of the leader of government business in the House of Representatives, the Director of Elections was to be appointed on the advice of the ZEC, and the ZEC was empowered to appoint its own returning officers.

The third important step was holding the Pemba by-election (discussed above), and here we would like to highlight its importance in terms of the implementation of Muafaka II. Unlike the implementation of other items of the agreement, the by-elections had a big impact nationally and internationally. That the by-elections drew more local and international election observers than the 1995 and 2000 elections is an indication of its importance.

Seif Shariff Hamad⁵³ criticised the implementation process for being slow. Even though the greater number of the items of the agreement had been implemented by the end of 2003, those that had not been implemented were the most important. He cited seven aspects that had not been implemented, including the establishment of a permanent voter register, reform of the judiciary, state media and the ZEC secretariat, employment in state organs without political ideological bias, and establishment of an organ of consultations between political parties. It appears that in 2004 steps have been taken to ensure that many of the previously un-implemented aspects were implemented. For instance, preparations for the permanent voters' register got under way.

Despite considerable success in the implementation of Muafaka II, it has been observed that the Muafaka has considerable shortcomings that make the overall realisation of its objectives difficult.⁵⁴ Such shortcomings include lack of popular participation, non-involvement of other political parties, doubts about the political will of the two political parties, personalisation of Muafaka to the general secretaries of the CCM and CUF, the position of the CCM as a ruling party, thus making

it difficult to make a distinction between the party and the government in many issues, the unclear relationship between the Joint Presidential Supervisory Commission (JPCSC) and the House of Representatives, unclear roles of the presidents of Zanzibar and the Union, and the timing of the implementation of the Muafaka. All these issues need to be taken into consideration.

Since the signing of Muafaka II, the governments of the United Republic of Tanzania and the Revolutionary Government of Zanzibar have been working hard, though at a slow pace, to make sure that all the dictates in the agreements are adhered to. These include establishment of a permanent voters' register, reform of the judiciary and state media, employment in state organs without political ideological bias, and establishment of an organ of consultations between political parties.

Muafaka and the Union

It is important to discuss Muafaka in connection with the Union, since the Union holds a central position in the implementation and success of Muafaka. For instance, the failure of Muafaka I and the success of Muafaka II cannot be separated from the position and role of the Union. We have already observed that one of the main factors for political conflict is the lack of free and fair elections. Since political parties are a Union matter, the Union can play a central role in ensuring free and fair elections.

The Union was established on 26 April 1964 through a mutual agreement between President Julius K Nyerere of Tanganyika and President Abeid Amani Karume of Zanzibar. The Zanzibar revolution of 12 January 1964 provided an important background for the establishment of the Union. Soon after the revolution the new government in Zanzibar experienced external security threats and therefore found it wise to unite with Tanganyika.

The Union was established with a structure of two governments, the Union government and the Zanzibar government. According to this structure Tanganyika could not have its government, as it was part of the Union government. Even the name "Tanganyika" was abandoned and "Tanzania" adopted for the United Republic. Tanganyika was referred to as Tanzania mainland. There were few questions about the structure under a one-party system, but with the coming of multipartism, demands for a separate government for Tanganyika began to arise. However, to date the structure has not changed.

On 26 April 2004 Tanzanians celebrated forty years of Union. In the four decades the Union has experienced successes and some challenges. In

terms of success a number of aspects deserve mention. First, the fact that the Union has existed for forty years is a success in itself. The first East African Community collapsed after only one decade. Second, historical cultural ties between the people of Zanzibar and Tanzania mainland have been strengthened. Third, economic ties between the two parts of the Union have been greatly strengthened. Both parts have benefited from the economic links.⁵⁵ Fourth, both parties to the Union have benefited from the joint system of defence and security and international relations.

With regard to challenges, they seem to be numerous. At the open-ended interviews and discussions in Bagamoyo on 7 January 2005 participants from both Tanzania mainland and Zanzibar cited three problems as being important. One of the complaints was about the structure of the Union. Whereas Tanzania mainland complaints constitute demands on not having the Tanganyika government, the complaints from Zanzibar are based on fears of being overshadowed under the two-government system. Thus some of the opposition parties are in favour of changing into a three-government structure comprising the Union government, the Zanzibar revolutionary government, and the Tanganyika (Tanzania mainland) government, all with sovereign powers.

The second problem has hinged on economic relations. Zanzibar complaints have grown in a number of areas, including too much centralisation of the Bank of Tanzania, taxation and customs union arrangements, and the small share of donor funding. Information about the existence of oil reserves around Pemba has also raised complaints that issues of gas and oil are a Union matter. This means that exploration of the oil will be carried out under the Union government rather than the Zanzibar government. Tanzania mainland complaints are based on the fact that being a small country with a small population Zanzibar is favoured in terms of economic benefits. The 4.5% share of donor funding is taken to be too high.

