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Tanzanian Rule While Zanzibar Plays the Fool?

The Invalidity of Zanzibari Unease over Tanzanian Mainland Dominance, 1964–1991

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The underbelly of the constitutional arrangement that continues to bind together the Tanzanian state is and always has been the Zanzibar or *Muungano* question. As Tanzanian scholar Issa Gulamhussein Shivji notes: “[m]ost of the problems of the union constitution, or for that matter, the problems of democracy, find their concentrated expression in Zanzibar.”¹ While Shivji argues that the 1964 union between Tanganyika and Zanzibar arose due to the Cold War rivalry between the United States and the Soviet Union, Tanzanian academic Haroub Othman claims: “[n]o-one knows whether the 1964 union...was dictated by cold war considerations first, with pan-African ideals of unity playing second fiddle to ideology and personal survival.”²

However, what is certain is that since the 1920s, the East African colonies of Kenya, Tanganyika, Uganda and Zanzibar had created common bodies in matters such as currency and telecommunications and joint institutions in sectors such as railways and marine travel. Additionally, a body existed with the purpose of developing the Kiswahili language, the *lingua franca* of the African Great Lakes Region. The proximity of the four territories to each other and

¹ Issa G. Shivji, *Let the People Speak: Tanzania Down the Road to Neo-Liberalism* (Dakar, Sénégal: Codesria, 2006), 89.

² Haroub Othman, “Tanzania: Beyond sectarian interests,” in Pambazuka News (2009), accessed July 10, 2018, <https://www.pambazuka.org/governance/tanzania-beyond-sectarian-interests>.

the fact that they all shared Britain as their colonial master easily facilitated these arrangements.

In fact, white settlers in Kenya at one time even pressed their British governors for an East African federation along the lines of the federation present in Central Africa. Yet Tanzanian author Godfrey Mwakikagile explains:

as political awakening among Africans began to take place, the proposed federation was strongly opposed by African nationalists who feared that the establishment of such a giant political entity would consolidate and perpetuate imperial rule and white domination over Africans who constituted the vast majority of the population throughout the region as much as they did in the rest of the continent.³

Thus, while the idea was opposed at the time, the eve of independence for East Africa and the close co-operation amongst nationalist organisations such as the Kenya African National Union (KANU), the Tanganyika African National Union (TANU) and the Uganda National Congress (UNC) rekindled the idea for an East African Federation. For instance, Othman reveals how Nyerere, when Tanganyika's independence was imminent, "said that he was prepared to delay his country's independence if the four countries of East Africa could come to independence at the same time and form a federation."⁴ With the arrival of independence, however, the plans for a federation fell through and in its place the East African Common Services Organisation (EACSO) was formed. In December 1967, the EACSO became the East African Community.⁵

Therefore, when the People's Republic of Zanzibar and the Republic of Tanganyika declared on April 26, 1964 that they had joined their respective nations to create a union, the wider international community believed that the two states had triumphed where previously Kenya, Tanganyika and Uganda had failed. Mwakikagile explains: "Nyerere had just failed, in

³ Godfrey Mwakikagile, *Tanzania under Mwalimu Nyerere: Reflections on an Africa Statesman* (Dar es Salaam, Tanzania: New Africa Press, 2006), 11.

⁴ Othman, "Tanzania: Beyond sectarian interests."

⁵ Ibid.

1963, to convince the leaders of Kenya and Uganda to unite with Tanganyika and form an East African Federation now Zanzibar provided him with an opportunity to realize this Pan-African ambition although on a smaller scale.”⁶ Although Ghana, the first black-African ruled nation to achieve independence from Britain, and Guinea, the first black-African ruled nation to achieve it from France, had formed a union on November 23, 1958 which was later joined by Mali in 1961,⁷ the union was much more one of symbolism than functionality. Thus, the Tanganyika-Zanzibar union was the only union that was ever consummated between independent states on the entire continent with both states abandoning their respective sovereignties and submerging their distinct national identities into what would become the new Tanzanian macro-nation. This union came barely three months after a turbulent revolution which saw the black population of Zanzibar take up arms to end the Arab hegemonic control of the islands in the Zanzibar archipelago which had lasted for hundreds of years. Therefore, Tanganyika, a nation which then had a population equally divided between Christians and Muslims, merged with an overwhelmingly Muslim island-nation whose closest cultural, economic, historical and political ties were with Oman and the Arab Gulf to construct the Union of Tanganyika and Zanzibar. On October 29th, 1964 this Union became officially known as the United Republic of Tanzania.⁸ As Mwakikagile argues, while Nyerere had failed in his ambition to achieve an East African Federation, it was to his credit “that he managed to unite this most

⁶ Godfrey Mwakikagile, *The Union of Tanganyika and Zanzibar: Product of the Cold War?* (Pretoria, South Africa: New Africa Press, 2008), 37.

