

**Are Unity and Human Rights Compatible?**  
**The Continuing Impact of the Union of Tanganyika and Zanzibar on Human Rights**

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**Introduction**

As Africa emerged from colonialism, the call for unity was loud. Nationalism captured the idea of unity within states, while Pan-Africanism captured the idea of unity among states. Independence, also, brought widespread calls for the protection of human rights. Both issues have remained significant to this day. In this paper we will look at the relationship between these two goals. Specifically, we will seek to answer the question: What is the impact of efforts to create unity on human rights?

The answer is not self-evident. On the one hand, the view that unity may enhance human rights is based on the idea that the stress on identity with a larger political unit provides a link among people who may have been potentially in conflict or in conflict. A governmental authority which rises above such groups is both likely to be motivated to reduce conflict and able to suppress the actions of local leaders engaged in violations of human rights.<sup>1</sup> Furthermore, advocacy of human rights is often associated with entities that bring political units together whether in a federation or in an international body. On the other hand, there are cases where the larger unit suppresses the rights of the smaller one. Numerous separatist and secessionist movements are born in situations where populations feel their human rights have been violated. The relationship between unity and human rights is not self-evident.

Our approach to answering the research question is to narrow the scope to (a) a particular form of unity, i.e., that between two formally independent states, and (b) a particular case, i.e., the union of Tanganyika and Zanzibar which came to be called Tanzania. On the basis of our findings about this particular case, we will seek to develop hypotheses that might be applicable to other types and other cases.

This paper is organized as follows: we will begin with clarifications of the concepts of “unity” and “human rights;” then introduce the case under study; describe the vagaries of unity in the Tanzanian-Zanzibar relation and the reports describing the human rights record; link the experiences with unity to the experiences with human rights; and, posit hypotheses about the relationship between “unity” and “human rights” arising from this case that may have general applicability.

**I. Conceptual Clarification**

The multiple meanings that “unity” and “human rights” have taken necessitate some clarification of their meanings.

## **A. Unity**

At its root, “unity” refers to “bringing together,” but the objects brought together may be of various sorts. Thus, unity may involve bringing together states, ethnic groups within states, functions of polities, ideas about policies, a variety of cultures, economic cooperation among countries or even the creation of a single party representing diverse views in a given society. Unity varies in degrees. A federal system is normally viewed as involving less unity than a unitary system and a federal system with many powers vested in the central government is viewed as involving more unity than one with few powers vested in the central government.

Forms of unity may compete, one displacing another. David Apter and James Coleman have written that in the post-independence period in Africa “territorial nationalist movements” acquired “...a dynamism and an autonomy of their own sufficient to constitute a countervailing force, militating against the larger political unity envisaged by the founders and long-time exponents of Pan-Africanism.”<sup>2</sup> But, in the case we will examine in this paper, the nationalist drive for internal unity did not thwart the Pan-Africanist drive for unity among states.

Thus, we will define “unity” as the bringing together of independent states into a single state. We recognize that our definition does not incorporate the wide range of uses to which the term is put by those who use it. Yet, it addresses one of the most significant of a myriad of dimensions of a multi-dimensional concept.

## **b. Human rights**

Since “human rights” is one of the themes of this year’s ASA conference, a somewhat more extensive discussion of its meaning is appropriate. The concept of “human rights” normally refers to rights humans should possess simply because they were born. What these rights include and the priority of these rights have been matters of contestation often because of their political implications.

The dominant notion is that human rights are natural rights, i.e., that they are a part of the natural order. Maurice Cranston says “Human rights is a twentieth-century name for what has been traditionally known as natural rights or, in a more exhilarating phrase, the rights of man.”<sup>3</sup> Ruth Gavison has phrased it slightly differently:

Human rights are rights that ‘belong’ to every person, and do not depend on the specifics of the individual or the relationship between the right-holder and the right-grantor....human rights are moral, pre-legal rights. They are not granted by people nor can they be taken away by them. They can only be respected or violated by them.... Only human or natural rights have the...feature that they exist irrespective of any social or institutional endorsement, based only on moral justification and the humanity of the right-holder.”<sup>4</sup>

Others have argued that they are determined by agreements among nations, i.e., international bodies like the UN determine them. Often, the reference to the product of such bodies is accompanied by a view that the documents simply codify rights whose origin lies in natural rights. Key documents include the Universal Declaration of Human Rights (UDHR) adopted by the UN General Assembly in 1948, the two covenants adopted in 1966, i.e., the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights, and The African Charter on Human and People's Rights adopted in 1981.<sup>5</sup> Anthony Woodiwiss categorizes these scholars as "legal positivists." He says,

According to natural law theory, certain rights exist independently of, or prior to, the law and are therefore intrinsic to human beings, whether as individuals or members of groups, in the sense that humans are born with them. For the Legal Positivists, by contrast, all rights are extrinsic to individuals and groups in that they are created and attached to legal persons by external forces, notably by legislative acts or judicial decisions.<sup>6</sup>

Still others have argued that they are determined by societies and specified by national governments.<sup>7</sup> Sometimes these arguments are associated with the notion of "cultural relativism," i.e., that some human rights may not be universal but vary with cultural variation. Makau Mutua has argued that "Most critiques of 'cultural relativism' are ethnocentric and symptomatic of the moral imperialism of the West."<sup>8</sup> He goes on to contend that "Part of the reason for the failure of the post-colonial state to respect human rights lies in the seemingly alien character of that corpus."<sup>9</sup> Nevertheless, he observes, "although extreme 'cultural relativism' in human rights as an anti-imperial device is admirable, it is a misunderstanding inspired by cultural nationalism."<sup>10</sup> Bonny Ibhawoh has a similar view. He argues that

The Africanist approach to the discourse on the cultural relativism of human rights can...be broadly divided into two schools. The first of these is the less radical approach, which is ideologically closer to the dominant universalist schools of the West. Proponents of this school, while arguing the validity of a uniquely African concept of human rights, also recognize the universality of a basic core of human rights....

The second school is in more radical opposition to the universalist approach....The main argument here is rooted in a belief that the philosophical basis and worldviews of Western Europe and African societies are fundamentally different, that collectivist rather than individualistic conceptions of rights and duties predominate in Africa.<sup>11</sup>

Woodiwiss has referred to Western attacks on "the supposedly great sin of the human rights world, namely cultural relativism..."<sup>12</sup> And, he suggests that part of that attack is "the West's, and especially the United States', attempt to free itself of the obligations, especially the economic obligations, it had assumed when it participated in the composition and approval of the UDHR."<sup>13</sup>

These arguments about the source of human rights are interspersed with arguments about what constitutes human rights, as Woodiwiss' comments suggest. The most common categorization of such rights is into "generations." First generation rights refer to civil and political rights. These include matters like freedom of speech, the right to a fair trial, and voting rights. Second generation rights refer to economic, social and cultural rights. These include the right to fair compensation for work, the right to housing and health, and the right to education. Third generation rights refer to the right to live in a context that allows the achievement of others rights. These include a healthy environment, access to natural resources, and development.<sup>14</sup> One problem with each of these categories is that "rights" are included that seem to vary greatly in the contribution they make to human life. Nevertheless, some broad ranking of the "generations" is possible.

