

Committee: Security Council (SC)

Issue: The issue of political corruption in Tanzania

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Position: Deputy President

PERSONAL INTRODUCTION

My name is Antonis Kriezis and I am a student in the 11th grade of Athens College. This year it is my honor to serve as the Deputy President of the Security Council (SC) and as the expert chair on the topic of political corruption in Tanzania. The SC provides a unique opportunity for delegates to debate upon some of the most pressing issues in the international community and since the resolutions that are drafted by it are legally binding each delegate must carefully research each topic. For this reason, myself and my fellow chairs have created these guides in order to facilitate your research and to guide you in the right direction. However, I want to underline that this study guide should only be the basis of your research and that you should conduct your own thorough research as well. Finally, if you have any questions do not hesitate to contact me on my email address: kriezisa2004@gmail.com.

TOPIC INTRODUCTION

The United Republic of Tanzania is a country located in East Africa and borders with Burundi, the Democratic Republic of the Congo, Kenya, Malawi, Mozambique, Rwanda, Uganda and Zambia. The country has a population of 58,56 million according to the last census in July 2020¹. It was formed through the merger of two autonomous



Figure 1: Map of the United Republic of Tanzania

¹ “The World Factbook: Tanzania.” Central Intelligence Agency, Central Intelligence Agency, www.cia.gov/library/publications/the-world-factbook/geos/print_tz.html.

regions, mainland Tanganyika and the archipelago of Zanzibar, and gained its independence in 1963. The two official languages of the country are Swahili and English and the most dominant practiced religions are Islam and Christianity.

Even though Tanzania's transition from colonial rule to independence was peaceful and wasn't followed by any major internal conflicts, the country has had to face an abundance of problems throughout the years. Most importantly it has needed to address the lack of resources and a food shortage that occurred in the first years of its independence. These are some of the difficulties that made the country heavily reliant on foreign aid, which contradicted with the nation's policy of self-reliance and urged the government to conduct economic and structural reforms.

All these factors contributed to the abandonment of the one-party system in May 1992 and the adoption of a multi-party political system. However, the Chama Cha Mapinduzi (CCM) or Party of the Revolution, which was the party that since 1977 already controlled the government, has never lost any elections and there have been numerous reports of repression of the opposition parties such as the Party for Democracy and progress (also known as Chadema) and the Civic United Front (CUF). In addition, the current and past administrations that have represented the CCM have been accused of widespread corruption on the political sector despite their efforts and promises.

One such example was the resignation of prime minister Edward Lowassa, a prominent member of the CCM, in 2008 as a consequence of his involvement in a corruption related case. In general, the government has adopted a strict policy against corruption but without any significant success in the issue as especially in the last years there have been numerous scandals concerning corruption, embezzlement, misuse of public funds and most importantly the latest elections were highly controversial.

DEFINITION OF KEY TERMS

Political Corruption

Political corruption is defined as dishonest behavior and the use of power by members of the government for unlawful and personal gain.²

² "Political Corruption." ScienceDaily, ScienceDaily, www.sciencedaily.com/terms/political_corruption.htm.

Embezzlement of public funds

Embezzlement of public funds is defined as using the money that is available for public spending for purposes outside of those dictated by the government.³

One-party political system

A one-party political system is when only one political party is allowed to participate in governmental elections.⁴

Multi-party-political system

A multi power political system is defined as when many parties participate in elections in order to gain power either with or without coalitions.⁵

National Assembly

The National Assembly together with the president of the United Republic of Tanzania constitutes the Tanzanian parliament and is the Supreme Legislature of the country.⁶

National Electoral Commission (NEC)

The NEC is the commission responsible for presidential, parliamentary and local elections in Tanzania.⁷

³ Admin. "Misuse Grant Management Funds: Prevent." MyFedTrainer.com Blog, 26 Nov. 2019, www.blog.myfedtrainer.com/grant-management-prevent-misuse-of-funds/.

⁴ Monyani, Margaret. "One Party State: Is It Good or Bad for Governance?" E-International Relations, E-International Relations, 25 May 2018, www.e-ir.info/2018/05/25/one-party-state-is-it-good-or-bad-for-governance/.

⁵ "Multi-Party System: Politics." tutor2u, 3 Jan. 2021, www.tutor2u.net/politics/reference/multi-party-system.

⁶ "The Parliament." HOME, www.embassyoftanzaniarome.info/en/about-tanzania/parliament.

⁷ "Tanzania: National Electoral Commission." EISA Tanzania: National Electoral Commission, www.eisa.org/wep/tan2.htm.