⁷ Godfrey Mwakikagile, *Nyerere and Africa: End of an Era* (Pretoria, South Africa: New Africa Press, 2010), 123.

⁸ Ibid.

ethnically, linguistically and religiously diverse of nation-states and make it one of Africa's most politically stable countries.”⁹

While post-colonial Tanzania did largely escape the bloody slaughter associated with independence movements in other African nations, the circumstances which surrounded the construction of the union raised numerous questions and issues. As Shivji explains, “[t]he union between Zanzibar and Tanganyika was put together within a matter of days, and Nyerere and Karume hurriedly signed the Articles of Union.”¹⁰ Union matters were discussed secretly and it became apparent that only a privileged few in the government of Tanganyika or the Zanzibar Revolutionary Council had any idea of what exactly was taking place. Indeed, Othman notes:

When these discussions were at an advanced stage, Nyerere is said to have called in his attorney-general at the time, British expert Roland Brown, and asked him to draft a union agreement without anybody knowing In the case of Zanzibar, the attorney-general, Wolf Dourado, is said to have been sent on a one-week 'leave' and instead a Ugandan lawyer, Dan Nabudere was brought in.¹¹

Given that the formation of the union took place within a short three-and-a-half month period and that the exclusionary nature of the union discussions meant that many ordinary Zanzibaris were kept from understanding fully what was to become of their island archipelago, were the concerns that Zanzibar would be taken over and swallowed up by Tanganyika legitimate?

Indeed, when the Articles of Union were agreed upon and signed by Karume of Zanzibar and Nyerere of Tanganyika, many individuals both inside and outside the two nations were taken by surprise. Certain Zanzibaris who felt that they were not consulted and who questioned why no

⁹ Mwakikagile, *The Union of Tanganyika and Zanzibar*, 58.

¹⁰ Shivji, *Let the People Speak: Tanzania Down the Road to Neo-Liberalism*, 89.

¹¹ Haroub Othman, “Union of Tanganyika and Zanzibar: African Initiative or Cold War Rivalry?” in Zaima Media Network (2009), accessed July 10, 2018, <https://zanzibardaima.net/2009/04/17/union-of-tanganyika-and-zanzibar-african-initiative-or-cold-war-rivalry/>.

plebiscite was announced to approve the union seriously believed that rather than joining a union, they had instead witnessed the mainland annex and swallow their islands. However, as Othman explains: “[o]nce the Articles of Union had been ratified by the two legislative bodies in Tanganyika and Zanzibar, there was no further requirement in law to make them enforceable.”¹² As per the British Commonwealth legal tradition, with both countries legacies of British rule, the question of a legally-binding referendum simply would not have arisen since the notion of referenda was only introduced as a legal requirement under British law in the 1970s preceding the prolonged debates surrounding the application of the United Kingdom to enter the European Economic Community. Othman further argues: “[t]o have also expected the Zanzibar revolutionary government to call a referendum on the union, four months after it came into power through unconstitutional means, was like expecting the French revolutionaries of 1789 to have invited King Louis XVI for dinner after they had overthrown him.”¹³ Thus, with the Zanzibar Revolutionary Council, given its status as Zanzibar’s legislative body, acting as a statutory check and “rubber-stamper” on the Union agreement, ordinary Zanzibaris had a legal representative body to ensure that the union that they were being entered into was one that could fully account for Zanzibar’s interests.

Moreover, the Articles of Union – which became the Acts of Union after ratification by the respective legislative bodies of Tanganyika and Zanzibar – dictated that a permanent constitution would be created within a year through a constitutional commission which would be followed by a constituent assembly. The executive and legislative powers of the new Tanzanian state were shared between both the union and Zanzibar governments with eleven matters,

¹² Ibid.