The tendency in the West is to view first generation rights, i.e., political and civil rights, as paramount, while the tendency in many Third World areas is to view second generation rights, i.e., economic rights, as paramount. Maurice Cranston takes the former view. He rejects the notion that human rights should include economic and social rights:

...a philosophically respectable concept of human rights has been muddled, obscured, and debilitated in recent years by an attempt to incorporate into it specific rights of a different logical category. The traditional human rights are political and civil rights such as the right to life, liberty, and a fair trial. What are now being put forward as universal human rights are economic and social rights....<sup>15</sup>

Ruth Gavison takes a contrary point of view. She contends that "The analysis of the nature of human rights does not support a principled distinction between CP [Civil and Political] and SE [Social and Economic] concerns. To the contrary, it supports their unity, as deriving both from the same ideal of human dignity."<sup>16</sup> She argues that most contemporary scholars do not exclude social and economic rights from the category of human rights. Yet, many argue that political and civil rights "should be seen as prior and primary."<sup>17</sup> She says,

This position is reflected by the fact that liberal theories of democracy often insist on constitutional protection for CP rights only, relegating the protection of SE rights to regular laws and policies. In institutional terms...this means that, while SE rights are protected only against arbitrariness or discrimination by the government, CP rights are protected against legislative decisions as well.<sup>18</sup>

My view is that no "human" right can be greater than the right to life, a right more central to core elements of "second" than to core elements of "first" generation rights. The West's priority focus on political and civil rights, rather than on basic economic rights, places the right to life below the right to fair treatment in life. Thus, I believe the concept of human rights is deprived of its appropriate meaning when limited to so-called first generation rights. Nevertheless, I accept the view that neither political nor civil rights is unimportant—the presence or absence of such rights affects the lives of many Africans.

And, I recognize the concern of scholars has been overwhelmingly with the political and civil aspect of human rights. Thus, in this paper the concept of human rights will be used to refer to political and civil rights.

### **c. Dimensions of Complexity in the Use of These Concepts**

Even with these simplifications and specifications of meanings, a study of the relationship between the concepts of “unity” and “human rights” involves an array of complications. These include: Varying degrees of disunity in the polity may be hidden by formal unity; the impact of unity may be positive on some human rights and negative on others; the impact may vary from one part of the country to another; the impact may vary over time; and, changes in the domestic and international context may cause unity to produce varying impacts on human rights. All these factors affecting the substance and interaction of the two variables necessitate an approach to the study that relies primarily upon a judicious evaluation of available evidence.

## **II. The Union of Tanganyika and Zanzibar**

The case of “unity” studied here, involved the union of two independent countries to form a single country. In April of 1964 the President of Tanganyika, Julius Nyerere, and the President of Zanzibar, Abed Karume, signed an agreement to form a single country initially called the United Republic of Tanganyika and Zanzibar and later the United Republic of Tanzania. The union has been sustained ever since, though the degree of unity and the level of human rights have varied over the years.

### **A. The Causes**

The causes of the union are complex and disputed. Since 1948, Kenya, Uganda and Tanganyika had undertaken a variety of services cooperatively and what became the East African Community was viewed by many as the precursor of a union of the three countries as they gained independence. Zanzibar had shown greater hesitancy to unite with the mainland territories than the mainland territories had shown to unite with each other. In June of 1963 the heads of state of the three countries pledged to work toward an East African federation. But, the post-independence political realities soon led to disillusionment with the project.

Although Zanzibar was not represented, the heads of state indicated that Zanzibar’s participation was welcome once the government which was to lead it to independence at the end of the year was formed.<sup>19</sup> A month before Zanzibar was to become independent, i.e., in November of 1963, a “Study Group on the Machinery of Government and Administration in a Federal State” gave a report at a conference in Nairobi.<sup>20</sup> The group considered possibilities for Zanzibar’s involvement. One would be “Association” which “...would mean the continuation of the same, or a similar, relationship that presently exists between Zanzibar and the EACSO [East African Common Services Organisation].”<sup>21</sup> The report noted,

The Committee understood that Zanzibar at present preferred to maintain the status quo, i.e. she preferred association with, rather than membership of, an East African Federation; but it was pointed out that Zanzibar's attitude towards federation might change with a change of her government.<sup>22</sup>

Alternatively, there might be "Membership under a Special Arrangement." The arrangement might give Zanzibar more state powers, indeed, its relation might be confederal.<sup>23</sup> All this speculation became irrelevant within a few months for the situation in Zanzibar changed unexpectedly.

## **B. The Creation of the Union**

Although aspects remain disputed, the basic story is well-known: Zanzibar's independence on December 10, 1963 was followed by a violent coup on January 12, 1964 led by "Field Marshal" John Okello. He was soon displaced by Abed Karume, the leader of the Afro-Shirazi Party, the main opposition to the government that was overthrown. The new government was quickly supported by a Marxist-oriented Umma Party led by Abdulrahman Mohamed Babu. There is a reasonable amount of agreement among observers that (a) Babu and others associated with the Umma Party established links with, and brought aid from, several communist countries in the months that followed and (b) both President Nyerere and the United States were concerned about the impact of the developing relationship. Interpretations diverge at that point.

Babu has contended that Nyerere acted to create the union at the behest of the United States. Amrit Wilson who analyzed numerous U.S. government documents from the time available in the Lyndon Johnson Presidential Library reached the same conclusion.<sup>24</sup> Former ambassador Don Petterson argues otherwise: "...Washington...played no role in the decision to form the union, doing nothing more than indicating support for the plan. They did not inveigle Nyerere into creating the federation, as Babu would allege years later."<sup>25</sup> Most scholars have argued similarly, i.e., that the union resulted from the self-interest of both Nyerere and Karume. The power of their positions in their respective countries made their actions feasible. For Nyerere, union would check the instability that Zanzibar had brought, and had the potential to bring again, to the mainland. Whether his argument that it was a step toward that goal of Pan-Africanism was a motivating force or an afterthought is not critical to our purposes. Petterson outlined the advantages of the union to Karume:

A merger with Tanganyika would provide Karume the protection of the stronger mainland government and its military and political forces if they were needed. But most important, it would give him greater freedom of action in relation to the dynamics of Zanzibar politics. Union would clip Babu's wings, and it would also provide Karume a means of isolating others whom he did not trust. From then on, Karume would steadily increase his personal power in Zanzibar.<sup>26</sup>

On April 22, 2004, Nyerere and Karume signed the Articles of Union; three days later the Tanganyika National Assembly passed an Act embodying them and the Revolutionary

Council in Zanzibar; they became effective on April 26, 2004 and the Union of Tanganyika and Zanzibar was born; the country was re-named the United Republic of Tanzania on October 29, 1964.<sup>27</sup>

The coming together of Tanganyika and Zanzibar occurred in circumstances that affected their unity: the idealism of a possible East African federation; the instability brought by the revolution in Zanzibar; the tension between a nationalist and a Marxist leader in Zanzibar; the fear of becoming a Cold War battlefield; the encouragement of the West. Thus, there are many aspects of the case that were unique.

