

**TACKLING THE CORRUPTION SCOURGE IN TANZANIA:
LOOKING BEYOND THE RHETORIC**

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INTRODUCTION

Corruption is generally perceived as an evil conduct with which decent men and women of virtue would not like to be associated. On the other side of the spectrum, where people of substance are mired into its enticing glamour it is hardly mentioned but when it is, it is hushed and cursorily brushed aside. No one would want to risk the apple cart being upset. Corruption will go on unchecked. Members of the public will watch with consternation the elite and highly-placed in their society posture and moralise about how committed they are in serving the interest of the public while in actual fact they are undermining the very public weal they are supposed to promote.

In Tanzania, in so far as the problem of corruption is concerned, two things have been certain. First public outcry against corruption has been vociferous. Second corruption has continued to proliferate and take root. It has graduated from the low-level corruption of the early 1970s to the high level corruption of the late 1980s. In this period we have witnessed a motley of approaches towards its control. We had the famous country-wide "economic saboteurs' campaign" of March 1983. In 1990, following a study on the problem of corruption in Tanzania, carried out by the central committee of Chama Cha Mapinduzi, the President dissolved his cabinet on account of its failure to grapple with the problem of corruption in the country. A week later he reconstituted a new cabinet, dropping a handful of Ministers, giving it a challenge to fight corruption. The challenge was followed by the proclamation of the Presidential Circular No. 1 of 1990 which in essence was a manifesto to be followed by ministers and Principal Secretaries in fighting corruption.

Neither the "economic saboteurs campaign" nor the dissolution of the cabinet did bring about any fully fledged efforts in fighting corruption. Corruption has continued to be a way of life to some people while it has been a source of irritation to others. Perhaps it would not be an exaggeration to say Tanzania is on

the verge of reaching the following stage in so far as its slide into corruption is concerned.

"When in society the shameless triumph, when the abuser is admired; when principles end and only opportunism prevails, when the insolent rule and the people tolerate it; when everything becomes corrupt but the majority is quiet because their slice is waiting. When so many 'whens' unite, perhaps it is time not to hide oneself; time not to suspend battle; time to stop being a Quixote it is time to review our activities re-evaluate those around us and return to ourselves."¹

Admittedly as we watch every facet of our daily life being devoured by corrupt practices, as we watch this pernicious scourge gnaw avidly at our Tanzanian national values in the form of examination leakages, large scale tax evasions, importation of unwholesome foodstuffs, widespread inefficiencies in the public service, economic stagnation and so on, it is time we posed, and asked ourselves; "whither Tanzania"?

Voices of despair are being heard across the length and breadth of the country. On the positive side however a ray of hope is rising on the horizon. In the run-up to the first multiparty elections, the anti corruption crusade was on the manifestoes of a number of Presidential candidates. Concomitant with the installation of the new Government, President Mkapa, in his inaugural address to the first multiparty Parliament on 30th November, 1995 sent a clear and unequivocal message that his Government will never relent in its resolve to fight corruption in the country and weed out the corrupt from the public service.

Elsewhere we are witnessing positive developments in the civil society in the form of the inception by interested groups of non-governmental organisations whose objectives would focus on the fight against corruption. The Front Against Corrupt Elements in Tanzania (FACEIT) composed mainly of professional engineers is already in operation focussing its attention primarily on corruption in construction tendering. The Tanzania chapter of

Transparency International will soon be launched to augment, the efforts of other members of the civil society in fighting corruption and the consolidation of transparency in the management of public affairs.

These encouraging signs should not lull us into complacency. They are signs we are finally seeing the light at the farthest end of the tunnel. The emerging optimism should act as a spur to concerted and calculated efforts towards corruption control, accountability and transparency in the public service

This paper attempts to suggest the means through which corruption can be contained. But before doing so it will briefly look at the extent of corruption proliferation and its main causes.

HOW SERIOUS IS THE PROBLEM?