Tanganyika

The mainland part of the United Republic of Tanzania which used to be an autonomous state before its unification with Zanzibar.⁸

Zanzibar

Zanzibar is a semi-autonomous region off the coast of Tanzania which includes the island of Zanzibar and all the surrounding islands. It was a British protectorate before it merged with Tanganyika and became part of the United Republic of Tanzania.⁹

BACKGROUND INFORMATION

Tanganyika and Zanzibar

Tanganyika and particularly Zanzibar had a strong Arabian influence before they were approached by European powers towards the end of the 15th century. More specifically, the Arabians had established trading settlements along the coast of the mainland and in the islands of Zanzibar until they were pushed further inside the mainland from the arrival of the Portuguese who replaced them as trading partners.

As far as Tanganyika is concerned, Germany and Great Britain expressed colonial interest in the late 19th century and with the Anglo-German Agreement of 1886, they split it into German and British East Africa respectively. However, after Germany's defeat in WWI, the land was administered solely by Britain until Tanganyika gained its independence on December 9, 1961. While, it is also important to note that the Tanganyika African National Union (TANU) and its leader, Julius Nyerere, were instrumental in achieving the colony's independence.

On the other hand, Zanzibar was briefly reoccupied by the Omani Arabs until it was declared a British protectorate in 1890. This has translated into the creation of a large Arab minority and in Islam being almost the universal religion in the islands. Zanzibar became independent on December 10, 1963 and its independence was soon followed by a revolution against the mainly Arab government after unfair elections were held. This revolution was successful in overthrowing the government and afterward, the leader of the Afro-Shirazi Party (ASP) was instated as president.

⁸ "Tanganyika." Dictionary.com, Dictionary.com, www.dictionary.com/browse/tanganyika.

⁹ "Zanzibar." Dictionary.com, Dictionary.com, www.dictionary.com/browse/zanzibar.

Formation of the United Republic of Tanzania and the changes in the political system

On April 26, 1964, Tanganyika and Zanzibar were unified and together created the United Republic of Tanzania. This unification was the result of years of cooperation between the two regions and their leading political parties. To that end, after the unification, the executive branch of the government remained mostly intact and Tanzania continued to be a one-party state with TANU controlling the mainland and ASP controlling Zanzibar. However, it is important to note that Zanzibar never fully integrated with the mainland and that to this day it retains some independence and keeps its own separate government.

Julius Nyerere was appointed as the first president of the nation and as a fervent advocate of self-reliance, he shaped the country's socialist policies for the better half of the 20th century. More specifically he pursued a policy of neutrality and conducted reforms across all

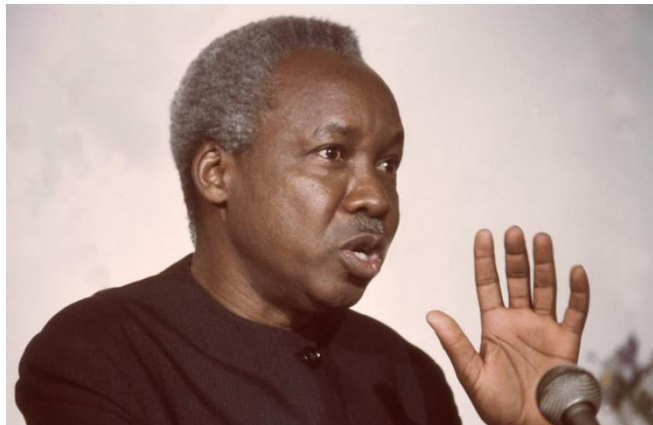


Figure 2: Julius Nyerere

sectors. One of those reforms was the unification of the TANU and the ASP that occurred in 1977 and led to the creation of the CCM. This was part of his effort to create a shared identity between the residents of Tanganyika and Zanzibar, as he believed that the two regions could never be truly unified if they were administered differently.

However, despite all those efforts and reforms, Nyerere was not able to overcome many of the obstacles that the country was facing. Firstly, he was not able to successfully pursue his policy of self-reliance due to the country's lack of resources. Something that combined with the mismanagement of the economy led to a drop in agricultural production, the main source of income for the Tanzanian economy. All these obstacles accompanied by the brief war with Uganda in 1978 led to relatively low economic growth and after Nyerere's resignation in 1985 the economy was in decline. Thus, his successor, President Mwinyi, was forced to heavily rely on foreign aid in order to rebuild the shattered economy and by 1990 Tanzania had acquired 6 billion dollars from foreign aid, which made up for 29.3% of the country's GDP¹⁰.