The third problem concerns the issue of sovereignty. Despite political divisions and conflicts on the issues of sovereignty all Zanzibaris are united. There are feelings that the current set-up of the Union is marginalising the sovereignty and identity of the people of Zanzibar. A separate Zanzibar flag and a Zanzibar national anthem are a reflection of this. Zanzibar also demands autonomy of membership in international organisations. The formation of “blue guards” by the CCM and “red guards and secret white guards” by the CUF is clear testimony that both parties take them as defensive measures in the 2005 elections. As one ordinary voter in Zanzibar noted:

“Zanzibar’s merger with the mainland Tanzania was a marriage of convenience. No wonder Zanzibar has pressed hard to have its own identity of the national flag, national anthem, and now is training its militia under the pretext of Jeshi la Kujenga Uchumi (JKU). At the same time Zanzibar boasts of being part of the sovereign state of United Republic of Tanzania. You cannot have dual sovereignty. This is becoming clear as we approach the 2005 election seeing the formation and training of party cadres, mostly youth as blue and green guards fully being trained in military gear. What is the aim of this training if not defensive! What is the fear for if the country aspires for rule of law and democracy? We have to watch this move as the end product is human insecurity if not massacre of our innocent citizens.”⁵⁶

This is a critical indicator of human insecurity in union matters. The fourth problem relates to articles of the Union. When the Union was established in 1964 it contained 11 articles of Union. By now the number has increased to 22. Some circles in Zanzibar have interpreted the increase as deliberate steps by Tanzania mainland to overshadow Zanzibar. Shelukindo⁵⁷ has tried to explain this increase. The following statement (translated from Kiswahili) elaborates as follows:

“Thus, as time passed by, it was clearly realized that there were a number of aspects whose implementation was made by the authority of the Union though they were not part of articles of the Union. Therefore, after research and deep investigation on Union matters by the two governments it was realized that there were some shortcomings. In an effort to address the shortcomings the Union Parliament and the House of Representatives were given the task of making constitutional amendments in 1994 so that more aspects could become part of the articles of the Union. The amendments were eventually made on the Union Constitution of 1977 on 30 April 2000; resulting in 22 articles of Union.”⁵⁸

Despite Shelukindo’s explanation, the increase in the number of articles of Union is one of the problems in terms of relations in the Union. Having generally discussed the successes and challenges which the Union has experienced during the forty years of its existence, it is important to examine this in relation to elections and Muafaka. The introduction of elections in 1980 was to a large extent due to the Union. We have seen that after the Zanzibar revolution in 1964 no elections were held until 1980. It was due to the Union spirit that

TANU and ASP merged into one party, the CCM, in 1977. This means that the CCM became the sole ruling party for the Union and for Zanzibar. It was under the CCM and the Union that steps were taken to establish the constitution of 1979, which led to the elections of 1980 and subsequent elections.

As the ruling party for both the Union and Zanzibar, the CCM played a significant role in determining the course of elections under the one-party system. In particular the process of nominating candidates (including presidential candidates) was highly centralised. The role of the Union in the elections under the multiparty system is very clear, both in 1995 and 2000. To a large extent the victory of the CCM in both elections, as the reports of observers indicate, was due to the Union. For instance, during the elections of 2000 the Union government deployed large numbers of the army, the field force police and the ordinary police. There is no doubt that the Union is crucial in ensuring free and fair elections and thus avoiding conflict in Zanzibar. This means that the success of Muafaka in ensuring human security greatly depends on the position and role of the Union.

EXPERIENCES FROM THE 2004 LOCAL GOVERNMENT ELECTIONS AND THE
2005 VOTERS' REGISTRATION IN THE PERMANENT VOTERS' REGISTER

The 2004 local government elections

The Tanzanian local government elections of 2004 were marred by incidents that threatened human security. The opposition believes that the ruling CCM and its government had planned to circumvent local government election management procedures in order to slide through and win with a majority. During the election period, one young activist was killed in Temeke Municipality, Dar es Salaam, following CUF discontent over the manner in which the elections were conducted. The CUF and other opposition parties claimed that the correct procedures of election management were not followed. These include:

- Failure of the returning officer to prepare a voters' list from the register of actual inhabitants. Voters had to register on the day of the election. The opposition claims that this process of verification of eligible voters was intentionally staged to give room for manoeuvre.
- According to the regulations, the minister responsible for local government was to announce the date of the election three months

before the election. However, the announcement was made only one month before the election.

THE 2005 VOTERS' REGISTRATION IN THE PERMANENT VOTERS' REGISTER

The registration of voters in the permanent voters' register has been problematic, particularly in Zanzibar. Since the registration process to create a voters' list for the general elections in October 2005 started in Pemba Island in November 2004, several violent incidents have occurred.

On 1 December 2004 the police shot and killed a primary school student at a voters' station in Pemba, the second largest island of Zanzibar. CUF militants were throwing stones and accusing the electoral officials of allowing people to register even though they had not resided on the island for the mandatory three years. On 2 December 2004 Abubakar Kyanga, commander of South Pemba District, said that "[l]ocal police had to act because the crowd was continually throwing stones at the centre [police] in Ngo'mbe". This incident occurred when CUF activists were countering the action of electoral officials who were blocking the registration of those whom they thought did not qualify. On the day of the incident the CUF deputy secretary general, Juma Duni, said that the CUF had to demonstrate and throw stones. He affirmed: "We had told our youth not to allow this. Someone from Pemba cannot be denied registration while the right is given to someone from Unguja Island."⁵⁹

On 30 November 2004 the registration centre in Kengwa area was petrol-bombed. Attacks also occurred in the Kisiwani area and Chake Chake District, where stone throwers among CUF militants injured the deputy electoral officer. It was reported that after this incident 12 local electoral officials resigned out of fear for their lives. For this reason the Union government has taken stern steps to increase security measures in Zanzibar, particularly during the time of voters' registration and the voting and counting of votes. A sizeable force of police and military has been deployed in Zanzibar.