There is no doubt that corruption has become widespread, and has permeated every strata of the Tanzanian life. It has grown from low-level corruption, which is common among low-level public officers who, in an endeavour to supplement their incomes have exploited their offices for personal gain. It has now reached the level of decision makers, whose abuse of offices has had a telling impact on the Country's economy. The motive behind participation in corrupt practices among the two groups vary. Whereas junior public officers indulge in corrupt practices mostly as a way of making both ends meet, those public officers in the highest rungs of authority indulge in corruption to satiate their conspicuous consumption patterns.

Let us look at a few practical episodes in an effort to fathom the extent of corruption in Tanzania. The writer early in 1991 was involved in an argument with a retired relative who was positing that it was impossible to eradicate corruption in Tanzania since it had reached the highest echelons of power. The relative invited the writer to visit a prominent businessman to hear for himself the way some businessmen bragged of influence-peddling. After the usual exchanges of pleasantries the

businessman started narrating the people he had met a few days earlier and that they had assured him that following changes in a certain parastatal organisation he would be appointed to head the board . On being asked whether that would not create a conflict of interest since the line of business of the parastatal was similar to the business carried out by the garrulous businessman, he responded by saying that he would get whatever he wanted in the country at the price of UK£5,000. Surely the kind of people this gentleman was saying he could buy could not have been messengers or cleaners. These must have been people who can make decisions-leaders. The businessman had placed price tags on leaders and the price was UK £5,000!

A few months later there was indeed a reshuffle in the organization and the gentleman was appointed Chairman. When his appointment was raised in the National Assembly he was vigorously defended by the leadership.

Next we have the tax exemptions and tax evasions of 1992 to 1994. Businessmen who were importing fast moving items sought permission and were granted staggered payment facilities. A good number of these gave false addresses and when they defaulted they could not be traced. Others were given total exemptions. Yet others deemed it fit to curve out a short-cut - downright tax evasion. All these could not have taken place if the laws were followed to the letter. Corruption was instrumental in their occurrence. The nation todate still reels from the impact of these tax evasion and exemptions.

Between 1992 and 1994 a number of scandals were unearthed through the private press. There was the Loliondogate which involved the allocation of a hunting bloc to an Arab prince under dubious circumstances, the importation and sale of unwholesome rice by a firm called Mohamed Enterprises Ltd, and the allocation of prized hunting blocks to relatives of a Director of Wildlife Department and the Minister of Natural

Resources and Tourism. Although a Parliamentary select committee which looked into the Loliondogate came up with the finding that both the director and Minister had breached the conflict of interest principle no action was taken against them. As for the Mohamed Enterprises saga finally the government retired the Dar es Salaam City Solicitor for having facilitated the evasion of the rigours of the law by the directors of the Company.

At a lower level we have also witnessed a similar trend of corruption growth. Students have to pay teachers to be shown examination papers; the traffick police look the other way when unroadworthy vehicles cruise on our roads after their palms have been appropriately greased, relatives have to pay hospital staff to ensure their patients are looked after, telephone services do not get installed until a kickback is paid to the technicians. We can go on and on. What this epitomises is that corruption is currently affecting all Tanzanians regardless of their station in life. No one is insulated from its pernicious impact. If its persistent multiplication is not halted we will soon see widespread lack of respect for the rule of law, the undermining of the political legitimacy of the government, the loss of respect to authority and the stagnation of the economy.

CONTRIBUTING FACTORS TO CORRUPTION GROWTH

It is not intended to dwell on those factors which are commonly cited as the prime causes of corruption in Tanzania such as low salaries, insecurity of tenure, shortages of essential goods and services and cumbersome procedures, to mention a few. These have undoubtedly contributed a great deal towards the growth and entrenchment of low-level corruption. Our attention will however focus on those factors that have a bearing on the orientation of our national values and attitudes; factors that have been the *raison detre* of high level corruption. Although low-level corruption is as obnoxious as high-level corruption it is submitted that the latter genre has far-reaching consequences on the country's economic development and political stability.