### **III. Unity in Tanzania**

The formal union of the two countries did not mean that they were “brought together to form a whole.” In the first place, the union was a federal one with an unusual structure: a separate legislative body for Zanzibar but not for Tanganyika. In the second place, some exclusive powers were retained by Zanzibar and Tanganyika. In the third place, the single political party on the mainland, the Tanganyika African National Union (TANU), remained separate from the single political party on Zanzibar, the Afro-Shirazi Party (ASP). In the fourth place, the formal unity was not the same as the actual unity, i.e., the unity agreement was not always honored. In other words, the nature of the “unity” has been both complicated and changing in character.

#### **A. Structure of the Union**

The federal structure of the union provided Zanzibar with its own legislature, but made the union legislature also the Tanganyika legislature. Symbolically, this arrangement was indicative of the relative willingness of the two territories to commit to more complete unity. Yet, in the 1983/84 period complaints arose in Zanzibar that the arrangement privileged the mainland. The complainants demanded that the powers granted Tanganyika not be exercised by the National Assembly but by a separate Tanganyikan legislature. The issue came up a decade later and a significant number of members of the National Assembly from Tanganyika endorsed a separate legislature for the mainland. Nyerere was instrumental in preserving the status quo. One observer wrote,

The thirty-five year Union between Zanzibar and Tanganyika has neither created a Tanzanian nation-state nor a state-nation. Currently, there are nationalistic claims from both sides of the Union. Most Zanzibaris demand more autonomy and even sovereignty, and so does a significant number of mainlanders.<sup>28</sup>

Another observer has suggested that the structure was best for a situation where the parties “have a strong desire for union and not unity....”<sup>29</sup> This structural arrangement has remained since the union was formed.



## **B. Formal Unification of Powers**

The Articles of Union formally assigned to the central government of the Union of Tanganyika and Zanzibar the following powers: The constitution and government of the United Republic; external affairs; defense; police; emergency powers; citizenship; immigration; external trade and borrowing; the public service of the United Republic; income tax; corporation tax, customs and excise; harbors, civil aviation, posts and telegraphs.<sup>30</sup>

Additional powers were added to those possessed by the center by the process of amending the interim constitution which was adopted in 1965.<sup>31</sup>

When the Constitution of the United Republic of Tanzania was finally adopted in 1977, 13 years after the union, the formal powers possessed by the center had grown considerably. These now included those assigned in the Articles of Union plus the following: all matters concerning coinage, currency for the purposes of legal tender (including notes), banks (including savings banks) and all banking business, foreign exchange and exchange control; industrial licensing and statistics; higher education; mineral oil resources, including crude oil and natural gas; the national examinations council of Tanzania and all matters connected with the functions of that Council; research; meteorology; statistics; the Court of Appeal of the United Republic; registration of political parties and other matters related to political parties.<sup>32</sup>

Thus, if unity is measured by the formal powers assigned to the center, *formally* unity has increased considerably over the years.

## **C. Unification of the Political Parties**

The Interim Constitution adopted in 1965 formally made Tanzania a one party state. In reality, it simply transformed a de facto situation to a de jure one. The one party state, though, contained two parties. The Tanganyika African National Union (TANU) on the Mainland and the Afro-Shirazi Party (ASP) on Zanzibar. These were simply designated as two parts of the single party in Tanzania. What that meant was that though a formally sovereign country was created from Tanganyika and Zanzibar, political unity was not.

Indeed, it was not until 1977, after the Constitution of the United Republic of Tanzania was adopted, that party unification occurred. The Chama Cha Mapinduzi (CCM) was formed. Once again, a step toward formal unity had been taken. Shivji observed, “While they gained some democracy within, Zanzibaris lost a great deal of their autonomy in the union as decisions were increasingly made by CCM in Dodoma.”<sup>33</sup>

Yet, whether the step was really a step toward unity is unclear. Those opposed to ASP, many of whom were not strong supporters of the union, appeared to favor the creation of CCM. They thought they might be able to use it as a vehicle for weakening those who held power in Zanzibar. At a minimum, the unification of the parties did not signal full

political unification. Ironically, though, this meant that CCM in Zanzibar became more dependent on the Mainland and that dependence meant continued support for the union.

The shift to a multi-party system in the early 1990s led to major problems for the union. The main opposition party in Zanzibar, the Civic United Front (CUF), developed considerable strength primarily in areas like Pemba where people were unhappy with the union. Although the party did not formally oppose the union, it opposed CCM which supported the union.

#### **D. Formal Unity vs. “Real” Unity**

The growing formal powers of the union and the growing links between the political parties on the Mainland and Zanzibar gives the appearance of a trend toward greater unity. But, beneath the appearance is a reality which deviates from the image.

Describing the immediate aftermath of the creation of the Union of Tanganyika and Zanzibar, Issa Shivji observed,

Karume...had no time for legal arrangements. He continued to exercise powers in complete disregard of union matters. Karume declared that there would not be elections in Zanzibar for the next fifty years. Nyerere was exasperated but he could do little without pushing Karume out of the union.<sup>34</sup>

A similar view was expressed by Don Petterson:

It soon became clear, however, that Karume and Nyerere had different notions about what union meant. Nyerere envisioned an eventual complete merger of the two countries into one sovereign state. Karume saw it as a partnership in which Zanzibar would retain a great deal of autonomy.<sup>35</sup>

Petterson went on to say,

Nyerere soon found that he had little actual influence over Zanzibar....the Zanzibar government kept control over Zanzibar's immigration and emigration, its foreign-exchange reserves, and its armed forces. Zanzibar dealt with foreign governments in the manner of a sovereign country.<sup>36</sup>

Similarly, Amrit Wilson says that Frank Carlucci, the American Charge d'Affaires in Zanzibar in 1964-1965, reported “that Karume was ‘still under the impression that he is agreeing to the federation of two autonomous states, not a centralized union envisioned under the present articles.’”<sup>37</sup>

In a variety of other ways, the formal steps toward unity were accompanied by actions which did not accord with them.<sup>38</sup> In late 1992, Zanzibar joined the Islamic Conference Organisation (OIC) in the hope that it might get aid. Under pressure from the Mainland, it withdrew the next year. In 2004 the Football Association of Zanzibar became a

member of the Confederation of African Football (CAF), rather than being a part of the Tanzania Football Federation's CAF membership. The point to be made is that the growth of unity indicated by formal agreements hides a series of actions that run counter to that growth.