¹⁰ "An Overview of Tanzania's Political History." Oxford Business Group, OXFORD BUSINESS GROUP 2021, 25 Apr. 2019,

Corruption in the government

The state of the country towards the end of the 20th century was a driving factor in the dramatic rise of corruption, especially in the political sector. Moreover, corruption remains a problem to this day and even though the government has adopted a strong anti-corruption stance, Tanzania is ranked as 96th of 198 countries with a score of 37/100 according to Transparency International's Corruption Perceptions Index (CPI)¹¹.

The government took the first major step against corruption in 1995 when it appointed the Presidential Commission Against Corruption (PCAC) to evaluate the corruption in the country and to form proposals on how to counter it. This commission in 1996 published the Warioba report which identified the extent of corruption in the country and led to the adoption of several regulations and laws that had little effect.

As far as the public sector is concerned, corruption mostly affects bureaucracy, land administration and public procurement. More specifically there have been reports that government officials often accept bribes from businesses to expedite the bureaucratic processes. In land administration, the difficulty to obtain licenses has made it a common practice for companies to offer "gifts" to underpaid public officials in order to conduct their business. Finally, corruption thrives the most in the procurement of government contracts, since small businesses are overshadowed by the larger corporations who are well-connected with government officials and can offer bribes. This has reached a point where the majority of companies expect that they will have to offer bribes in order to procure such contracts.

Many high ranking politicians of the CCM have also been involved in corruption scandals involving the embezzlement of public funds and the acceptance of bribes throughout the years. The enormous amounts of foreign aid that the country receives each year also constitutes a major problem since even some of those funds are mismanaged and tend to disappear. Another reason for the spread of corruption in every political party, including the CCM, is the fact that the parties in Tanzania are not obliged to disclose any donations that they receive. This can be a problem as the party's donation platform can act as a front for companies to bribe government officials.

The current president, John Magufuli, who got re-elected in office in October 2020 has maintained a strong anti-corruption stance since 2015 and he has

www.oxfordbusinessgroup.com/overview/clearing-hurdles-country-stable-political-ground.

¹¹ "Corruption Perceptions Index." Transparency.org, www.transparency.org/en/cpi.

advocated for a reduction in the foreign aid that the country receives annually. To that end, Magufuli has often removed several thousand public servants from sectors of the government that are plagued by corruption and has only allowed top government officials to travel internationally in order to reduce wasteful spending. In addition, he has invited the Prevention and Combating of Corruption Bureau (PCCB) to pursue high profile cases, even if those involve members of the CCM. However, corruption has seen only a minor decrease during his tenure of office and in July 2017 he withdrew from the Open Government Partnership which can be considered a somewhat controversial decision. Finally, there have been several allegations of governmental interference in high-profile corruption investigations and trials which have raised some suspicions.

Prevention and Combating of Corruption Act (PCCA) and the establishment of the Prevention and Combating of Corruption Bureau (PCCB)

In July 2007 the government adopted the PCCA which was the first legislation that criminalized corruption and registered bribery as an offense. More importantly, this act established the PCCB in order to replace the PCB (Prevention of Corruption Bureau) which had failed to face the problem decisively.

The PCCB mainly focuses on investigating allegations of corruption and prosecuting the offenders no matter their status. However, even though the PCCB is registered as an independent body in reality it relies heavily upon the government. First of all, the bureau does not have budget autonomy as its budget is dictated by the government and the aid that it receives from foreign donors. This constitutes a major problem as the bureau is currently understaffed and underpaid and even though new offices are opening across the country the conviction rates have remained stagnant and at a low percent. President Magufuli even dismissed the head of the PCCB, DR. Edward Hosea, in order to show his disappointment with the current progress to the public even though he hasn't granted the bureau the resources it desperately needs. Meanwhile, it is important to note that Hosea had openly criticized the previous administration for being reluctant to proceed with convictions of top government officials.



Figure 3: John Magufuli inaugurates a new branch of the PCCB

Another problem currently faced by the PCCB is the fact that its members are directly appointed by the government, something that once again underlines the

threat of political interference from high-ranking officials. The government also appoints the members of the Director of Public Prosecutions (DPP) which cooperates closely with the PCCB on corruption-related cases. However, the relations between the two bureaus are strained as they have had major disagreements throughout the years, which have hindered their cooperation. While corruption is also an internal problem of the PCCB as there have been instances of embezzlement of the funds within the bureau and of extortion of the people that are being investigated.