EXPERIENCES FROM OUTSIDE TANZANIA

Although the immediate concern was to identify the threats to human security in views of the operative situation in the Zanzibar elections, experiences from outside Tanzania could benefit elections in both Zanzibar and Tanzania mainland. Since outside experiences are very

wide and diverse, this study looked at the election principles developed by SADC and the AU. Also, one SADC case study of the recent elections in South Africa was examined.

Since the beginning of the democratisation process in Africa in 1990, a number of initiatives and declarations have been made by the OAU (and later the AU) on issues of democracy in general elections in general and elections in particular. In July 1990 the Assembly of Heads of State and Government of the OAU on the political and socio-economic situation in Africa and the fundamental changes taking place in the world issued a declaration in Addis Ababa. The member states undertook to continue with the democratisation of African societies and consolidation of democratic institutions.⁶⁰

In 1995 the OAU adopted the Cairo Agenda of Action, which stressed the imperative of ensuring democratic governance through popular participation based on respect of human rights and dignity, free and fair elections, as well as on the respect of principles of freedom of the press, speech, association and conscience. Furthermore, the Algiers Decision of July 1999 and the Lomé Declaration of July 2000 were made within the framework for an OAU response to unconditional changes of government and laid down a set of common values and principles for democratic governance.⁶¹

At its 38th Ordinary Session of the Assembly of Heads of State and Government in Durban, South Africa, in July 2002, the OAU/AU adopted the Declaration on Principles Governing Democratic Elections in Africa. In addition to putting emphasis on regular democratic elections within the context of management of conflicts it was clearly stipulated how democratic elections should be conducted. Among the important aspects emphasised were free and fair elections, ensuring democratic and supportive institutions, the system of separation of powers and an independent judiciary, impartial, all-inclusive, accountable and competent electoral institutions, and elections at regular intervals in accordance with national constitutions.⁶²

These OAU/AU principles on elections appear to be similar to the UN principles. In 1994, the UN Centre for Human Rights based in Geneva, Switzerland, produced a handbook on democratic elections titled *Human rights and elections: A handbook on the legal, technical and human rights aspects of elections*. A number of issues were covered in the handbook, including UN involvement in elections, UN human rights standards regarding elections, international criteria for elections, and common elements in electoral laws and procedures. On international

criteria emphasis was placed on free and fair elections, the periodicity of the electoral timeframe, genuine elections, and the roles of police and observers.⁶³

The SADC guidelines and principles governing democratic elections were adopted at the annual summit of the Heads of State and Government in Mauritius in August 2004. It has been observed that the origins of the SADC principles and guidelines were the UN and OAU/AU principles as well as various SADC initiatives.⁶⁴ Such initiatives include the SADC–Parliamentary Forum (SADC–PF) Norms and Standards (2001) and EISA/ECF Principles (2003). While the SADC–PF is an initiative of SADC parliamentarians, the EISA/ECF is an initiative of civil society organisations (CSOs) and electoral management bodies (EMBs) within SADC.

The SADC Principles and Guidelines on elections cover a number of sections and aspects. Here we shall outline the main sections and the summary of their contents. The first section is on elections and individual rights, thus covering the rights of citizens in electing the governments of their choice. It includes aspects of voting, voting secrecy and freedom of association and expression. The second section is on elections and government and includes issues such as commitment to pluralism and multiparty democracy, dates of elections, misuse of public resources and funding of political parties, relations between governments, political parties, NGOs, and the media and electoral commissions.

The third section is concerned with transparency and integrity in the electoral process. It covers many aspects that are concerned with the electoral process from registration of voters to the announcement of election results. It also deals with other important issues such as voter education, managing post-election conflicts, the role of election observers, and reform of electoral laws. On acceptance of election results emphasis is put on the context of free and fair democratic elections. A focused review of the recommended Principles for Election Management, Monitoring and Observation in the SADC Region is elaborated on later in this report.

As far as the experience from the recent elections in South Africa is concerned, the *SADC Barometer* of 2 August 2004⁶⁵ has outlined a number of lessons for SADC countries. The elections, which were held in April 2004, were the third democratic elections in that country. The elections were the third elections within one decade, and were described as free, fair, tolerant and exemplary. An Independent Electoral Commission (IEC) managed the elections.

Registration processes were carried out successfully in November 2003 and January 2004. Campaigns were carried out with a high level

of tolerance. The ANC won 70% of the votes, while the combined opposition of the Democratic Alliance (DA) and Inkatha Freedom Party (IFP) obtained 19.3%. The ANC formed an alliance with the New National Party (NNP), though the position of the latter party was very weak.

The success in conducting free, fair, tolerant and democratic elections is partly due to the lack of will and commitment in maintaining the system of a Government of National Unity (GNU) which South Africa adopted in the advent of the first elections in 1994 and which culminated in the defection of the IFP from the government. The inclusion of several of the opposition parties in the government was believed by the South African government to forge greater national unity, although South Africa believes that good governance is largely connected to a democratically elected government.

Furthermore, the current chairman of SADC, Mauritian Prime Minister Paul Bérenger, once said at a SADC summit:

“Really free and fair elections mean not only an independent electoral commission but also include freedom of assembly and absence of physical harassment by the police and another entity, freedom of the press and access to national radio and television and external and credible observation of the whole electoral process.”⁶⁶

The *SADC Barometer* also carried the view that democracy is not vested only in the narrowly defined bodies that make elections possible, but ultimately in the democratic culture that pervades when principles are respected and implemented, and there is proper censure (without prevarication) of those who do not.⁶⁷

Despite the AU and SADC Principles and Guidelines and the good example of the elections in South Africa, it is argued that the SADC countries and Africa as a whole have a long way to go in building democratic societies. Developments from the early 1990s in terms of adopting a multiparty system and holding regular elections are positive steps but not sufficient to realise democratic societies.⁶⁸ Multipartism and elections are merely outward semblances of democracy, without deepening and strengthening the content and practice of a democratic system. Democracy that merely puts an emphasis on periodic elections has been referred to as electoral democracy, which does not even qualify as liberal democracy.