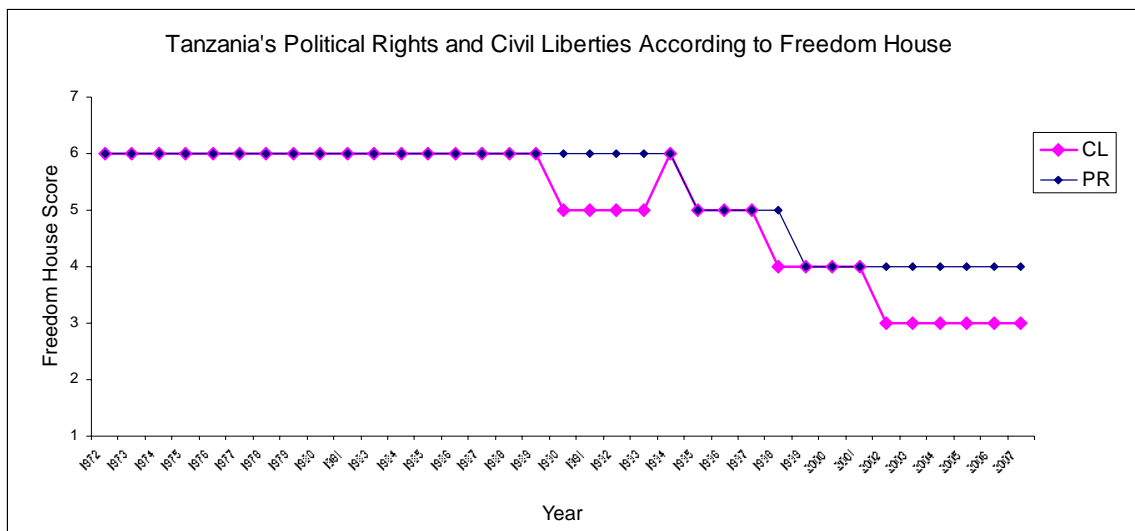
#### IV. Human Rights in Tanzania

Much like assessing the level of unity in Tanzania, assessing the level of political and civil rights over time is fraught with difficulties. One of the principle problems is that most sources of information are influenced by political considerations. They seek to influence Tanzania to behave in a certain way. In making their cases they tend to emphasize or deemphasize, see or not see, categorize as meaningful or not meaningful, in ways that do not necessarily portray an accurate picture of the whole. Thus, the information provided needs to be viewed with a degree of skepticism.

##### A. Freedom House Measures

The Freedom House has developed measures for political and civil rights and applied them to most countries of the world since 1972. The lower the score is, the higher the level of rights. Table 1 provides their findings for Tanzania over the last 35 years.

**Table 1**



SOURCE: Freedom House, "Freedom in the World Country Ratings, 1972-2007," URL: <http://www.freedomhouse.org/uploads/fiw/FIWAAllScores.xls> or <http://www.freedomhouse.org/template.cfm?page=15> Accessed September 30, 2007.

Two observations may be made about these data. First, the claim that Tanzanians enjoyed virtually no political or civil rights (scoring 6 out of a worst possible score of 7) during the 1970s and 1980s is an inaccurate statement of the situation—at least from my

personal experience working in the country for several of those years. Note, too, that none of the many events relevant to human rights had any affect on the levels until 1990 for civil liberties and 1995 for political rights. Second, Freedom House suggests, except for civil liberties in 1994, both political rights and civil liberties have improved significantly over the last 15 years. It is a perspective that seems to differ from most of the reports of violations of both civic and political rights accompanying the elections in Zanzibar in 1995, 2000 and 2005. The questionable elections and the 2001 violence in Zanzibar had no impact on the level of either. Nevertheless, Freedom House assessments of political rights and civil liberties are widely used by scholars involved in quantitative analyses. They constitute one body of data that might be used, though skeptically, in assessing the level of human rights.

## **B. U.S. Department of State Country Reports on Human Rights Practices**

A second source of information on Tanzania's human rights record is the U.S. State Department which regularly reports on the situation.

### **1. Criteria used**

Within the purview of its reports are the following human rights:

1. Respect for the integrity of the person, including freedom from: a) political and other extrajudicial killing, b) disappearance, c) torture and other cruel, inhuman, or degrading treatment or punishment, d) arbitrary arrest, detention, or exile, e) denial of fair public trial; f) arbitrary interference with privacy, family, home, or correspondence.
2. Respect for civil liberties, including: a) freedom of speech and press; b) freedom of peaceful assembly and association; c) freedom of religion; d) freedom of movement within the country, foreign travel, emigration, and repatriation.
3. Respect for political rights: the right of citizens to change their government.
4. Governmental attitude regarding international and nongovernmental investigation of alleged violations of human rights.
5. Discrimination based on race, sex, religion, disability, language, or social status: a) women; b) children; c) people with disabilities; d) religious minorities; e) national/racial/ethnic minorities.
6. Worker rights: a) the right of association; b) the right to organize and bargain collectively; c) prohibition of forced or compulsory labor; d) status of child labor practices and minimum age for employment; e) acceptable conditions of work; f) trafficking in persons.<sup>39</sup>

The summaries of the State Department reports over the last seven years provide a record of what a Western government sees when it examines human rights in the country. Two preliminary observations: They are very negative and they do not correlate well with the Freedom House view of general improvement.

## 2. Summary status

The succinct summaries for the 2000-2006 are very repetitious in their condemnation:

- For 2000: “The Government's human rights record was poor; while there were improvements in a few areas, there continued to be serious problems.”<sup>40</sup>
- For 2001: “The Government's human rights record was poor; while there were improvements in a few areas, there continued to be serious problems, particularly in Zanzibar.”<sup>41</sup>
- For 2002: “The Government's human rights record remained poor; while there were improvements in a few areas, serious problems remained.”<sup>42</sup>
- For 2003: The Government's human rights record remained poor; although there were improvements in a few areas, serious problems remained.<sup>43</sup>
- For 2004: “The Government's human rights record remained poor; although there were improvements in a few areas, serious problems remained.”<sup>44</sup>
- For 2005: “The government's human rights record remained poor; however, there were several significant improvements in some key areas, although problems remained.”<sup>45</sup>
- For 2006: “There were a number of continuing human rights problems.”<sup>46</sup>

## 3. Forms of abuses

The 2005 succinct summary is the only one in which the phrase “significant improvements” is included. But, then it went on to say,

“The following human rights problems were reported:

- unlawful killings by security forces
- societal killings of elderly persons accused of being witches
- torture, beatings, and other abuses of persons, particularly detainees and prisoners, by security forces
- impunity
- harsh and life-threatening prison conditions
- arbitrary arrest and detention of opposition politicians, members, and supporters
- prolonged pretrial detention
- infringement on citizens' privacy rights
- restrictions on freedoms of speech and the press, particularly on Zanzibar

- restrictions on freedoms of assembly and association, including the forcible dispersion of demonstrators
- limits on the right of asylum and restrictions on refugees' freedom of movement
- pervasive official corruption
- societal violence, including rape, and societal discrimination against women
- child abuse, including female genital mutilation (FGM)
- trafficking in persons
- child labor and forced labor<sup>47</sup>

#### **4. Situation in Zanzibar**

Virtually every year Zanzibar was singled out for special mention. For example, the general summary the election year of 2000 had this to say:

Citizens' right to change their government in Zanzibar continued to be circumscribed severely by abuses of and limitations on civil liberties. Police continued to harass and intimidate members and supporters of the political opposition before and after the October elections. Security forces committed extrajudicial killings and beat and otherwise mistreated suspects. The police in Zanzibar attacked and beat civilians, and there were reports that police in Zanzibar used torture, including floggings. Police also beat demonstrators.<sup>48</sup>

And, although more abbreviated, it had this to say in the election year of 2005:

Despite improvements, some problems increased during the year. For example government harassment of political opposition parties increased, especially prior to elections and particularly on Zanzibar.<sup>49</sup>

From the point of view of the U.S. State Department, one might conclude that the level of human rights has remained low—and, Zanzibar was especially a site of rights violations. It should be noted, though, in many cases detailed in the annual surveys, terms like “reportedly” or “there were reports” prefaced the descriptions—suggesting some uncertainty.

