

TANGAZA UNIVERSITY COLLEGE

URBANIANA PONTIFICAL UNIVERSITY

DEPARTMENT OF PHILOSOPHY

MASANJA PAUL ABEL

20/00373

**JUSTICE AS THE PILLAR TOWARDS SOCIAL-POLITICAL
EXCELLENCY: A CASE STUDY IN TANZANIA**

SUPERVISOR'S NAME.

REV. FR. KENNETH MAKOKHA, OFM CAP, PhD

**Along essay for the partial fulfilment of the requirements for the
ecclesiastical degree of baccalaureate in philosophy**

NAIROBI, 2023

DECLARATION

I affirm this proposal is my original work achieved through my intensive reading, scientific examination method, and critical reflection. It is submitted in partial achievement of the requirements for an Ecclesiastical Degree of Baccalaureate in philosophy. It has never been submitted for academic credit to a college or university.

All references have been properly acknowledged and credited.

Name: Masanja Paul Abel

Signed:.....

Date:.....

I, the college supervisor, have given my clearance for this lengthy essay to be examined.

Name: Rev. Dr. Kenneth Makokha

Signed.....

Date:.....

Chair of the Department philosophy

Name: Rev. Dr. Munguci Etriga

Signed.....

Date:.....

DEDICATION

This work I dedicate to my beloved parents, Abel Masanja, (my father) and Scholastic Ngusa (my mother) and all my family members who accepted my desire to join the SMA congregation as a student for priesthoods and their cooperation, prayer and especially for humbly supporting me in different ways, may Almighty God bless them all.

ACKNOWLEDGEMENT

I give thanks to God who gave me the necessary graces to finally bring this work to completion. At the same time, I use this chance to say my sincere thankfulness to my parent and friends who are behind me on this journey. May the merciful God bless and protect every one of you.

I express also my sincere gratitude to the Society of African Mission (SMA), especially to my Rector Fr. Remi Fetcheoun, student director Fr. John Akangwu, spiritual director Fr. Traore Jean Baptiste, and the house bursar, Fr. Guetou Magloire and all my brothers who in one way or the other have helped me to reach this level.

My gratitude also goes to my lecturer Dr Kenneth Oduori Makokha who opened my mind to think further and bring forth my contribution to the deep understanding of justice as the pillar toward social political Excellency, especially in Tanzania as my case study. May God bless him and strengthen his efforts in the promotion of knowledge to the people.

Especially, my appreciation goes to my colleagues, I appreciate their hold on my philosophical studies, this includes my classmates Victus Frank Ngowi, Stephan Simon Kimeu, Kabelela Martin William, Damalla Vincent, Kinanga Pius and Edwin Simon Mujwa, I am very appreciative of all my brother in the house and out of the house especially, Yohana Samson Ntale, Walter Tottoh and Frank Mabeya for all their support throughout my philosophical studies in the house, my God strengthen and bless them all.

Finally, with humble respect I appreciate the efforts and guidance of the head of the Philosophy Department and the Tangaza family; in general, ensuring this research is successful.

ABBREVIATION/ACRONYMS

SMA	Society of African Missions
PCCB	Prevention and Combating of Corruption Bureau
USD	United State Dollar
TZs	Tanzania shillings
MP	a member of the parliament
TANU	Tanganyika African National Union
WWI	First World War
Dr	Doctor
Mwl. J.K	Mwalimu Julius Kambarage
CCM	Chama Cha Mapinduzi
ACT	Alliance for Change and Transparency
ADC	Alliance for Democratic Change
CUF	Civic United Front
NCCR	National Convention for Construction and Reform – Mageuzi
CHADEMA	Chama cha Demokrasia Na Maendeleo
UDP	United Democratic Party
TLP	Tanzania Labor Party
Fr.	Father