In many countries in the SADC region and Africa as a whole electoral democracy is the most common, as periodic multiparty elections have become the norm. In the SADC countries even the democratic transition in terms of multiparty elections has not reached the same level of

development. Matlosa⁶⁹ has classified SADC countries into four segments in terms of democratic transition as the following description indicates:

“... [in] three countries, namely Angola, DRC and Swaziland, democratic transition is yet to occur even before we could entertain any discussion and thoughts around democratic consolidation. In three others, namely Zimbabwe, Tanzania and Zambia, although the transition has indeed occurred, this is fraught with violent conflict, especially election-related conflict. This conflict adversely affects the consolidation process for it brings about the contested legitimacy and credibility of the state and the acceptability of the rules of the game ... In Namibia, Mozambique, Lesotho and Malawi the transitions are relatively stable although still in their fairly embryonic formation, and it could be argued that the early stages of consolidation are fraught with enormous challenges in this group of countries. In three other states, namely South Africa, Botswana and Mauritius, the transition has been undoubtedly successful and these countries, arguably, are already in the early stages of consolidation. Given the stability in these countries; the maturity of the political institutions; and conducive political culture, prospects for a sustainable democratic consolidation path are brighter in the latter group of countries.”⁷⁰

The above description is more clearly elaborated by Table 3 below.

Table 3 Country classification regarding progress on democratic transition and consolidation

Blocked transitions	Conflict-ridden transitions	Embryonic and relatively stable transitions	Relatively stable and mature transitions
Angola	Zimbabwe	Namibia	South Africa
Democratic Republic of Congo	Tanzania	Mozambique	Mauritius
Swaziland	Zambia	Lesotho	Botswana
		Malawi	

Source: K Matlosa, *Managing democracy: A review of SADC principles and guidelines governing democratic elections*, 2004, p 4.

Another shortcoming in the building of democracy in the SADC countries that Zanzibar should learn from is the issue of gender equality. Gender inequality is very high, though there are some differences between countries. Such inequality is reflected in the low percentage of women in governance structures compared to men. For instance, it is noted that

the percentage of women in the parliaments of SADC countries ranges from 3.1% in Swaziland to 32.8% in South Africa.

THE 2005 ELECTIONS AS THE BASIS OF BUILDING HUMAN
SECURITY IN ZANZIBAR: THE WAY FORWARD

Introductory remarks

Despite the past history of elections in Zanzibar, it is very difficult to predict how the 2005 elections will be conducted and what the outcome will be. To what extent will the elections be free, fair and peaceful in order to facilitate human security in Tanzania?

The wishes of the people of Zanzibar and Tanzania as a whole and particularly those interviewed are that the 2005 Zanzibar elections should be free, fair and peaceful. The questions were, how can that be attained and how can it be a sustainable solution?

At one of the open-ended discussions on CCM and CUF negotiations, one senior CUF officer suggested pragmatic solutions:

“Addressing root causes of conflicts between CUF and CCM was a sustainable answer. In doing so we should not always be thinking about conflict management, as we did during Muafaka I. We should always be thinking about conflict resolution just as doctors think towards a more pragmatic interest in eradicating a disease rather than treating the symptoms. Managing deep-rooted conflicts requires foresighted leadership, which can bring conflicts to a sustainable settlement. The leaders must therefore be ahead of the sentiments of the larger portion of their followers in counselling for peace and they must have authority to carry their supporters with them through difficult times.”⁷¹

He cautioned, however, that:

“It is very obvious that the task becomes very difficult when the leaders at the negotiating table are often the very same ones who provoked or maintained the conflicts in the first place.”⁷²

Another political activist and an ardent supporter of the CCM had this to add:

“The question of trust is very important during negotiation. At most times, negotiations tend to focus on issues, but for a successful negotiations

process, the relationship between the conflicting parties must be enhanced in order to create a functional working relationship between CUF and CCM. We all need to play our role in order to promote trust among ourselves irrespective of ones political creed.⁷³

He continued:

“It is my cherished wish that when fully and truly implemented, Muafaka 2 will provide a very valuable opportunity for Zanzibaris to launch a true democratic society characterized by respect for human dignity, the rule of law and good governance, which of course are the prerequisites for social-economic development.”⁷⁴

One Zanzibar businessman and renowned political activist reflected on the 2005 multiparty elections with a caution:

“Zanzibar has no other alternative but to fully and genuinely implement the terms of Muafaka if human security is to be preserved. Muafaka is only a temporary relief that would take the country through to the election in 2005. There is need to focus beyond the October 2005 election, and think in terms of creating mechanisms, institutions and norms that would enhance national unity and cohesion. But the prerequisite to that is first for Zanzibaris to come to terms with their past.”⁷⁵

The potential of having free and fair elections in Zanzibar should be based on three important foundations. One is drawing lessons from all past elections from the time of struggle for independence to the present. The second is harnessing experiences and views from people in field studies, research reports and discussions through seminars, workshops and conferences. The third involves learning from outside experiences such as elections in other countries and election principles developed by international organisations such as SADC and the AU.