THE DISAPPEARANCE OF TRANSPARENCY

The principle underlying transparency in the public service demands that every public act be done in an open and transparent manner. It must be done in a predictable and impartial manner. Corollary to this requirement is the clear delineation of the limits of the public officers' authority and the demystification of that authority. Failure to adhere to the principle of transparency has created tremendous opportunities for corruption. The dishonest have mystified their activities and exploited the mystification by indulging in acts of extortion and bribery.

The past few years have witnessed a clear decline in transparency in the management of public affairs. The private press, which has been vigilant to jump on any occasion that has appeared to derogate from openness has oftentimes locked horns with the authorities. Rather than being on offense the authorities have found themselves on the defensive, trying to justify whatever the press has unearthed. This has in the process led to the loss of face of public institutions and of the leaders involved.

The exercise of discretionary powers has also been found wanting. There has been selectivity in its application thereby creating an impression that the ultimate mandate rests with the public officer vested with the powers and these powers have no fetters. The dishonest and greedy have exploited these powers for personal and private gain.

The lack of transparency which has pervaded the public service has created a fertile ground upon which corruption, among other evils, has found rich growth.

2. **LACK OF SUPERVISION AND ACCOUNTABILITY**

When public officers carry out their duties with minimum regard to procedures they expose themselves to partiality, favouritism

and corruption. They may perform their duties according to their whims and in accordance with the dictates of their personal interests. This will only take place in an atmosphere devoid of supervision and accountability.

Lack of accountability projects the impression that a public officer can discharge his duties in flagrant violation of all known norms and regulations and yet he cannot be called to account. He may act irresponsibly without being answerable to anyone. Where such a situation takes root corruption will sprout unmitigated.

Progressively from the mid 1970s lack of supervision and accountability has seriously bedeviled the public service in Tanzania. Some public officers have conducted themselves in a manner that has given rise to an impression, that they are accountable to no one. In some instances those who are in authority have abdicated their supervisory duties leaving those they lead to violate laid down procedures and breach regulation without censure. This has led to abuse and the corrupt have exploited this weakness to further their selfish ends.

3. **THE DISAPPEARANCE OF THE MODEL FACTOR**

In the 1960s and early 1970s public officers who put in sterling service in serving the nation were admired as paragons of virtue. The young and junior officers admired them as models. They were role models to emulate and for good cause. These were dedicated, honest and efficient public officers who observed highest standards of ethics.

From the middle of the 1970s a combination of factors made the honest and dedicated public servants to retire as paupers. The meagre pension which they were paid was inadequate to sustain their style of lives. The role models in the form of honest and dedicated public servants started to evaporate. These became endangered species. Role models had to be found elsewhere. The corrupt, the embezzlers and those of their ilk began attracting admirers provided they followed what the late

Rev. Martin Luther King termed as the eleventh commandment - "Thou shall not get caught". Corruption became a way of supplementing the official incomes.

4. **THE EXPANSION OF THE PUBLIC SECTOR**

Following the 1967 nationalizations of private companies under the Arusha Declaration the Government overnight became the biggest employer. Apart from handling the traditional Government duties of maintaining law and order the scope of governmental authority extended to banking, retail trade, import /export, insurance, transportation etc. The Government became involved as service providers as well as regulators, contractors etc.

With the widening scope of the Government in the affairs of society greater corruption opportunities were thrust on public leaders. The opportunities became ready made temptations to deviant behaviour by the dishonest. The expansion of the public sector did result into the transfer of decision making powers formerly exercised by private entrepreneurs to public officials who lacked either expertise or honesty or both. This in turn fanned the growth of corruption.

5. **THE POLITICAL DIMENSIONS**

Politics and private business have always been strange bed-fellows; where the two go hand in hand private business will always triumph at the expense of public weal. Where private business is in league with political leadership influence peddling will be commonplace.

Before 1990 there was a clear-cut demarcation between politics and private business. The two co-existed, trying their level best to avoid crossing the armistice line. So long as business was done in accordance with the law of the land there was no need for the political leaders to cast their eyes towards that direction. Things have, however, now changed. The demarcation line is

becoming blurred and if corrective measures are not taken business may take over politics with dire consequences.