TABLE OF CONTENTS

DECLARATION.....	I
DEDICATION.....	II
ACKNOWLEDGEMENT.....	III
ABBREAVIATIONS.....	IV
TABLE OF CONTENTS	V
ABSTRACTION	Error! Bookmark not defined.
CHAPTER ONE	1
GENERAL INTRODUCTION.....	1
1.1 Background of the Study	2
1.2 Statement of the Problem.....	4
1.3 Objectives of the Study.....	6
1.4 Research Question	7
1.5 Scope and Limitation of the Study.....	7
1.6 Justification of the Study	8
1.7 Method of the Study.....	8
1.8 Literature Reviews	8
1.9 Challenge of Access to Justice in Tanzania.....	8
Conclusion	11
CHAPTER TWO	12
DIFFERENT CONCEPTS OF JUSTICE BY DIFFERENT PHILOSOPHERS	12
2.0 Introductions	12
2.1 Buddha's Conception Of Justice.....	12
2.2 Plato's Conception of Justice.	13
2.3 Aristotle's Conception of Justice.....	14
2.4 John Locke on Justice	16
2.5 David Hume's Conception of Justice.	18
2.6 Thomas Hobbes on the Conception of Justice.....	19
2.7 Mwalimu Julius Kambarage Nyerere on the Conception of Justice.....	21
2.8. Access to Justice in Tanzania	23

Conclusion	23
CHAPTER THREE.....	24
EVALUATION OF JUSTICE IN TANZANIA BEFORE INDEPENDENCE AND AFTER INDEPENDENCE	24
3.0 Introduction.....	24
3.1 General View of the Concept of Justice in Tanzania.....	25
3.1.1 The Concept of Justice before Independence	25
3.1.1.1 The Consequence of the Slave Trade.....	26
3.1.1.2 The Impact of the Exportation of African Resources to Europe	27
3.1.1.3 The Impact of World War.....	28
3.1.1.4 The Impact of Colonialism in General.....	30
3.1.1.4.1 Positive Consequences of Colonialism.....	30
3.1.1.4.2 Negative Impacts of Colonialism.....	32
3.1.2 The Concept of Justice after Independence	35
3.1.2.1 The Introduction of Ujamaa Policy.....	35
3.1.2.1.1 Social Contribution toward Justice	36
3.1.2.1.2 Political Contribution toward Justice.....	40
3.1.2.2 Contribution of Arusha Declaration toward Justice.....	43
3.1.2.3 Introduction of Multi-Party and Its Contribution to Justice	46
Conclusion.....	48
GENERAL CONCLUSIONS	49
BIBLIOGRAPHY	53

ABSTRACTION

This work aims to discuss justice in Tanzania by evaluating different philosophers around the world and using the “son of land” of Tanzania Mwalimu Julius Kambarage Nyerere as a case study of the context. Does this study look at the reason why Tanzania is a peaceful country since its independence today? The work comes to explore more how Mwalimu Julius Nyerere has been perceived as the core founder of justice and peacemaker in Tanzania by his ideology of ujamaa which he used during his time. Also, this work of justice as the pillar toward social-political, as a case study in Tanzania it discusses how different leaders in Tanzania used different ideologies to implement equality for all people of Tanzania to bring development in social service and to improve life standard to the majority and not to the minority. This research will help in our comprehension deeply Tanzania concerning the achievement of the ujamaa ideology in bringing equality, freedom, justice, and right to all members of the society. And also looking at the remarkable effort made by different leaders since independence to the current duty of protecting and promoting justice in Tanzania and Africa at large.

CHAPTER ONE

GENERAL INTRODUCTION

The term “justice” like other notions in philosophy, cannot be tolerably understood easily and it requires an in-depth description from its etymology to the broad conception of it.

Different philosophers had defined justice as the most significant of the four virtues that apply to a virtuous life.¹ Justice, therefore, refers to giving people what is theirs.

We will briefly introduce Tanzania before the research discusses how Julius Kambarage Nyerere and other philosophers explain Tanzania's justice system. The United Republic of Tanzania was originally formed by combining the republics of Tanganyika and Zanzibar. Within 1961, the Republic of Tanganyika gained independence from British authority Mwalimu² Julius Kambarage Nyerere who was the first leader to lead Tanganyika as an independent country while Zanzibar got her independence in 1964 under the first president Abeid Aman Karume.