Lessons from past elections in Zanzibar

The discussion above on the history of elections in Zanzibar provides us with concrete lessons and experiences which can be very useful for the 2005 elections. As noted earlier, four elections in seven years' struggle for independence, from 1957 to 1963, have provided us with two important lessons. One is that in order to avoid conflict, it is very important to avoid multiparty political competition with elements of

racial and/or ethnic ideological perspectives. Second, as managed by the colonial government the elections were not free and fair.

On elections under a one-party system, 1980–1990, again two important lessons suffice. First, over-dominance by the party in the processes of nominating candidates marginalised the wishes of the people, causing resentment and election boycotts. The second lesson, and arising from the first, is that the elections and what followed afterwards resulted in the growth of regionalism between Unguja and Pemba. Such developments were accompanied by the tendency to lack tolerance on the part of the government and the ruling party.

The experiences and lessons from the multiparty elections of 1995 and 2000 are clear. First, like the elections of the colonial period, according to observers and other analysts these elections were not free and fair.⁷⁶ Arising from that, the elections became a source of conflict, from latent to violent. Aspects of mistrust and lack of tolerance were common.

The Pemba by-elections of 2003 provided positive experiences and lessons. First, a reconciliatory spirit between competing political parties is paramount. Second, it has been realised that free and fair elections demand the impartiality and independence of the ZEC and state security organs such as the police. Third, the wishes of the people who aspire to elect their leaders should be above the wishes of political parties. In other words, elections should be people-centred.

However, in past elections one common lesson cuts across all of them. This is the willingness to participate in the elections as an important democratic principle. If Tanzanians, and in particular Zanzibaris, are keen for their 2005 elections to be free, fair and peaceful, they should avoid the negative lessons and strive to adopt and strengthen the positive lessons. Failure to meet these challenges will:

“... result in a failure in the implementation of Muafaka 2 and this will be the siren for unwanted events similar to these of January 26th and 27th 2001. CUF and CCM will bear the responsibility of the genocidal bloodshed and will have to be crucified for that.”⁷⁷

OVERVIEW OF RESEARCH REPORTS AND DISCUSSIONS THROUGH SEMINARS,
WORKSHOPS AND CONFERENCES AND VIEWS FROM THE PEOPLE

Overview of research reports from institutions and individuals

In recent years, particularly after 1995, various institutions and even

individuals have carried out a number of research projects. Those reviewed include the following:

*The Eastern and South African Universities
Research Programme (ESAURP)*

The Eastern and South African Universities Research Programme (ESAURP) is one of the institutions that have been carrying out research projects. A research project that was carried out in the late 1990s culminated in the publication of a book titled *The political plight of Zanzibar*, edited by T L Maliyamkono. Another research project by ESAURP was on Muafaka and its published research report is titled *Muafaka: The roots of peace in Zanzibar*.

The salient issues and recommendations from these reports include the following:

- To establish peace and unity in Zanzibar the people should forget old ethnic and racial divisions and antagonistic relations and regard themselves as one people.
- Given the nature of politics and the close power relations between the CCM and CUF, Zanzibar should adopt the system of a government of national unity.

Kituo cha Katiba (Constitutional Centre)

Kituo cha Katiba is another institution that has conducted a study on constitutionalism and political development in Zanzibar. The study was in the form of a fact-finding mission and culminated in the publication of a report titled *Constitutionalism and political stability in Zanzibar: The search for a new vision* (Joseph Oloka Onyango and Maria Nassali, October 2003).

Among the main recommendations of the report are the following:

- There needs to be a comprehensive discussion of constitutional and governance issues in Tanzania that encompasses both the current constitutional instruments and the content of laws and regulations that do not pass constitutional muster.
- It is essential to have a frank, candid and comprehensive discussion of all aspects of the Union between Tanganyika and Zanzibar, with a focus not only on what the Union was intended to be, but also on what it has

actually evolved into, and in which direction the peoples of Tanzania and Zanzibar want it to develop.

- There is a need for a comprehensive intra-Zanzibaris dialogue focusing on the specific aspects of Zanzibar's constitutional and governance arrangements and specifically those issues (such as citizenship) that tend to promote feelings of xenophobia and political persecution.
- Mechanisms for civic and political education, especially for the promotion of greater citizenship participation, need to be put in place in Zanzibar.
- The Muafaka process is commended for providing a positive dispute settlement mechanism as well as a tool for progressive negotiations. The dialogue among the top party leadership should nevertheless be replicated at the village level.
- The independence of the judiciary should be entrenched in the constitution, through ensuring security of tenure and the creation of a credible and independent Judicial Service Commission.
- The CUF and CCM need to be more tolerant and appreciative of each other as political competitors. The mission emphasises that there is an acute need in Zanzibar to move away from the 'winner takes all' attitude.

The Tanzania Election Monitoring Committee (TEMCO)

The Tanzania Election Monitoring Committee (TEMCO), based at the University of Dar es Salaam, has conducted research mainly in the form of monitoring the elections of 1995, 2000 and the Pemba by-election of 2003. All the monitoring reports have been published by TEMCO.

The salient issues and recommendations from these reports are the following:

- Electoral laws and regulations should be improved. In particular the aspect of residence qualification, which has been modified, should be completely abolished.
- Though during the Pemba by-election of 2003 the Zanzibar Electoral Commission (ZEC) was made more independent than before, more work needs to be done to make it more independent.