¹³ Othman, “Tanzania: Beyond sectarian interests.”

including external affairs, defence, citizenship and immigration, remaining as union matters to be handled by the union government.¹⁴ All other non-Union concerns became issues for the Zanzibar government alone to address with non-Union affairs in respect of the Tanganyika mainland, falling under the jurisdiction of the union government. The power of the judiciary of both the mainland and Zanzibar remained unconnected and independent and was not a union matter. For instance, although the court of appeal of the United Republic was established as an organ of the union, it continues to have no power to determine a dispute between the union government and the government of Zanzibar.¹⁵

Under the Acts of Union, the President of Zanzibar also became Vice-President of the Union.¹⁶ This enabled the Union President to exercise his executive functions in relation to Union duties through the conduit of the Vice-President in what became a resourceful legal arrangement which made both political and practical sense. Shivji also explains how under the Acts of Union, “[t]he union government would not have to create parallel union structures in Zanzibar, thus avoiding expense and rivalry between union and Zanzibar functionaries.”¹⁷ Othman writes further that the constitution provided for effective Zanzibari representation in the parliament of the union, and how “[t]he union constitution stipulates that constitutional amendments require the approval of two-thirds of Zanzibaris sitting in the union parliament and the same proportion of mainlanders.”¹⁸

¹⁴ Shivji, *Let the People Speak: Tanzania Down the Road to Neo-Liberalism*, 90.

¹⁵ Othman, “Tanzania: Beyond sectarian interests.”

¹⁶ Shivji, *Let the People Speak: Tanzania Down the Road to Neo-Liberalism*, 90.

¹⁷ Ibid.

¹⁸ Othman, “Union of Tanganyika and Zanzibar: African Initiative or Cold War Rivalry?”

However, despite the apparent evidence to suggest otherwise, the President of Zanzibar, although not slighted on paper, had ceded considerable powers to the Union government. However, the Presidency of Karume – Zanzibar’s first post-union president – highlighted how little regard the Zanzibari ruling class had for Tanzanian legal arrangements. As Shivji writes, Karume “continued to exercise his powers in complete disregard of union matters.”¹⁹ He very quickly decreed that Zanzibar would not hold elections for another fifty years, and although Karume’s behaviour deeply troubled Nyerere who ruled as the Union President, there was precious little that he could do. Nyerere worried that any criticism would push Karume and Zanzibar itself out of the Union arrangement. While Nyerere was able to amend the constitution to delay the establishment of the constitutional commission with its constituent assembly, Karume’s antics left Tanzania governed by a 1965 interim constitution for the best part of twelve years.²⁰ Moreover, Nyerere grew the list of Union affairs and thus the involvement of the mainland in Zanzibar’s affairs by amending the constitution rather than the Acts of Union. This resulted in a position where, as Shivji explains, “[l]egally, therefore, the autonomy of Zanzibar was being usurped piecemeal every time an item was added to the union list.”²¹ However, Karume shrugged off these new changes as mere paper tigers.

Indeed, Karume’s snubbing of constitutional limits on his authority and the continued existence of Zanzibar’s own political party are testament to the fact that rather than have their powers and voices diluted, Zanzibaris played a prominent role in the union’s survival. Karume was assassinated by a dissatisfied Zanzibari army officer in 1972 and his successor, Aboud

¹⁹ Shivji, *Let the People Speak: Tanzania Down the Road to Neo-Liberalism*, 90.

²⁰ *Ibid.*

²¹ *Ibid.*

Jumbe Mwinyi, merged the Afro-Shirazi Party or ASP of the islands with the mainland's TANU to form what would become Chama Cha Mapinduzi or CCM five years later.²² Following a national survey of members from both parties, the merger was agreed with many Zanzibaris celebrating and rejoicing at the proclamation of CCM and the final demise of the ASP. There was a belief that the ASP, though ensuring that Zanzibar had a strong advocate for its interests, had long outlived its usefulness. Othman explains: "The revolution which it had championed had stooped so low as to devour its own sons: Most of the leaders were busy amassing wealth; prison and death were the only options open to political dissent; and political thuggery was a virtue."²³ In fact, the committee which worked in uniting the two parties was transformed into a constitutional commission which was proceeded by the convening of the constituent assembly. Shivji notes: "A presidential decree converted the pre-existing National Assembly into a constituent assembly, thus technically fulfilling the requirements of the Articles of the Union ... The constituent assembly enacted the permanent Union Constitution within three hours."²⁴ The political arena was opened up in Zanzibar following the 1977 party merger with the introduction of a post-revolutionary constitution for Zanzibar in 1979 and a modicum of representation through the House of Representatives which reduced the autocratic powers of the former Zanzibar Revolutionary Council. Yet the increase in democracy on the archipelago came with a major downside. Indeed, while Zanzibaris did achieve a measure of democracy within their islands, they nevertheless lost a significant share of autonomy since the now Union-wide CCM party increasingly made its decisions in the Tanzanian mainland at Dodoma.

²² Ibid., 91.

²³ Othman, "Tanzania: Beyond sectarian interests".

²⁴ Shivji, *Let the People Speak: Tanzania Down the Road to Neo-Liberalism*, 91.