#### **C. Amnesty International Reports**

The reports of Amnesty International are less encompassing and more focused on a few situations. Yet, they are equally damning. Even more so than the U.S. Department of State reports, the situation in Zanzibar was highlighted.

##### **1. Situation in Tanzania as a whole**

- The 2000 report said simply: “There was no progress on a promised Tanzanian human rights commission.”<sup>50</sup>

- In 2001, its report was brief, too: “Parliament passed a bill in March to establish a Commission on Human Rights and Good Governance. No appointments were known to have been made by the end of the year.”<sup>51</sup>
- In 2002, it noted that prison conditions were very poor, that courts continued to pass death sentences but 100 death sentences were commuted, that the “government continued to support corporal punishment in schools, although it reduced the maximum punishment from six to four strokes. Caning remained as an additional penalty for certain criminal offences.”<sup>52</sup> It passed a law to regulate NGOs and it used pressure to repatriate Rwandese refugees.<sup>53</sup>
- In 2003, it contended that

Violence against women was a major human rights concern, with high levels of female genital mutilation, and continued killings of elderly women suspected of witchcraft.

Police used excessive force, including by firing live ammunition to disperse demonstrators. Prison conditions were harsh. Several death sentences were imposed. There were no executions.<sup>54</sup>

- Amnesty’s report in 2004, stated that

Large numbers of asylum-seekers from Burundi and Rwanda were denied adequate protection of their refugee rights. They were required to stay in refugee camps where conditions were poor, were often threatened with forcible return, and in some cases were forcibly returned. Violence against women was a major human rights concern, including the practice of female genital mutilation.... Prison conditions were severe. Several death sentences were imposed, leaving at least 387 people under sentence of death at the end of 2004. There were no executions.<sup>55</sup>

- In 2005, the report was brief: “Female genital mutilation continued. Up to 400 people were under sentence of death; there were no executions.”<sup>56</sup>
- For 2006, its comments were brief similarly: “All death sentences were commuted. Journalists were at times harassed or arrested. Several thousand long-settled unregistered migrants were deported. Prison conditions were harsh.”<sup>57</sup>

The reports give a sense of the key Amnesty issues, but a limited sense of the many other dimensions of political and civil rights. The special attention given to Zanzibar is indicative of the special problems it associates with the territory.

## 2. Situation in Zanzibar

- Amnesty reported in 2000 that

Scores of opposition political activists were arrested and ill-treated on the semi-autonomous island of Zanzibar in the context of elections which were widely seen as unfair. Eighteen opposition leaders and their supporters were released after more than two years in jail as prisoners of conscience.<sup>58</sup>

- In 2001, it reported that

Security forces shot dead at least 22 people during demonstrations in circumstances suggesting unlawful use of lethal force. Torture, including rape, and ill-treatment were widely reported. Hundreds of political prisoners, including prisoners of conscience, were detained. Two opposition leaders were held as prisoners of conscience for eight months. Courts continued to pass death sentences.<sup>59</sup>

- The following year it asserted that

The commission of inquiry into the killings during demonstrations in Zanzibar in January 2001 acknowledged that major human rights abuses had been committed, including killings, torture and rape by the security forces, but did not recommend any prosecutions of the officers responsible.<sup>60</sup>

Also, in 2002, it noted that the Zanzibar Constitution was amended to create an independent electoral commission, but that the Zanzibar government continued to refuse to register the Zanzibar Association for Human Rights.<sup>61</sup>

- In 2003, it reported that “Police and armed forces officers responsible for unlawful killings of demonstrators and torture, including rape, in Zanzibar in January 2001 continued to benefit from impunity.”<sup>62</sup>
- The following year, the only specific reference to Zanzibar was that it enacted a “harsh new law against gay and lesbian people.”<sup>63</sup>
- In 2005 it had a one-sentence reference to Zanzibar, saying “There were reports of human rights abuses during elections in Zanzibar.”<sup>64</sup> Female genital mutilation continued.”
- And, in 2006, it stated simply that there had not been much progress in talks on legal and electoral reform in Zanzibar between CCM and CUF.<sup>65</sup>



## **D. Human Rights Watch**

Human Rights Watch (HRW) does not have the same kind of annual reports as do the U.S. Department of State and Amnesty International. Nevertheless, it has criticized Tanzania periodically, especially for its handling of the January 2001 Pemba riots and their suppression by security forces and for failure to live up to principles of human rights especially with regard to refugees in the western part of the country.

### **1. On Zanzibar**

The January 27, 2001 events that took place primarily on Pemba island where security forces shot primarily CUF members protesting the recent elections resulted in estimates of 35 dead, 600 wounded, and more than 2200 fleeing as refugees to Kenya according to the HRW report titled *'The Bullets Were Raining' – The January 2001 Attack on Peaceful Demonstrators in Zanzibar*.<sup>66</sup> It has been described as the worst violation of political and civil rights in Tanzania's history. The report is a detailed and devastating indictment. And, it called for action against the union government.

Donor governments have shown their strong condemnation of events in Zanzibar by withholding aid to the Zanzibar government since the flawed elections of 1995....

...focusing on the Zanzibar government to the exclusion of the union Tanzanian government relieves the international community—the international financial institutions in particular—of having to take action against Tanzania, an otherwise shining example of economic reform. Yet, Human Rights Watch's findings establish responsibility for serious violations committed by the Tanzanian security forces under the control of the union government.

The union government of President Mkapa, and not the Zanzibari government of President Karume, is the primary locus of state power in Tanzania. Further international policy efforts to resolve the crisis in Zanzibar should recognize that. Further, if conditioning aid is seen as an effective strategy for pursuing human rights protection and good governance in Zanzibar, then consideration should be given to such conditionality in relation also to the union government.<sup>67</sup>

President Mkapa had responded to the out pouring of condemnation a year before the HRW report was issued. He regretted the deaths, but accused "our friends in CUF" and the media for distorting what happened.<sup>68</sup> He reviewed the lack of justification for the demonstrations, the violations of law involved in holding the demonstrations, the threat to police stations and the possibility that arms might be taken by the demonstrators, the destruction of CCM's and the national flag and a variety of other factors in accounting for what happened.<sup>69</sup> He stated, too, "In contrast to what happened on the islands, on mainland Tanzania no demonstrations took place at all and there were no signs of any in all regions."<sup>70</sup> He saw the cause of the problem, not in the union, but in the multi-party

system and said the question was “whether we work together to build the foundation of civilized opposition politics, or whether we shall prove to the world that we were not ready for multipartyism.”<sup>71</sup>