- All efforts and strategies need to be made to ensure that the elections in Zanzibar are free and fair.

Electoral management in southern Africa

Electoral management in southern Africa by Dr David Pottie with Professor Tom Lodge (eds) gives a broad and interesting survey of issues related to electoral management in southern Africa. They believe that a fair election usually implies equitable treatment of all competitors and they produced a compendium of key strategies to support political pluralism and multiparty electoral politics, which include:

- establishment of an independent electoral administration and capacity building by having an independent and autonomous electoral commission;
- generating a binding code of conduct for all registered political parties to govern the behaviour of political parties, their candidates, and supporters;
- ensuring freedom of expression and freedom of the press, especially in relation to the electoral process. A free media is an essential tool for the open exchange of political opinion, and reporting on election process;
- support for civic education. A basic component of free and fair elections is ensuring that voters not only understand how to vote, but also that they have a broad understanding of their political and civil rights to consolidate democracy;
- more public funding and disclosure of party funding;
- party liaison and conflict management committees to facilitate consultations and communication in addressing issues and potential debates before they disrupt the overall electoral process.

Principles for Election Management, Monitoring and Observation (PEMMO) in the SADC Region (2003)

The Principles for Election Management, Monitoring and Observation (PEMMO) in the SADC Region were developed as a result of the Southern African Electoral Forum Conference held from 11 to 14 June

2000 in Windhoek, Namibia, and adopted at a regional conference in Johannesburg, South Africa, on 6 November 2003 under the auspices of the Electoral Commissioners Forum of SADC Countries (ECF) incorporating participants from 14 SADC countries and the Electoral Institute of Southern Africa. It recommended:

- that the constitutional and legal framework should guarantee fundamental human rights, promote good governance and the values of political stability; promote mechanisms with which to address conflict management in the electoral process; make provision for the review of the constitution in keeping with principles of domestic practice, and provide explicitly for gender equality and affirmative action as a temporary measure until balanced representation is achieved;
- that electoral systems should be adopted in each SADC state in accordance with its own political dispensation, history and political system; be entrenched in the constitution; promote and protect fundamental human rights as well as the secrecy of the ballot and adopt, as a part of inter-party affirmative action, including quotas for women and other disadvantaged groups, and mechanisms be put in place to ensure their enforcement;
- that the electoral commissions should be independent and autonomous in discharging their duties; have a representative composition of the society, comprising at least 30% of women with one being a high court or supreme court judge; promote financial sustainability and cost-effectiveness management of elections; and be accountable to the National Assembly with its budget decided by vote in the National Assembly;
- that election-related conflict management should ensure that alternative conflict management process is incorporated in the legislative framework; the establishment of conflict prevention and management process by electoral commissions, political parties and civil society is facilitated to deal with election-related disputes;
- that agreements reached through mediation, reconciliation and arbitration under independent, skilled and well-trained mediators should be enforced by law; and appeal procedures should be established for all elections and should be dealt with by the courts;

- that the delimitation process should be managed by an independent body that is representative of the society, comprising persons with appropriate skills; be conducted by one body on the basis of clearly identified criteria, such as population distribution, community of interest, convenience, geographical features and other natural or administrative boundaries; be made accessible to the public through a consultative process; and be devoid of manipulation of electoral boundaries to favour particular groups or political interests;
- that for the purpose of identifying persons who are eligible to cast a ballot on election day, the voter registration process should promote broad participation without inhibiting the participation of eligible voters; provide a continuous and accessible voter registration facility to all eligible voters; provide ample time to register, for public inspection of the voters' roll, for objections, and for adjunction of appeals; and provide access to the voters' roll to political parties to enable them monitor the voter registration process through party agents appointed by themselves;
- that the nomination and campaign process should ensure that the nomination of candidates is transparent; candidates have sufficient time to comply with the requirements of the nomination process; there is sufficient time for the public to inspect candidate nomination lists and for objections to be lodged and disputes resolved; political parties respect equal gender representation of at least 30% of women candidates by 2005 so as to be in line with the 1997 SADC declaration on gender and development; and in the campaign process, there is a complete adherence of political parties and their candidates to the electoral code of conduct that guides their behaviour and enough time is allotted for carrying out their election campaigns;
- that since the governing parties in some SADC countries have an unfair advantage of using the media and public resources to which they have exclusive access for campaign purposes, or to further their political ends, there should be equal access to the public and private media; a code of conduct for media coverage of election designed to promote fair and equitable reporting; and a regulation of the use of public assets and funds given on a quota basis in order to level the playing fields for political competition;

- that since there can only be a free, fair, credible, and legitimate electoral process in a climate that is free from political violence and intimidation, it should be ensured that all electoral stakeholders promote and commit themselves to a culture of peace and tolerance at all times pursuant to a code of conduct adopted through a consultative process between them; and the army, police, and intelligence forces' role in protecting the security and integrity of election process is properly established in order to maintain their neutrality and impartiality.

Vote counting and announcement of overall election results have always been a potential source of suspicion and fraud, just as it was in the case of Zanzibar during the 1st and 2nd multiparty elections of 1995 and 2000 respectively. While the electoral commissions maintain the responsibility for the management of counting and announcing of overall election results they should make known procedures for counting to election officials who are permitted to be present during the counting of votes; count the ballots at the same polling station immediately after the closure of voting and have the results announced immediately after counting and posted at the same polling station; and make sure that the polling-cum-counting stations have adequate lighting, communication systems and proper security. Where possible, the staff who count the votes should not be the same as those who have been involved in the voting process. It should be ensured that there is a specific time frame for confirmation, public announcement of overall election results, and allocation of seats contested, and a culture of acceptance of election results and promotion of transparent electoral process through civic education should be cultivated.