In the run-up to the first multiparty general elections this country has witnessed for the first time large scale corruption in primaries held for the selection of party candidates to contest the parliamentary elections. Also witnessed was the involvement of private businessmen in financing campaigns of some candidates. Perhaps it is now time to look into the financing of political campaigns and come up with a code of conduct that will ensure that the funding of the campaigns are done in an open manner and that proven cases of corruption are dealt with firmly.

Having visited some of the causes of corruption it is felt that we can now look into what can be done to restore back on course. Having looked at the underlying causes provides us with the courage to attempt at the diagnosis.

THE WAY FORWARD

The preceding section might have painted a bleak picture. It is however, submitted that it is not a hopeless one. Admittedly challenges to be met are immense but they are not insurmountable. What is required, if we have to grapple with the scourge, is the unremitting resolve to face up to the challenges and the rededication to the country's national values and ideals. Other countries like Hong Kong, Singapore and Malaysia have succeeded to control corruption admirably. There is no reason why Tanzania should not succeed in that direction if its resolve is backed by seriousness and commitment.

The majority cases of corrupt practices have been found to have taken place where public officials in their own judgment feel the benefits accruing from corrupt act outweigh its likely costs-detection and punishment. Corruption cannot therefore be

treated as a crime of passion but rather of calculation. It must be attacked not because it is immoral but on account of it being inefficient and positively destructive. It must be attacked by creating an atmosphere which will raise the risk of the corrupt being caught and punished, restructuring of Government bureaucracies to reduce opportunities for corruption and raise moral costs of being corrupt.

POLITICAL WILL

1.

As pointed out above corruption in Tanzania has matured from low-level to high-level. High level corruption involves public officers in leadership positions. In order to fight low-level corruption you must deal first with the high-level one. The leadership must have the moral authority to spearhead the fight. If the moral authority is wanting no efforts, however well-meaning will succeed.

If corruption has to be effectively fought in Tanzania there must be total commitment from all sectors of the society starting with the leadership. Success in its eradication, or at least its control to manageable levels must of necessity be grounded on the political will of the leadership. Unwavering political support and commitment will readily lend itself to the creation of an atmosphere conducive to dealing a deadly blow to corruption. The absence of political will, on the other hand, will dissipate all efforts that may be invested in the fight thereby undermining the fight and in the process fanning the growth of more corruption.

President Mkapa's inaugural speech to the Parliament on 30th November, 1995 has provided the requisite impetus. He did not mince his words on his resolve to fight corruption. The seriousness of his tone must now be matched with actions by those entrusted with the responsibilities of follow-up. The speech was an encouragement to those who had despaired. To those who

are entrusted with the responsibility of fighting corruption the President's speech is a valuable source of inspiration.

2. **CONSOLIDATION OF SERVICE DELIVERY**

One sure way of fighting corruption is the elimination of the opportunities of corruption. Where public service delivery is poor or is done on a selective basis corruption will grow .

We have reached a stage where we can zero in on those areas which are the main targets of corruption complaints -the Police, the Judiciary, Ministry of lands, Customs, Income tax Department etc. A study can be carried out on the service delivery in these departments in order to evaluate the mission, functions and performance in those departments. The study can help identify the weaknesses and deficiencies in public service delivery which create opportunities for corruption. Efforts must also be made to establish a new public service performance evaluation system and link it with incentives and motivation.

After identifying the weaknesses and deficiencies means of consolidating service delivery should be put in place together with the strengthening of supervision and accountability . Regulations that are found to be outdated should be replaced with new ones which will facilitate the smooth and efficient provision of services.

3. **EFFECTIVE USE OF THE LAW**

Corruption like any other crime can be fought by the use of the law. For the law to be effective it must be such that it facilitates the detection of the majority of corrupt conducts and, ensures their just reward; punishment. Where culprits escape detection or punishment it loses its effectiveness and becomes a laughing stock in the eyes of the public.

There is an urgent need to look critically at the law governing the war against corruption - the Prevention of corruption Act of 1971.

This law has been overtaken by events. Efforts must now be taken to bring it in line with the current developments. Regulations in the public service must be such that they create an internal anti-corruption machinery which will ensure that no public officer will use his office for private gain.