Tanzania is a nation in the African large Lakes region of eastern Africa. In the north, it borders Uganda; in the northeast, Kenya; and in the east, the Indian Ocean. On April 26, 1964, Tanzania became the United Republic of Tanzania. Approximately 61 million people call it home, according to Tanzanian national statistics.

We need to look at and analyze the situation of people's lives as well as the constitution and other legislation and instruments dealing with justice to the country to better comprehend justice as the pillar of social and political Excellency. Tanzania is recognized as a democratic nation by

¹ W Von Leyden, *Aristotle on Equality and justice*: his Political Argument (United Kingdom: Macmillan press Ltd, 1985), 51.

² Mwalimu is a Swahili word which means a teacher. It is the title used by the first present of Tanzania, who prohibited people to call him honorable in his reign and overall, his life.

the United Republic of Tanzania's constitution, which accesses all the social-political needs of the people of Tanzania through the multiparty system that was initiated in 1992 after the national assembly passed the political parties act number 5 of 1992, besides, elections are to be conducted after the recap of five years of tenure.

1.1 Background of the Study

Many difficult conflicts we come crossways over the concept of “justice”, meaning that to arrive at the general anxiety of justice we need to have a wide understanding of the term. Justice is occasionally interpreted to mean that everyone should receive the same amount of money regardless of how hard they work or what they contribute. It is fair that individuals receive advantages in proportion to their contribution³. This research is going to show the meaning of justice in Tanzania's context and how different philosophers in different epochs had brought it into truth in our daily life. This will not put us in the position of denying that we cannot understand justice, rather we can take it as a philosophical juncture towards the meaning of justice⁴.

This will demonstrate how justice has been employed for good or bad in Tanzania in terms of social and political life, but in its common sense, justice has been seen to be when someone is punished for a crime. Justice is frequently about fairness and safety for the politician, but for the attorney, Justice refers to the certainty with which the law is applied; it is the application of the rule of law.

³ Mangasini Atanasi Katundu, “why is Tanzania opposition weak twenty five years since its Re-introduction”; in the African journal of political science and international Relations, Vol. 12, No. 5, (2018):69-70.

⁴ James K Feibleman, *Justice Law and culture* (Boston: Martinus Nijhoff, 1985), 2.

Justice denotes fairness or equality. It is an ethical tendency that encourages men to act morally and that motivates us to pursue justice. Coming to trace what different philosophers define justice, As Aquinas came up with the meaning of rational meaning between different types of injustice including proportional and mutual transaction, Augustine came up with the important virtues of justice demanding that we endeavor to meet everyone's needs and for Hobbes, justice is a non-natural virtue, essential for social society, a role of the voluntary agreement of the common bond which had been made between peoples and the rulers of a certain country⁵. From this meaning of different philosophers, we presume, justice is all about doing what is good for each individual. In the context of Tanzania, the authoritative According to Aristotle justice is what is right and fair, with fairness requiring just distributions and the right to be made right. The law explains a just person whose act is unjust as one who acts differently to a certain moral principle⁶. Law and ethics within a certain community find out justice. Then justice is a practice of good virtue and is a community virtue for it includes contamination with others and embodies the good of others in social cooperation which helps for the well-being of all members of a community-organized society.

Tracing to the government of Tanzania since independence, the late Mwl. Julius Kambarage Nyerere had the ideology of ujamaa which stand for formality and unity in the community, where he called for all Tanzania citizen to stand for justice in all life as one family, this ideology shaped the life of people in Tanzania but has been misused by some politician to exploit and bring injustice in the distribution of wealth since the declaration of ujamaa after the two decades ujamaa had opened national development path to a free market in all regions of East Africa and

⁵ John Arthur, William H Shaw, *Justice and Economic Distribution* (Englewood Cliffs, NJ: Prentice –Hall, 1991), 1-3.

⁶ David L Osborn, Anton Herman Chroust, “*Aristotle’s Conception of Justice*”, *Notre Dame Law Review*, vol.17, Issue 2 (1942): 129-132.

within the country and multiparty political system was adopted which signifies the call of justice and social-political Excellency.