These principles for election are vital in sustaining human security. If Zanzibar could adapt them, peace and security would inevitably be sustained.

Overview of seminars, conferences and workshop reports on issues of election

In addition to the research projects and programmes reviewed above, a number of seminars, workshop and conferences have been conducted in Zanzibar in the past decade. The outcome of ESAURP research projects has normally been followed by conferences. The last conference was at Bwawani Hotel, Zanzibar, on 15–16 September 2004. It was a conference on Muafaka. In the same year the Bunge Foundation for Democracy (BFD) conducted two workshops-cum-seminars on district and regional political

parties, in Zanzibar at Bwawani Hotel from 4 to 6 March 2004 and at Gombani Stadium, Chake Chake, Pemba, from 30 to 31 March 2004.

These conferences, seminars and workshops have generated a lot of ideas, views and recommendations on how political and socio-economic problems can best be handled and conflicting relations put to an end. A summary of the ideas, views and recommendations reviewed from workshops, seminars and conferences include the following:

GENERAL ISSUES

- Generally, most people in Zanzibar have accepted the system of multiparty politics. There appear to be no views on the need to return to one-party politics or to no-party politics. People want multipartism to be strengthened and encouraged.
- The Zanzibar constitution and other legal aspects are issues that are taken seriously. There is need for discussions on how the constitution and the other legal aspects can be improved.
- The Union between Tanganyika and Zanzibar needs to be discussed honestly and candidly. According to the vast majority of views, while Zanzibaris definitely want a union and accept the original articles as the legal basis for the Union, they are largely dissatisfied with several aspects of its current operation. While the ideals of the Union are not in dispute, there are different preferences for the form that the relationship should assume. Zanzibaris are extremely nationalistic and proud of their island heritage and culture, irrespective of political affiliation. Indeed, it is felt that there is a widespread conviction that Zanzibar is a sovereign state and that the Union is an agreement between two sovereign states and must be treated as such.
- Important issues on the Union which need to be resolved include its structure and economic relations. On the structure, the question of two or three governments needs to be resolved. As for economic relations, there is a need to review current relations to remove fears of marginalisation and an inequitable sharing of resources. The increase of articles of the Union from 11 to 22 needs to be reviewed.
- There is a need to develop free and independent media in Zanzibar. All political parties should have equal access to the public media.

- The office of the registrar of political parties should be as independent as possible. The registrar and other members of the office should not belong to or be supporters of any political party. The office should not show signs of favouritism to any political party.

ISSUES RELATED TO ELECTIONS

- During elections all political parties which take part should have equal access to the mass media and should be empowered financially to ensure levelling of the playing ground as far as possible.
- There is a need to review the electoral process system from the present system of first past the post in which the winner takes all to the system of proportional representation in which representation is determined by the number of votes a political party obtains.
- A permanent voters' register should be supervised by the government to make sure that eligible people register and to avoid illegal registration from Zanzibaris from the mainland thronging for registration in the islands.
- Voters' education should be established as a permanent system. Emphasis should be on providing such education to *shehas* as ZEC agents, party agents and party leaders.
- The close alliance between the CCM and CUF during elections calls for the need to establish the system of power-sharing and the government of national unity. Such a system in turn calls for decentralisation of power to regional authorities. However, a full study should be made to determine how best the new system should be established.
- The position and role of the ZEC is very important in election processes in Zanzibar. It is important to ensure that such a body is impartial and independent. Such attributes should also be true of state organs supporting it, notably security organs such as the police and the courts.
- In processes of political competition through elections there is a need to develop a democratic culture of tolerance and reconciliation.

Inflammatory and abusive language should be avoided by political party leaders, members and supporters.

- All efforts should be made to ensure that elections are free, fair and peaceful. Parties should be ready to accept election results when elections are free and fair.
- Efforts should be made to make sure that the implementation of Muafaka II is completed before the elections of 2005. The completion of the permanent voters' register is of special significance. The principles of Muafaka II should be developed and consolidated not only for the 2005 elections, but also for future elections based on human security.
- The ZEC should supervise all elections in the country. The present system of using local government municipal, district directors and ward executive officers should be disbanded.
- Tanzania in general, and Zanzibar in particular, should learn from the internal outcomes of research findings and views and ideas emanating from conferences, seminars and workshops and experiences from outside Tanzania, in particular the AU and SADC principles and guidelines and democratic developments within the SADC region to enable the elections of 2005 to be free, fair and peaceful. This will lay an important foundation for the establishment and consolidation of human security, Zanzibar in particular.

Additional views collected from open-ended interviews, discussions and focused dialogue during the field study

As indicated earlier in this report, open-ended interviews and discussions, as well as dialogue with various stakeholders during the field study, produced constructive views which helped the researchers complement and ascertain various claims in the reviewed research reports and papers.

During the fieldwork, all participants exchanged views about the determinants of best electoral practice, especially those issues related to improving election management, monitoring and observation and enhancing the transparency of the electoral process. They defined criteria that would guide electoral process and foster an environment in which elections could take place.