While efforts are being made to update the law, simultaneous efforts must be taken to strengthen institutions clothed with the mandate to fight corruption like the prevention of corruption Bureau. These institutions must be equipped sufficiently to detect corruption and taking corrective measures. They must be staffed with highly motivated, dedicated and honest staff who have the intellectual capability to discharge their duties. If these institutions are given the capability to detect a high percentage of corruption activities this will have a high deterrent effect.

4. THE INVOLVEMENT OF MASSES AND PUBLIC OFFICIALS

The greatest victims of corruption are the masses, the people who look for service from the public officials. These are also its greatest enemies. It may be that individual citizens participate in it, however, the people as a whole deprecate, despise and loathe it. They very much understand its pernicious effect on their daily lives. The people are also the greatest asset in corruption eradication.

There have to be deliberate efforts to sensitize the public on their role in the war against corruption and enlist and foster their support in uncovering corrupt conducts. Since these are an invaluable source of information their help will help the march forward.

For the involvement of the public to bear fruits efforts must be made to enhance the trustworthiness and competence of the

legal institutions responsible for corruption control to enable members of the public to offer information in confidence and that the relevant institution uses the information professionally and proficiently to arrive at the truth.

Public officials, especially those at the management level have an important role in corruption control through supervision. They have to be made part of the anti-corruption campaign. To start with they have to be made to oversee the creation of an internal corruption prevention machinery in their areas of work. The involvement of public officials will contribute a great deal towards the success of the anti-corruption campaign through the creation of an information system to detect it and enhancing incentives to discover and prosecute it.

5. **RECONSTRUCTION OF PUBLIC ETHOS**

The erosion of ethics in the public service has resulted into a divided loyalty which Peter Ekeh² has termed as the "Two Publics" Ekeh in trying to address the conflict that exists between private interests and the public good in African administrations, argues that there exists two publics in the public administration in Africa. One is the "**Private Public**" and the other the "**Real Public**" also termed as the "Public Public". He opines that all Africans who occupy public offices see their position as serving these two publics.

Peter Ekeh's description is relevant in Tanzania in view of the numerous examples of abuse of office that have been exposed in the press. Servicing the "Private Public" has undermined the country's economic progress at the same time fanning corruption growth. In order to deal with this serious decline in ethos concerted efforts must be embarked on to reconstruct and model public ethos with a view to the inculcation of values that will place public interest in the public service to be paramount.

6. **SOCIAL ENGINEERING**

Corruption, being a product of the socio-economic environment obtaining at any given time in a Country can be controlled through the tackling of those factors that have accounted for its presence. This could be done by overhauling laws, regulations and procedures the existence of which have created opportunities for corruption growth. Economic factors which have been instrumental in the existence and spread of corruption can also be addressed and redressed.

A deliberate effort must also be taken to evaluate our national values with a view to creating values that abhor corruption and abuse of office. A look at our code of ethics can help identify areas which are wanting. The culture emanating from the "Bongoland syndrome" must be abandoned.³

Social engineering will also have to address the crisis of ethics and values that is currently gripping the Tanzanian society. Public servants must be promoted on merit and not on the basis of patronage or lobbying. Meritorious service ought to be appropriately rewarded while the protection of the inept and dishonest must stop.

7. **THE ROLE OF POLITICAL PARTIES**

Corruption is such a national problem that it does not know ideological boundaries. So are its impact. Political parties, whatever their convictions, have a role to play in arresting the slide. They can do that by starting with carrying out a cleansing exercise in their ranks. This done, they will then have the moral courage to help the government fight corruption.

8. **INSULATION OF POLITICAL DECISION MAKING**

There needs to be a clear demarcation between political decision making and administrative decision-making especially in the performance of public duties. The line has been blurred in the past. As a result political decisions have been taken on

matters of administrative nature. Where these decisions have been taken partially and selectively they have created speculations of corruption.