Yet the prominent position held by Zanzibaris in Tanzanian affairs again came to the fore in the early 1980s. At the behest of CCM, a crucial public debate concerning the constitution was held. While the key issue for all Tanzanians was democracy, on the mainland this demand presented itself in the form of a bill of rights while on the islands this desire was broached through the creation of a three-government Union structure with separate governments for the mainland, Zanzibar and the Union itself. Jumbe, whose tenure Othman claims “depended very much on Nyerere’s and Mainland’s support,”²⁵ was forced to resign. Shivji explains: “The debate was abruptly brought to an end on the pretext that the political atmosphere on the islands had been ‘polluted’ In the meetings of the party organs held in camera, Jumbe was held responsible for the pollution of the atmosphere.”²⁶ Whereas Zanzibaris had desired a merger of TANU with the ASP, the long-term consequence of the merger was that non-Union affairs, previously under the jurisdiction of Zanzibar, became determined by a Union-wide political entity where Zanzibari representation was not a decisive factor. Additionally, the fact that Zanzibar’s president could now be chosen by the governing body of the Union-wide party, the Zanzibari membership of which amounted to no more than one-third of the total, gave rise to a situation where Othman notes “a Zanzibar president could be chosen by a forum, which is predominantly non-Zanzibari.”²⁷

In fact, the idea of the island archipelago being dominated and effectively taken over by Tanganyika was a major concern of ordinary Zanzibaris before the revolution of 1964. Othman writes: “[a]nd if one remembers that the political parties were almost evenly divided, then one

²⁵ Othman, “Union of Tanganyika and Zanzibar: African Initiative or Cold War Rivalry?”

²⁶ Shivji, *Let the People Speak: Tanzania down the Road to Neo-Liberalism*, 91.

²⁷ Othman, “Tanzania: Beyond sectarian interests.”

can assume that almost half of the Zanzibar population was already biased against the mainland even before the union.”²⁸ The direction of politics on the islands following the revolution did not help to allay Zanzibari unease. While Mwakikagile believes that Nyerere propagated a Union due to his “track record in pursuit of African unity and independence,”²⁹ Karume entered Zanzibar into the Union to help distance the islands from his Marxist and left-leaning revolutionary allies in Abdulrahman Mohamed Babu’s Umma Party. Othman argues:

since Jumbe was not considered to be the ‘heir apparent’ before Karume’s assassination in 1972, he was not thought of as the natural successor when he took over It has been speculated that the revolutionary council had Colonel Seif Bakari in mind, but Nyerere advised that since Karume was killed by an army officer, Seif Bakari taking over might be construed as a military coup.³⁰

As previously noted, Jumbe relied heavily on the assistance of both Nyerere and the mainland, and indeed most of the Union’s consolidation, consisting of the matters which were later included in the jurisdiction of the Union, occurred during his presidency. Serving as a minister for Union affairs, Jumbe had realized that the Union had problems which needed addressing and had raised the prospect of restructuring the Union in an address seven years before the debates of the early 1980s.³¹ However, even though the merger of the ASP with TANU took place during his presidency, his association and links to the mainland cost him much popular support on the islands with many Zanzibaris feeling that he had failed to best serve their interests.

The removal of Jumbe revealed the drive and passion held by Zanzibaris for the withdrawal of mainland influence in the determination of their own affairs. Yet many island dwellers have used and continue to use the Union and the mainland itself to their advantage.

²⁸ Ibid.

²⁹ Mwakikagile, *Nyerere and Africa: End of an Era*, 129.

³⁰ Othman, “Union of Tanganyika and Zanzibar: African Initiative or Cold War Rivalry?”

³¹ Ibid.

Debates in the early 1980s and early 1990s focused on several key issues. One concern was whether the 1964 Articles of Union intended for a federation based on three separate governments for Tanganyika, Zanzibar and the federation itself or intended for two separate governments for Zanzibar and the nation-wide Union. Another was whether the mainland was the Union since the government of the Union governed the mainland in non-Union affairs. Questions were also asked whether Zanzibar received adequate representation in national bodies, whether the islands were apportioned a fair share in the distribution of union benefits, and whether Zanzibaris should be allowed to hold a referendum concerning Union membership.

In fact, the debates of the 1990s followed the recommendations of the 1991 Nyalali Commission – a presidential commission originally convened to adjudicate whether the nation should continue with a single-party system or whether the country should enter multi-party politics. Othman explains: “Most of these questions, as can be seen, were coming from Zanzibar, and what surprised many people at the time of the 1983/84 debate, was that they were being aired in the state-owned-and-controlled official mass media No such strong feelings were voiced on the mainland during the debates.”³² Only after the tenure of Nyerere and the establishment of multi-party politics did strong opinions on the Union begin to appear from the mainland. Therefore, the fact that these issues were being discussed and debated in the national arena – where all of those in the union could participate in and contest the matters at hand – and the realization that this agenda appeared to be driven at the behest of the Zanzibaris again highlight the influence held by the islands regarding Union affairs.