Tanzania has seen the rebirth of ujamaa as a pot of moral guidelines passed down from generation to generation, which has had an impact on politics and social media. Although some disparities had been noticed, risks to national unity and the widespread corruption in the politics and the allocation of economic, social, and power transfers in an equitable manner, this revised philosophy is being employed as a code or principle in these areas of society⁷. This has weakened Julius Kambarage Nyerere's basis of justice and morality, who was a persistent champion of the ujamaa movement during the 1960s and 1970s. Different types of corruption have occurred in the division of social and natural resources, such as the mining industry, which is closely related to issues of land and investment. The Prevention and Combating of Corruption Bureau (PCCB) have focused the majority of its corruption investigations on government participation in the mining and energy sectors. The confidential mining development agreement between foreign firms and the government lacks openness and justice, as evidenced by the conviction of two former ministers for abuse of office concerning a gold-auditing contract that cost the taxpayer millions of dollars in 2016⁸.

⁷ AMANZED, Ron. "From Race to Citizenship: *The Indigenization Debate in Post- Socialist Tanzania*" comparative studies in international Development 38, no.1 (2003) 43-64.

⁸ <https://www.ganintegrity.com/portal/country-profiles/tanzania> Corruption report(October 2020)

1.2 Statement of the Problem

There is no society without social and political grounds that can promote stable life for its people, likewise in Tanzania people since independence in 1961, life has been difficult because the government in power does not work well to fulfill what the people need in social and political affairs. In social development, the Tanzanian government has decided to devote a sizable portion of its budget to supplying the populace with public goods. t. Across all social sectors including education, health care, water supply, electricity, transport means and so on, there are major challenges which had been hindering development and this is due to the injustice of many Politian who have been entrusted with power or authority complete realization of economic, social, and cultural rights remains a significant problem despite efforts to promote their practical execution. Gender inequality is deeply ingrained in people's socio-cultural practices. Examples of these issues are female genital mutilation and sex corruption especially when a woman seeking job employment. International labour standards are not successfully followed, and there is a high rate of unemployment and violence against women and children, including domestic abuse and child labour, is still common. Adolescent pregnancy rates are also very high, and women lack access to family planning information and other reproductive health services⁹.

Tanzania performs averagely in political matters as well, which is an indication of underdevelopment as citizens are starting to want more understanding and power than they previously had. Government accountability is becoming more and more of a demand from the media, the parliament, the public, and civil society. One of Tanzania's priorities is the ongoing

⁹ <https://um.dk/en/danida/strategies-and-priorities/country-policies/tanzania/current-and-future-challenges-and-opportunities-in-tanzania> Retrieved on 27/9/2022

struggle against corruption, which impedes social fairness in many nations. The government is frequently questioned on several aspects of efficacy and rule of law. The Richmond scandal, also known as the Richmond saga, is an example of corruption in social affairs in Tanzania. It started when preparations were being made to build an oil pipeline from Dar es Salaam to Mwanza. When Tanzania experienced a severe crisis with its electricity supply in 2006, Richmond was given a contract to supply 100 megawatts worth of generators at a cost of TZs 172 billion¹⁰. The generators did not function properly and arrived later than expected. Additionally, the pipeline was never built and the government paid the sum of \$137,000 for it. The opposition MP learned of this, and the housing assembly established a select committee with MP Dr Harrison Mwakyembe as its chairman to look into the entire Richmond saga issue. According to the investigation, Prime Minister Edward Lowassa and his close buddy, Igunga MP Rostam Aziz, were responsible for the corruption that led to his resignation. This show how Tanzania and Africa at larger are “smelling” of a lack of spirit and dignity of justice toward development to the citizen, therefore this research we are going to evaluate and explain different ways to solve these challenges.

1.3 Objectives of the Study

This will be guided by the research that follows.

1. Assess the challenges of access to social-political justice in Tanzania.
2. To examine how the distribution of social man in Tanzania does it works in justice.
3. To check how the political system is well balanced
4. To evaluate justice by using different philosophers around the world.