Political decisions need to be above reproach or suspicion. They must be confined to those areas where our practice gives them the mandate to do so. The political leaders need the moral authority to adjudicate impartially on administrative decisions taken by errant public servants. The political leaders are there to protect the public. They must also be protected from suspicion by not involving themselves in decisions that lack transparency.

9. **INTRODUCTION OF THE NO BRIBE PLEDGE**

There have been widespread complaint of corruption in the tendering process. Most of the allegations have not been easy to prove although the performance of some companies awarded tenders have given rise to speculation that they would not have qualified but for the payment of kickbacks.

In order to control corruption in public tendering a "no-bribe pledge condition" could be introduced as part of the prequalification process. The successful tenderers must be made to disclose any commission paid. Failure to sign the no-bribe pledge would disqualify the tenderer at the outset.

10. **ENFORCEMENT OF PUBLIC LEADER'S CODE OF ETHICS**

The Zanzibar Declaration of 1990 adopted by the central committee of Chama Chama Mapinduzi in effect repealed the Arusha Declaration of 1967 which had among other things laid down elaborate conditions to public leadership positions. The CCM'S decision led to the amendment of the country's constitution abolishing the Commission for the Enforcement of Leadership Code.

The abolition of the Commission for the Enforcement of Leadership Code opened the floodgates for self aggrandisement through the use of public office. The ensuing so-called "liberalism" removed all the fetters previously clamped on the

public servant and ushered in an unbridled scramble for private fortunes at the expense of public weal.

The enactment of the Public Leadership Code of Ethics Act of 1995 has rekindled optimism predicated on the expectation that public leaders will now declare their properties and assets. This Act contains a lot of gaps. It is however, a good beginning. What is now required is to remove the deficiencies inherent in it. At the same time efforts must be taken by the Government to provide stronger leadership which can monitor the conduct of public officers and take immediate remedial action. The Act must also be made to be able to monitor the activities of public officers and be clothed with powers to take appropriate measures. The Secretariat established under the Act must be given teeth to make it effective.

CONCLUSION

In the introduction we have mentioned a number of measures taken by the government in its attempt to control corruption. We mention also that these measures proved futile. The economic saboteurs campaign was doomed to fail from the outset. It was not scientifically conceived nor professionally executed. It addressed the symptom of a disease rather than the underlying causes. It purported to deal ruthlessly with results of an environment and not the environment itself.

As regards to the Presidential directive it found itself addressed to an audience which had lost respect to regulations and procedures governing their public office. There was no machinery put in place to ensure its observance.

Corruption has permeated every strata of the Tanzanian society affecting every facet of life. It has become endemic to the extent that some sections of our society have resigned to its ominous presence. It has threatened public weal as well as

public stability. It has led to the diversion of national resources from the Public to the individual. It has led to the perversion of justice, the discriminatory dispensation of services, distortion of the economy, loss of respect for the law and Government.

The existence of corruption in Tanzania has raised two important issues-one moral the other of policy. the moral issue springs from the trust the public has invested in the public officers and the public expectations flowing from that trust. The power and authority vested in a public leader requires that he carries out his duties impartially, efficiently and with dedication. Succumbing to corruption would of necessity amount to abuse of office and betrayal of the public trust.

At the policy level public officers wield crucial powers and authority. These powers and authority are necessary to enable them perform their duties . They are supposed to be public servants. They must therefore exercise these powers and their discretion in their hands with public weal in mind. Where corruption influences their decisions, public well-being becomes pushed in the back ground and selfish interest allowed to take precedence. We have reached a stage where we must now say "enough is enough" President Mkapa has thrown the gauntlet. We as a society must pick it up. The war can be won.

FOOT-NOTE

1. Quoted in an article published in a Guatemala paper and quoted in Adjusting to Reality Beyond State Versus Market in Economic Development by Robert E. Klitgaard International center for Economic growth, HC 59,7K 585 1991.
2. Peter P. Ekeh, "Colonialism and two publics. A Theoretical statement", comparative studies in society and History, January 1975.
3. Tanzania has been called "Bongoland" a land of brain users, in sense that to be able to survive in Tanzania one has to use his

brains . The manner one uses his brains, whether legal or otherwise is immaterial.