In general, the PCCB has failed to achieve its core mandate since most cases of grand corruption that involve big sums and powerful people are lost, which is either the result of contentious rulings or even direct government interference. Despite the PCCB's growth during the last couple of years, all the problems mentioned above have made the bureau highly unsuccessful as it has only successfully persecuted small cases that cannot have a substantial effect in the battle against corruption. Finally, the PCCB's jurisdiction involves only Tanganyika since Zanzibar is under the jurisdiction of the Zanzibar Anti-Corruption and Economy Crimes Agency, which has led to some cooperation issues.

Corruption in the electoral system

Tanzania's electoral system is also facing some severe setbacks as most of the electoral rulings after the establishment of the multi-party system in 1995 have been contested by the opposition parties. Moreover, the CCM has used its power several times to harass members of the opposition and has often arrested those members when they protest peacefully against the results of the elections. While also, many of the opposition leaders have survived assassination attempts that even though haven't been directly connected to any organization have defamed the whole election process.

All these things reached a culminating point in October 2020 when candidate John Magufuli of the CCM prevailed amidst some of the most controversial elections in the country's history. More specifically the leader of the CUF, one of the most prominent opposition parties, was arrested in Zanzibar the day before the election and was released in the following days without any charges being filed against him. Unfortunately, this is not a rare phenomenon for members of the opposition who are constantly being harassed by the police. Another example that



Figure 4: Godbles Lema, one of the leaders of the opposition party CHADEMA, is arrested during a peaceful protest on the 5th of January 2011.

occurred in the 2020 election is when the main opposition leader from CHADEMA, Tundu Lissu, was forced to flee to Belgium after claiming that the elections were corrupt and characterized by voter intimidation. Especially in Zanzibar, all these events have developed into riots many times which have been put down with the use of force and have resulted in the deaths of hundreds of people.

All these things are a direct result of the flawed democratic system that exists in Tanzania and needs to be immediately amended. One of the most important flaws of the system is the fact that the National Electoral Commission (NEC) is under the direct supervision of the president and has now become an instrument of the ruling party, further compromising the integrity of the elections. Therefore, we can conclude that the electoral system in Tanzania is problematic and needs to undergo some drastic reforms.

MAJOR COUNTRIES AND ORGANISATIONS INVOLVED

The United Republic of Tanzania

The United Republic of Tanzania is the country that is involved the most with this issue as it is the country that is currently suffering from widespread political corruption and needs to take some important steps to combat it.

The United Kingdom (UK)

The UK has maintained good relations with its former colony after it granted Tanzania its independence and it became a member of the commonwealth. More specifically, this connection has allowed them to cooperate closely in combating corruption and the UK's National Crime Agency has proved to be a helpful ally to the Tanzanian government and the PCCB.

United Nations Development Program (UNDP)

The UNDP focuses on helping developing countries such as Tanzania to receive and administer foreign aid, which greatly reduces the risk of corruption. The UNDP is also involved in the funding of the PCCB as it manages the money donated from foreign donors and has received positive feedback despite some small delays in administering those funds. In addition, the UNDP has been instrumental in helping the Tanzanian government to implement the National Anti-corruption Strategy and Action Plans I, II and III since 2000 by providing technical and financial support.

Chama Cha Mapinduzi (CCM) or Party of the Revolution

The CCM has been the ruling party in Tanzania since its creation in 1977 after the unification of the TANU and the ASP. Even though the country amended its

constitution in 1992 and adopted a multi-party system the CCM has managed to win every consecutive election to this day. As a result, the party has been directly associated with corruption through a series of scandals involving top tier politicians. Moreover, in the last couple of years as the opposition has grown stronger the party has been accused of repressing the opposition as well as tampering with the electoral process in order to preserve its position of power.

TIMELINE OF EVENTS

Date	Description of event
December 9, 1961	Independence of Tanganyika
December 10, 1963	Independence of Zanzibar
April 26, 1964	Tanganyika and Zanzibar are unified and create the United Republic of Tanzania.
1971	Adoption of the Prevention of Corruption Act (PCA).
February 5, 1977	Foundation of the CCM.
7 December, 1996	The Presidential Commission Against Corruption (PCAC) published the Warioba Report.
July 2007	Adoption of the PCCA and establishment PCCB.
February 2008	Prime minister Edward Lowassa resigns after a corruption related scandal.
July 2017	Tanzania withdrew from the Open Government Partnership which amongst other things focuses on fighting corruption.
October 28, 2020	John Magufuli got elected for his second term in highly controversial elections.
November 2020	Opposition leader Tundu Lissu fled the country after concerns that his life was at risk.