¹⁰ <https://www.tzaffairs.org/2008/05/report-on-richmond-scandal/> Retrieved on 6/10/2022

5. To examine the effect of social politics in Tanzania and examine different strategies that might be taken to make sure social-political justice is observed.

1.4 Research Question

This study will be guided by the following questions

1 What is the challenge to assessing social-political in Tanzania?

1. Is there any relationship between social and political justice, and which one depends on the other?
2. What are the ways to follow to examine and understand how the socio-politics in Tanzania is implemented?
3. What are strategies to follow regarding how politics in Tanzania is balanced?
4. What is the effect of social and politics in Tanzania since independence?

1.5 Scope and Limitation of the Study

This long essay lies in intensive reading and researching from different written resources on the deep evaluation of whether justice in Tanzania is well balanced as the pillar toward social justice. The main source of this study will comprise two books which are “Aristotle on equality justice and his political arguments” and “Ujamaa essays on socialism”. In addition to that, the study explores the philosophical work of contemporary times specifically the ideas of Mwalimu Julius Kambarage Nyerere and other philosophers and writers as secondary sources and other philosophical works.

1.6 Justification of the Study

This study deals with social-political philosophy as one of the branches of applied philosophical concepts looking at different contexts of the world, especially in Tanzania context. The study will be helpful to the community, human rights officers' parliament, judicially and government to evaluate how justice had facilitated the growth of social-political assessment in Tanzania and reflect on the situation of justice. In addition to that, this study will be helpful to a full understanding of justice concerning social politics, which relay to democracy and challenges and what ways might follow to ensure justice for Tanzania's people followed by the rule and law.

1.7 Method of the Study

This work shall use an analytic and critical method of philosophy to enrich the objectives of this entire work. We are going to evaluate the concept of justice toward the concept of social-political Excellency to Tanzania, and the second method will help us to use different concepts and ideas of various philosophers to come to the theme of this long essay.

1.8 Literature Reviews

This section comprises literature that should identify and deem the relevance of our research. Coming to the context of Tanzania many majorities have challenges to access justice which is the pillar of society and politics.

1.9 Challenge of Access to Justice in Tanzania

In Tanganyika, the government was strongly recognized by one person. Kiaruzi intended to bring Nyerere's legacy to mind to emphasize how important he was as the state's legitimate representative. Another friend of Nyerere, Marion Chesham, saw Nyerere's role much as

Kyaruzi did: “You are the representation of Tanganyika, its ideals and its hopes that you are the cement that binds all this together and makes it possible¹¹. The identification of Nyerere during the struggle for independence with other African leaders and colonial masters gives a brief meaning and concept of how justice toward social politics was a priority to the founder of Tanzania, but coming to the reality of current Tanzania justice has been misused in differently to Nyerere's view he wanted to be. For an example of political justice happened during the general election of 2015, a late Daniel John a member of one of the political opposition parties who had been campaigning was abducted and beaten to death by unknown assailants, also in the same year happened in Mwanza region and opposition member of political leader was killed, Aliphonce Mawazo¹². It is thought that Aliphonce Mawazo's death had political ramifications. And a lot of people thought Mawazo's misfortune was caused by Geita's tough competition and strong political stance. However, the police force acting politically just because death has political ramifications is improper and leads to numerous conflicts between political supporters and the police force, who are only acting in the best interests of their employers. As a result, an injustice had been committed that was against the principles set forth by the late Mwalimu Julius Nyerere, the inventor of Tanzanian justice.