In fact, one of the key suggestions of the Nyalali Commission was the replacement of the existing Union structure with a more federal framework. Shivji explains: “[t]he Report seems to

³² Ibid.

suggest two basic stages of constitution-making First, the appointment of a constitutional commission to draft three constitutions in keeping with the Report's recommendation for three governments – a Federal, a Tanganyikan and a Zanzibarian constitution.”³³ Othman adds: “[o]f the 11 members [of the Nyalali Commission] from Zanzibar, seven wanted the present union set-up, with some major changes, to remain; three wanted a federal and one was undecided Of the same number from the Mainland, nine wanted a federal set-up and two wanted the present arrangement to continue.”³⁴ The majority of those on the Commission who advocated for a federal structure believed that in a federation, both Zanzibar and the mainland would be able to maintain their respective identities. The Commission also believed that the federal entity would be separate from the national ones with federal matters clearly defined and responsibilities of both the islands and the mainland clearly understood.

Yet a minority on the Commission dissented believing that nothing in the Articles of Union agreed upon by Karume and Nyerere suggested a federal state. Some on the Commission feared that a federation could jeopardise Union integrity and trigger the disintegration and eventual dissolution of the Union. Furthermore, those who held a dissenting opinion referenced the Scandinavian entities of Greenland and the Faroe Islands which possess almost complete autonomy but exist within the non-federal Danish state. The Nyalali Commission's proposal to replace the existing Union with a federal entity therefore created bitter conflicts within the commission itself with the mainland-Zanzibar division apparent in the Commission's failure to form a unanimous opinion. However, while Othman writes that “complaints form [sic] the

³³ Shivji, *Let the People Speak: Tanzania Down the Road to Neo-Liberalism*, 30.

³⁴ Othman, “Tanzania: Beyond sectarian interests.”

mainland were not so loud compared to Zanzibar”³⁵ both sides were in agreement that the Union had problems as it currently exists. Given that Zanzibari concerns regarding the nature of the Union compelled the Nyalali Commission to expand its terms of reference and address the issue, the island archipelago’s leverage and political clout in Union affairs becomes readily apparent.

The Commission’s recommendation that the current Union be replaced with a federal entity with three separate constitutions drafted for the mainland, Zanzibar and the federation itself remains to be implemented into law. However, it is evident that Zanzibar simply has not been swallowed up by Tanganyika in the Tanzanian Union and that the island archipelago continues to play a crucial role in the determination and direction of island affairs in addition to those concerning the Union. Mwakikagile asserts: “[h]ad Zanzibar indeed been swallowed up, without allowing it to have its own government, secessionist sentiments in the former island nation... would have grown stronger and stronger providing momentum to a separatist movement.”³⁶ That the Union government has devolved substantial powers to the islands is proof that mainland fears the very real power of the islanders to demand even more autonomy and therefore the possible collapse of the union. While Othman argues that “the fact of the matter is that Zanzibar was not annexed or forcefully incorporated It agreed on the union out of its own free will and as a result of decisions made by its own organs,”³⁷ Zanzibar’s autonomy and distinct cultural heritage and identity certainly need to be maintained. As he concludes:

[t]he national language, the ethics of equality and human dignity, and the Union of Tanganyika and Zanzibar are what overcame the ethnic hatred, religious bigotry, regional parochialism and national differences and forged national cohesion and unity It is

³⁵ Ibid.

³⁶ Mwakikagile, *Nyerere and Africa: End of an Era*, 131.

³⁷ Othman, “Tanzania: Beyond sectarian interests.”

these that have made Tanzania an example in a continent beset with secessionism, ethnic violence and religious pogroms.³⁸

Zanzibar's long history and evolving story emphasize the fact that the islands are far from pawns, abused and manipulated at will by the mainland. Mainlanders and islanders alike must surely hope that a Tanzanian patriotism exists which looks beyond regional and sectarian parochialism to ensure the Union's continued survival.

About the author

Bhadrajee S. Hewage is a history major at Princeton University with minors in African Studies, Latin American Studies, and South Asian Studies. He is a native of Ballinteer, Ireland, and he hopes to pursue postgraduate history study in the United Kingdom after his graduation.

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³⁸ Ibid.

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