## **2. On refugees**

In 1999, HRW wrote that “Tens of thousands of refugees, some of whom have lived in Tanzania for more than two decades, have been rounded up by the Tanzanian army and confined to camps for the past year in the western part of the country, Human Rights Watch charged today.”<sup>72</sup> It went on to say:

Tanzania has a long and generous tradition of hospitality to refugees, but unfortunately, it hasn’t been on display in this crisis,’ said Peter Takirambudde, executive director of the African division of Human Rights Watch. ‘All of a sudden, people have been dragged from their homes and treated like criminals solely because they are refugees.’<sup>73</sup>

Eight years later, in 2007, Alison Des Forges, Senior Advisor, Africa Division, Human Rights Watch, voiced its “concern” over the expulsion of persons of Rwandan and Burundian origin from Tanzania in a letter to President Kikwete. In the letter, he said:

According to testimony received by Human Rights Watch researchers, some expelled persons were threatened, beaten, and saw their property looted by Tanzanian officials, soldiers, and police officers or by militia groups acting with the apparent compliance of government officials. The expelled persons—including some who were recognized as refugees and others who were naturalized Tanzanian citizens—were driven from their homes without any semblance of legal procedure.<sup>74</sup>

Des Forges added, “Tanzania has long been admired as a generous host country for refugees in the Great Lakes region....These expulsions and their brutality undermine that reputation and put vulnerable people in jeopardy.”<sup>75</sup>

## **D. Other Sources**

Tanzania has a local human rights organization, the Legal and Human Rights Centre, founded in 1995 and located in Dar es Salaam. Besides providing legal assistance, it “speaks out” on a variety of issues that it deems political rights and civil liberties issues, but it is not possible to detect trends in human rights from those matters it takes up.<sup>76</sup>

There are many other critical comments on human rights in Tanzania come from many other observers. For example, Luitfried Mbunda writes,

Violations of individual rights and freedoms in Tanzania have continued unabated even after independence, notwithstanding the enactment of legislation that was meant to protect them. The repressive and authoritarian nature of this government

and its disregard for individual rights and freedoms is evidenced by some laws still present whose tenor is difficult to reconcile with the letter and spirit of the Bill of Rights. Indeed, a great deal of suspect legislation of both pre- and post-independence periods continues to be employed and administered.<sup>77</sup>

But, like Mbunda's remarks, they do not provide us with the kind of specific information that would allow us to connect "unity" with "human rights."

A similar observation applies to NGOs in the country. For example, Tanzania has a local human rights organization, the Legal and Human Rights Centre, founded in 1995 and located in Dar es Salaam. Besides providing legal assistance, it "speaks out" on a variety of issues that it deems political rights and civil liberties issues, but it is not possible to detect trends in human rights from those matters it takes up.<sup>78</sup> Again, the information it provides has limited applicability to our focus on the connection between "unity" and "human rights."

At this point it is necessary to move on to seeking to connect the two concepts we have been examining.

#### **IV. Impact of Unity on Human Rights in Tanzania**

Linking together the information about the effort to create a more unified Tanzania and the status of human rights in order to determine how the former may have impacted the latter is not easily done. We will seek an answer to our general research question through answers to a series of more limited questions.

##### **1. Is there adequate data available to determine how unity may affect human rights?**

As we have seen, rigorous measures of both concepts for Tanzania since 1964 are not available. For "unity," there are no measures, only descriptions. Those descriptions provide a crude sketch, rather than an empirical measure of its change over time. For "human rights," the Freedom House measures of political rights and civil liberties do not appear to capture the reality very well. In addition, they exist for the years only since 1972. The various reports by the U.S. State Department, Amnesty International, Human Rights Watch and other organizations and scholars provide an incomplete sketch of human rights in Tanzania. Despite the paucity of rigorous measures or complete data, some comments can be made about the impact of "unity" on "human rights." After all, most research on the real world requires scholarly judgment in the face of incomplete knowledge. I will try to proceed on the basis of the incomplete data available.

##### **2. How has the degree of unity and the degree to which human rights are honored changed as a result of the union of Tanganyika and Zanzibar?**

Formal unity measured in terms of the powers transferred to the government of the union has increased, but the degree to which such powers are used and accepted by both parts

of the union probably has not. The extent of adherence, though, has varied over time and among powers. In Zanzibar, Karume ignored many of those powers formally transferred to the center. Subsequent Presidents of Zanzibar have tended to support or reject them depending upon other conditions. Jumbe may have misjudged the latitude he had in accepting or rejecting central authority. CCM appeared to have forced him to step down as a consequence. Other Zanzibar Presidents have “accepted” certain union powers when it helped them stay in, or attain, office and “opposed” certain union powers when independence was needed to get votes from Zanzibar constituencies. Popular sentiment in Zanzibar about accepting or opposing the union appears to have varied, too, though hard data is absent.

Similar ambiguity exists concerning the degree to which political rights and civil liberties have been honored in the union. Most observers would conclude that such rights and liberties declined during post-union Karume years. Many observers seemed to feel that in the period immediately after CCM was created such rights/liberties increased however short the period may have been. The move to a multi-party state in the 1990s is probably the key factor accounting for the improvement in the Freedom House measures of these rights. But, the subsequent elections in 1995, 2000 and 2005 have been significantly criticized for their violation of such rights. The aftermath of the disputed elections in Zanzibar has added to the severe human rights violations described in the U.S. State Department, Amnesty International, Human Rights Watch and other reports.

On the mainland, leaders have been more consistently supportive of the union. Yet, the degree of unity in the union is determined more by the status of Zanzibar than by commitment on the mainland. In the early 1990s popular disillusionment with the union on the mainland took the form of an effort to create a separate legislature for Tanganyika. It was ended by Tanzanian leaders who seemed to feel it was detrimental to the growth of unity. Although Freedom House might disagree, human rights on the mainland tended to be more honored than in Zanzibar. As we have seen, various human rights groups and institutions have not been uncritical of rights on the mainland, yet conditions in Zanzibar have been their focus. Indeed, limitations on some political and civil rights existed on the mainland both before and after union. In several respects, though, the limitations have eased especially with the opening of the system to multiple parties and of the economy to liberalization.

### **3. Does the case of the union of Tanganyika and Zanzibar support the view that unity fosters improved human rights?**

We have come to the research question itself, i.e., what is the impact of territorial union on human rights? Although my sketch of what has happened is crude and incomplete, the answer it points to is an ambiguous one: sometimes “yes” and sometimes “no.” On the one hand, the evidence presented suggests that the creation of the union had no real impact on human rights on the mainland but had either little affect or a negative affect on human rights on the islands. One scholar suggests that “...the Union has been an influential if not a decisive factor in maintaining a tyrannical regime in Zanzibar.”<sup>79</sup> It is, of course, difficult to predict what human rights would be like in Zanzibar had there not

been a union. Yet, the evidence suggests that political rights and civil liberties did not improve under Karume. Indeed, there is some credibility in the argument that Nyerere did not press Karume to improve human rights because such an action would put the union in jeopardy. That is, the desire for unity hindered the possibility of action to improve human rights. On the other hand, the immediate impact of the demise of the ASP and the creation of CCM, something which enhanced “unity” in the union, was to enhance political rights and civil liberties in Zanzibar by removing an obstacle to their realization. But, this was its immediate impact, not its later impact. When a multi-party system was introduced, the presence of CCM on the islands seemed to allow Zanzibari leaders to limit the availability of such rights to members of CUF and other political parties. Many people on Pemba island saw the union as preventing them from exercising their political rights by the support it gave to Zanzibari leaders who fraudulently won elections.