Despite the marginal achievement in the implementation of Muafaka II, the interviewees and participants in open-ended discussions noted the following major challenges to free, fair and legitimate elections in Zanzibar:

- the need to secure the integrity of the electoral process by adopting people-centred voting procedures and facilities;
- to establish a culture of peace and tolerance;
- to establish alternative dispute resolution mechanisms focused particularly on election-related conflicts while complementing existing legal provisions;
- to deepen democracy by developing a generally accepted set of values that ensure fair electoral practice premised on representation, accountability, inclusiveness, transparency, gender equality and equity, tolerance and respect of diversity;
- to inculcate a sense of political will and commitment in the process of dialogue among the major stakeholders in the electoral process in order to reach consensus;
- to realign constitutional and legitimate provisions to conform to the requirements of the democratic plural politics.

In addition, Tanzania and Zanzibar should commit themselves to upholding fundamental rights and freedoms as embodied in their constitutions and various accords in order to have credible, free, fair and legitimate multiparty elections.

The other main concern on human security in Tanzania mainland and Zanzibar is how good democratic governance can best be developed amid the shortcomings of the previous system of democracy. The participants emphasised that good democratic governance could be developed by:

- establishing democratic political parties;
- developing strong political parties to ensure equality in political competition;
- having parties with no ethnic politics and divisive tendencies;
- ensuring direct and representative democracy through empowerment of the people by developing traditional principles of politics of consensus, reconciliation and forgiveness, and ensuring people-centred politics and democracy; and
- enhancing social-economic development by establishing principles of social and economic equality and justice, and ensuring employment,

lifting the standards of living and creating conditions for people-centred development.

CONCLUSION

Human security is an important foundation for national unity and development. For multiparty elections to facilitate the development of human security, it is not enough that elections are free, fair and peaceful. The elections should be based on a long-term perspective and strategies of building a real democratic society. Multipartism and multiparty elections constitute the first stage of electoral democracy, which in itself is a stage towards liberal democracy. It has, however, been argued that African countries need to go beyond liberal democracy and establish people-centred developmental democracy.⁷⁸

It has also been argued that liberal democracy is anchored more in respect for and observance of civil liberties, while people-centred developmental democracy is renowned for respect and observance of the civil liberties and socio-economic rights of the people. It is this type of democracy that ensures political and economic empowerment of the people. Some people have regarded this as an approach that should lead to democratic developmental societies.⁷⁹

This means that the fight for democratic and peaceful elections should go side by side with the fight for fast socio-economic development. Zanzibar's economy is at a low level of development and is mainly dependent on the export of cloves, for which the world market has greatly declined. Although efforts are made to diversify the economic sectors by encouraging the growth of tourism, its impact on the overall economy is still not substantial. The majority of the people are very poor.

Furthermore, there are serious complaints about regional development disparities between Unguja and Pemba. For instance, during this study and the campaign rallies of the 2003 Pemba by-elections, the grievances of the Wapemba emerged very clearly. They complained that the Island of Pemba has been marginalised not only politically, but also economically and socially. Although Pemba produces 80% of the cloves, much of state investments in terms of infrastructure and social services was made in Unguja.⁸⁰ What all this means is that the democratisation process should go together with policies and strategies for fast socio-economic development based on regional and social equality and social justice.

Lastly, what Zanzibar needs is to transform not only multiparty elections, but the whole society. The new society should be based on a

new political and socio-economic culture, the culture of developmental democracy in the context of multiparty politics. Such a culture needs reconciliation, tolerance and mutual trust. Past history should be taken constructively by incorporating positive aspects to enrich the new developments. Unnecessary hardliner positions should be avoided without losing the spirit of constructive criticism. All Zanzibaris should respect important national historical events in a spirit of national unity.

SUMMARY OF RECOMMENDATIONS

The report contains tangible views and recommendations on how to have free, fair, legitimate and democratic elections in Zanzibar. All these are important and should be taken as key recommendations by the authorities in both the Zanzibar revolutionary government and the Union government. These recommendations could be grouped under four major recommendations:

- In Tanzania in general, and Zanzibar in particular, the democratisation process should be guided by the principles of a people-centred rather than a party-centred democracy. This means that political competition between political parties and individual politicians should be under the control of the people and their institutions.
- Besides educating and sensitising people on elections, civic education and other forms of education should be used as important tools of ideological transformation. Such transformation should be far from the legacies of divisive and segregationist ideologies of ethnicity, racism, religious antagonism and regionalism but should strive for a national ideology based on human equality, human rights, dignity and justice.
- Political competition under conditions of economic backwardness and poverty tends to lead to conflict. Zanzibar therefore needs rapid socio-economic development with a reasonable balance between Unguja and Pemba. Such economic development should be based on social justice.
- Problems related to the Union should be discussed and solved. The Union should facilitate elections in Zanzibar without any form of bias or favouritism.

NOTES

- 1 At the time of writing this report Dr Jonathan Lwehabura was a senior programme officer at the Mwalimu Nyerere Foundation - he is currently the chairman of the Africa Centre for Peace and Development in Dar es Salaam. Professor Gaudens Mpangala is a professor in the Department of Development Studies, University of Dar es Salaam, Tanzania.
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- 12 Whereas classical socialist thinkers of 19th-century Western Europe such as Marx and Engels took the working class as the only revolutionary force to bring about a socialist revolution, Third World socialist thinkers such as Mao and Fidel Castro regarded all the working people – that is, peasants and workers – as revolutionary forces to bring about socialist revolutions; hence the revolutions of China and Cuba.
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