RELEVANT RESOLUTIONS, TREATIES AND EVENTS

United Nations Convention Against Corruption (UNCAC)

The UNCAC was adopted on 9th December 2003 and provided the first comprehensive set of laws and regulations that advised countries on how to combat corruption. In addition to being the first legally binding convention on this topic, it also includes a chapter solely focused on preventive measures to help new regimes control the spread of corruption either in the public or private sector.

African Union Convention in Preventing and Combating Corruption (AUCPCC)

The AUCPCC represents the first time that the African community addressed the problem on its own and in the context of the African Union (AU). This convention was held in November 2020 amidst the COVID-19 pandemic and focused on judicial systems which constitute the main weapon against political corruption. The AUCPCC aimed in developing some proposals and strategies that through the African Union would promote the fight against corruption in the continent.

PREVIOUS ATTEMPTS TO SOLVE THE ISSUE

The Tanzanian government has recognized corruption as one of the nation's major problems since the country's first years of independence and has attempted to solve it several times. The first time that the government publicly approached this issue was with the adoption of the Prevention of Corruption Act (PCA) in 1971 which established the Anti-Corruption Squad (ACS), later named the Prevention of Corruption Bureau (PCB). However, the government soon realized that this was not enough to prevent the spread of corruption and thus created the Presidential Commission Against Corruption (PCAC), which published the infamous Warioba Report that evaluated the extent of corruption in the government and proposed some measures to eliminate it.

Based on this report the government adopted and enforced, with technical and monetary assistance from the UNDP, the National Anti-corruption Strategy and Action Plan I, II, III (NACSAP) which despite helping to resolve the issue had relatively slow progress. The most important attempt to solve the issue came in the form of the PCCA and the establishment of the PCCB which was plagued by numerous problems and was ultimately proven unsuccessful. Finally, some whistleblower laws were introduced with the Witness Protection Act of 2015 but were proven to be full of loopholes and didn't actually protect those who came forward.

POSSIBLE SOLUTIONS

Addressing the problems of the PCAC and the PCCB

Political corruption can be combated with the implementation of several simple solutions. First of all, you should consider the fact that the PCAC has been proven to be full of deficiencies that complicate the job of the PCCB. One such problem is the fact that the PCAC provides too lenient sentences for major offenses and too harsh ones for offenses that can be considered trivial. This is largely a result of the fact that the current legislation doesn't include specific sentences based on the size of the corrupt transactions but instead only classifies the minimum and maximum penalties. In addition, the PCCB should gain greater independence from the president and report to a different body in order to complete its job unimpeded. This will stop the government from intervening in those investigations and trials and will likely result in a rise in the PCCB's conviction rate. This autonomy should also apply in the budget which should be handled by the PCCB itself or perhaps the UNDP to further separate the bureau from the government. While the resources and the funding of the PCCB should be increased in order to cover the needs of the organization. Finally, the PCCB might benefit from focusing on larger cases in order to limit spending and have a bigger impact in the fight against corruption.

Combating corruption in the public sector

As far as public services are concerned it would be of utmost importance that a different framework is adopted to facilitate the procurement of licenses so that companies wouldn't have the need to bribe government officials. Also, the bureaucratic processes should be expedited through the use of modern technology to eliminate any unnecessary interaction that could result in activities involving corruption. The procurement of government contracts should also be closely monitored by an independent agency that would investigate any suspicious contracts and protect smaller companies from larger corporations. Finally, the underpaid public officials should receive a small pay increase, to the extent that the government can afford it, to provide them with an incentive that will help them withstand bribes.

Ensuring the integrity of the electoral system

The electoral process should also undergo some changes to ensure that fair elections are held. Firstly, UN agencies like the UNDP and other NGOs. should observe more carefully the way that elections are conducted to prevent electoral fraud and to provide electoral assistance. Moreover, investigations should be conducted based on the allegations of the opposition parties about electoral fraud. Finally, the most important problem that needs to be addressed is the control that

the president possesses over the NEC since the commission cannot be neutral and impartial and is therefore jeopardizing the Tanzanian democracy and the integrity of the elections.

Raising awareness and amending the Witness Protection Act

Another important solution is that awareness should be raised towards the importance of combating corruption. This is vital as the government needs the support of the people to combat corruption and surveys have shown that the public and especially the youth in Tanzania embrace corruption and consider it a normal part of their daily life. Finally, the Witness Protection Act of 2015 should be amended to encourage citizens to come forward and report incidents of corruption without putting their lives at risk.

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