### **Conclusion**

There is a widespread belief that unity is something to value. At independence, there were many calls for the achievement of African unity. The motives pushing the dream were not always selfless, but they were wide-spread. What would Africa be like, if the unity so many called for had been achieved? In this paper, I have sought to address a part of this question, i.e., would human rights have been enhanced if such unity had been achieved?

The question was narrowed in two ways: First, rather than focus on the most important set of human rights, economic and social rights, I have addressed only political rights and civil liberties. Second, rather than focus on all forms of unity, I have addressed only the case of the union of Tanganyika and Zanzibar.

Our answer to the research question is an unsatisfying “yes” and “no.” That is, unity may enhance political rights and civil liberties or it may worsen them. Such an answer leads to another question: Under what conditions does unity foster the achievement of such rights or hinder their achievement? The difficulty in answering this question lies partly in the multiple dimensions of the concept “unity.” It can be formal or informal, real or imagined, involve bureaucratic or party institutions, be ideological or practical, entail leader or mass cooperation and so on. It lies also in the particularity of the case under study. Nevertheless, it is appropriate that we conclude with some speculation regarding the generality of the link between “unity” and “human rights” based on the case examined. The following hypotheses might be tested in other settings:

- Human rights will not be enhanced when two states unite if the primary motive of one or more of the principal leaders is to protect his/her position against internal competitors.
- The more unified a state is when it unites with another state, the less likely human rights violations will occur.

- The stronger the desire for unity on the part of a leader, the less likely she/he will seek to enhance human rights if such an undertaking threatens unity.
- The greater the cooperation one part of a union has had with Western countries, the less likely such countries will implement sanctions against it when human rights abuses develop.
- The more threatened leaders are in a state which has united with another state, the more likely human rights violations will occur.

## ENDNOTES

<sup>1</sup> Oscar Newfang argued as World War II approached that “the most practicable method of achieving permanent world peace” was “a federation of the nations of the world.” See Newfang, *World Federation* (New York: Barnes & Noble, Inc, 1939), p. vii.

<sup>2</sup> David E. Apter and James S. Coleman, “Pan-Africanism or Nationalism in Africa,” in American Society of African Culture, ed., *Pan-Africanism Reconsidered* (Berkeley: University of California Press, 1962), p. 89.

<sup>3</sup> Maurice Cranston, *What are Human Rights?* (New York: Taplinger Publishing Co., Inc., 1973), p. 1.

<sup>4</sup> Ruth Gavison, “On the Relationships Between Civil and Political Rights, and Social and Economic Rights,” in Jean-Marc Coicaud, Michael W. Doyle and Anne-Marie Gardner, eds., *The Globalization of Human Rights* (Tokyo: United Nations University Press, 2003), pp. 25 and 26.

<sup>5</sup> The U.S. has refused to ratify the International Covenant on Economic, Social and Cultural Rights, maintaining that the “rights” specified therein don’t fall within the realm of human rights.

<sup>6</sup> Anthony Woodiwiss, *Human Rights* (London: Routledge, 2005), p. xi.

<sup>7</sup> An insightful discussion of the meanings of “human rights” is Issa Shivji, *The Concept of Human Rights in Africa* (London: CODESRIA, 1989).

<sup>8</sup> Makau Mutua, “The Banjul Charter: The Case for an African Cultural Fingerprint,” in Abdullahi A. An-Na’im, ed., *Cultural Transformation and Human Rights in Africa* (London: Zed Books Ltd., 2002), p. 71.

<sup>9</sup> Makau Mutua, “The Banjul Charter: The Case for an African Cultural Fingerprint,” in Abdullahi A. An-Na’im, ed., *Cultural Transformation and Human Rights in Africa* (London: Zed Books Ltd., 2002), p. 93.

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<sup>11</sup> Bonny Ibhawoh, “Restraining Universalism: Africanist Perspectives on Cultural Relativism in the Human Rights Discourse,” in Paul Tiyambe Zeleza and Philip J. McConaughay, eds., *Human Rights, the Rule of Law, and Development in Africa* (Philadelphia: University of Pennsylvania Press, 2004), p. 31.

<sup>12</sup> Anthony Woodiwiss, *Human Rights* (London: Routledge, 2005), p. 128.

<sup>13</sup> Anthony Woodiwiss, *Human Rights* (London: Routledge, 2005), p. 142.

<sup>14</sup> Shivji suggests that these rights may be categorized under two tendencies, “dominant” and “revolutionary.” He suggests that both include the right to organize, though the former is less emphatic on the right than the latter and both include the right to self-determination, though the former grants no right of secession to oppressed nations within self-determined states while the latter provides for such a possibility. See Issa Shivji, *The Concept of Human Rights in Africa* (London: CODESRIA, 1989), pp. 99-104.

<sup>15</sup> Maurice Cranston, *What are Human Rights?* (New York: Taplinger Publishing Co., Inc., 1973), p. 65.

<sup>16</sup> Ruth Gavison, “On the Relationships Between Civil and Political Rights, and Social and Economic Rights,” in Jean-Marc Coicaud, Michael W. Doyle and Anne-Marie Gardner, eds., *The Globalization of Human Rights* (Tokyo: United Nations University Press, 2003), p. 33.

- <sup>17</sup> Ruth Gavison, "On the Relationships Between Civil and Political Rights, and Social and Economic Rights," in Jean-Marc Coicaud, Michael W. Doyle and Anne-Marie Gardner, eds., *The Globalization of Human Rights* (Tokyo: United Nations University Press, 2003), p. 39.
- <sup>18</sup> Ruth Gavison, "On the Relationships Between Civil and Political Rights, and Social and Economic Rights," in Jean-Marc Coicaud, Michael W. Doyle and Anne-Marie Gardner, eds., *The Globalization of Human Rights* (Tokyo: United Nations University Press, 2003), p. 39.
- <sup>19</sup> "Federation Declaration of 5<sup>th</sup> June, 1963," in Colin Leys and Peter Robson, eds., *Federation in East Africa: Opportunities and Problems* (Nairobi: Oxford University Press, 1965), pp. 207 and 208.
- <sup>20</sup> "Report on the Study Group on the Machinery of Government and Administration in a Federal State," in Donald Rothchild, ed., *Politics of Integration, An East African Documentary* (Nairobi: East African Publishing House, 1968), pp. 105-112.
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- <sup>22</sup> "Report on the Study Group on the Machinery of Government and Administration in a Federal State," in Donald Rothchild, ed., *Politics of Integration, An East African Documentary* (Nairobi: East African Publishing House, 1968), p. 110.
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- <sup>24</sup> Amrit Wilson, *U.S. Foreign Policy and Revolution, The Creation of Tanzania* (London: Pluto Press, 1989).
- <sup>25</sup> Don Petterson, *Revolution in Zanzibar, An American's Cold War Tale* (Boulder: Westview, 2002), p. 207.
- <sup>26</sup> Don Petterson, *Revolution in Zanzibar, An American's Cold War Tale* (Boulder: Westview, 2002), p. 207.
- <sup>27</sup> A dispute arose among academics and others over whether the Act actually was approved by the Revolutionary Council. The consensus was that it had been approved. See Harrison George Mwakyembe, *Tanzania's Eighth Constitutional Amendment and Its Implications on Constitutionalism, Democracy and the Union Question* (Hamburg: LIT Verlag, 1995), pp. 179-180.
- <sup>28</sup> Mohammed Ali Kakari, *The Democratisation Process in Zanzibar: A Retarded Transition* (Hamburg: Institut für Afrika-Kunde, 2001), p. 125.
- <sup>29</sup> Harrison George Mwakyembe, *Tanzania's Eighth Constitutional Amendment and Its Implications on Constitutionalism, Democracy and the Union Question* (Hamburg: LIT Verlag, 1995), p. 75.
- <sup>30</sup> United Republic of Tanzania, "The Articles of Union Between Tanganyika and Zanzibar." URL: [http://www.zanzinet.org/zanzibar/history/articles\\_union.html](http://www.zanzinet.org/zanzibar/history/articles_union.html) The Articles of Union can be found, also, in Michael Lofchie, *Zanzibar: Background to Revolution* (Princeton: Princeton University Press, 1965), pp. 285-287.
- <sup>31</sup> Issa Shivji, *Let the People Speak, Tanzania Down the Road to Neo-Liberalism* (Dakar: CODESRIA, 2006), p. 90.



- <sup>32</sup> United Republic of Tanzania, *The Constitution of the United Republic of Tanzania of 1977* (Dar es Salaam: M.P.P. by Order of Government, 1998), p. 141.
- <sup>33</sup> Issa Shivji, *Let the People Speak, Tanzania Down the Road to Neo-Liberalism* (Dakar: CODESRIA, 2006), p. 91.
- <sup>34</sup> Issa Shivji, *Let the People Speak, Tanzania Down the Road to Neo-Liberalism* (Dakar: CODESRIA, 2006), p. 90.
- <sup>35</sup> Don Petterson, *Revolution in Zanzibar, An American's Cold War Tale* (Boulder: Westview, 2002), p. 214.
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- <sup>38</sup> Dean McHenry, Jr., *Limited Choices, The Political Struggle for Socialism in Tanzania* (Boulder: Lynne Rienner, 1994), pp. 194-199.
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- <sup>66</sup> This Human Rights Watch, *'The Bullets Were Raining' – The January 2001 Attack on Peaceful Demonstrators in Zanzibar* (April 2002). URL: <http://www.hrw.org/reports/2002/tanzania/> Accessed September 9, 2007.
- <sup>67</sup> This Human Rights Watch, *'The Bullets Were Raining' – The January 2001 Attack on Peaceful Demonstrators in Zanzibar* (April 2002), p. 44. URL: <http://www.hrw.org/reports/2002/tanzania/>

Accessed September 9, 2007. The International Federation for Human Rights published “A Fact Finding Report on Police Brutality and Election Mismanagement in Zanzibar, Zanzibar Wave of Violence,” Report No. 307 (May 2001) on the 2000 election in Zanzibar and the January, 2001 violence. The tone of the report was that though the Government of Zanzibar was responsible, the Union government should become more engaged in protecting human rights in Zanzibar.

<sup>68</sup> Benjamin Mkapa, *Address to the Nation by the President of the United Republic of Tanzania, H.E. Benjamin William Mkapa (Translation), Dar es Salaam, 3 February 2001* (Dar es Salaam: Government Printer, 2001), p. 1.

<sup>69</sup> Benjamin Mkapa, *Address to the Nation by the President of the United Republic of Tanzania, H.E. Benjamin William Mkapa (Translation), Dar es Salaam, 3 February 2001* (Dar es Salaam: Government Printer, 2001), various pages.

<sup>70</sup> Benjamin Mkapa, *Address to the Nation by the President of the United Republic of Tanzania, H.E. Benjamin William Mkapa (Translation), Dar es Salaam, 3 February 2001* (Dar es Salaam: Government Printer, 2001), p. 15.

<sup>71</sup> Benjamin Mkapa, *Address to the Nation by the President of the United Republic of Tanzania, H.E. Benjamin William Mkapa (Translation), Dar es Salaam, 3 February 2001* (Dar es Salaam: Government Printer, 2001), p. 33.

<sup>72</sup> Human Rights Watch, “Refugees in Tanzania Confined Unfairly,” July 7, 1999. URL: [http://hrw.org/english/docs/1999/07/07/tanzan968\\_txt.htm](http://hrw.org/english/docs/1999/07/07/tanzan968_txt.htm) Accessed September 11, 2007.

<sup>73</sup> Human Rights Watch, “Refugees in Tanzania Confined Unfairly,” July 7, 1999. URL: [http://hrw.org/english/docs/1999/07/07/tanzan968\\_txt.htm](http://hrw.org/english/docs/1999/07/07/tanzan968_txt.htm) Accessed September 11, 2007.

<sup>74</sup> Human Rights Watch, “Human Rights Watch Letter to President Jakaya Mrisho Kikwete of Tanzania” dated May 8, 2007 from Alison Des Forges, Senior Advisor, Africa Division, Human Rights Watch. URL: [http://hrw.org/english/docs/2007/05/07/tanzan15864\\_txt.htm](http://hrw.org/english/docs/2007/05/07/tanzan15864_txt.htm) Accessed September 11, 2007.

<sup>75</sup> Human Rights Watch, “Tanzania: Expulsions Put Vulnerable People at Risk,” May 8, 2007. URL: [http://hrw.org/english/docs/2007/05/07/tanzan15869\\_txt.htm](http://hrw.org/english/docs/2007/05/07/tanzan15869_txt.htm) Accessed September 11, 2007.

<sup>76</sup> It has a website and issues a newsletter to publicize its work. See [http:// www.humanrights.or.tz](http://www.humanrights.or.tz)

<sup>77</sup> Luitfried Mbunda, “Securing Human Rights Through the Rule of Law in Tanzania,” in Paul Tiyambe Zeleza and Philip J. McConaughay, eds., *Human Rights, the Rule of Law, and Development in Africa* (Philadelphia: University of Pennsylvania Press, 2004), p. 145.

<sup>78</sup> It has a website and issues a newsletter to publicize its work. See [http:// www.humanrights.or.tz](http://www.humanrights.or.tz)

<sup>79</sup> Mohammed Ali Kakari, *The Democratisation Process in Zanzibar: A Retarded Transition* (Hamburg: Institut fur Africa-Kunde, 2001), p. 124.