These political-social bad events of actions bring unanswerable questions, where we expect justice to prevail but not it is contrary, we presume that this is the failure of the government to practice justice following the laws and the constitution of the country. Also in Tanzania, there are a lot of threats to freedom of expression which turns back the ground of justice in social success and politics and democracy. Freedom of expression gives chance people to exercise their

¹¹ bjerck, Paul, Building a peaceful nation: *Julius Nyerere and the establishment of sovereignty in Tanzania*, (Paul Bjerck university of Rochester press, 1960 – 1964) 27

¹² <https://www.thecitizen.con.tz/tanzania/magazines/political-reforms/Mawazo-murder-provides-lessons-> (December, 02, 2015). Retrieved on 07/10/2022

rights while in its absence brings a lot of confusion and blocks the pillar of ideas which stimulate justice in the community. For example, it was reported several times in Tanzania, especially from the year of the general election of 2015 and onwards, the freedom of expression is restricted and directed by those in power, this makes people fear to express the truth as they fear to endanger their lives. A good example of “tinga tinga” (which means “bulldozer” in Swahili), Magufuli had declared a fight against corruption but his review method received a great deal of condemnation, which took badly, also several radio stations were shut down in the space of few months¹³. When Governor Paul Makonda entered Sky FM on March 17 and stormed in with armies of police officers, ordering the station's workers to play a video of Bishop Gwajima, a protestant church, this curtailed the growth of mass media in Tanzania. All this happened because of restricting the freedom of the people and creating fear in the people to express their demands which are seen to be unjust.

Also touching on social justice many government workers demand an increase in their monthly salary which is their right to demand following the promise of political leaders who campaigns for it but when they enter into power many times they failed to redeem their promise. Our late Mwalimu Julius Kambarage believed that "A man is developing himself when he grows, or when he earns enough to keep himself and his family in a decent environment; he is not being developed if someone gives him these things"¹⁴. This reveals that the founder of justice in Tanzania dreamt that citizens should have good life according to their earnings but coming to contemporary life is contrary because of the selfishness and lack of integrity and dignity of our politicians nowadays which make life hard. These challenges to accessing justice had made

¹³ [https://www.refworld.org/docid/brazen interference in the media by Tanzania’s government](https://www.refworld.org/docid/brazen%20interference%20in%20the%20media%20by%20Tanzania%27s%20government). Assess on 7/10/2022.

¹⁴¹⁴ <https://www.juliusnyerere.org/resources/quotes> (uhuru Na maendeleo1973). Access on 8/10/2022.

Tanzania country among the African countries which experience poor democracy because of unfair elections which make only one ruling party in power since independence.

Conclusion

Coming to the law and rule of the following, justice has been difficult to observe among the nations in accessing the social and political Excellency. This challenge of accessing good justice needs to be put into the forum, to put the societies we live in a fair, where people can demand their rights. Coming to the context of Tanzania; the government should renew the spirit of Mwalimu Julius Nyerere who was the founder of justice.

CHAPTER TWO

DIFFERENT CONCEPTS OF JUSTICE BY DIFFERENT PHILOSOPHERS

2.0 Introductions

In this chapter, we will explain the concept of justice by a different philosopher from ancient times to the contemporary how the concept of justice has been viewed toward the concept of social-political Excellency in our societies.

2.1 Buddha's Conception of Justice

This is among the earliest just thinkers, he was born in Nepal. According to Gautama Buddha justice is the law, which is entrusted with the principles of fair return and good punishment. “Also Gautama developed justice by adding that every good thinking, expression, and deed deserves a fair price and every evil one its proper punishment”¹⁵. For him, he saw the law as an instrument to a person that can be followed to bring a dramatic change in human rights where there is no justification in that society. As a result, the righteousness in a person who upholds the law and has true understanding and peace of mind. Also, Buddha recognized that justice meant more than simply upholding the law but also for him is to defend the law by bringing the revolutionary concept of true justice which is misinterpreted by the majority by the following evil, this shows that being a just man is not only obeying what the government say but also be

¹⁵ Surendra Bhandari; “*The Ancient and Modern Thinking about Justice*”, the life of Buddha and its lesson, An appraisal of the positive Paradigm and the Influence of International Law. Ritsumeikan University pg5
https://www.ritsumei.ac.jp/ir/isaru/assets/file/raris/raris-13-01_Bhandari.pdf

able to justify what is wrong and what is right. “Buddha gives clear instructions on pursuing virtue rather than according to the law of sin”¹⁶.

Buddha emphasized what is accurate and what to do; for him the man who is just mean who can logically do the right thing and follow the law of virtue; and also who can defy the law of the law is evil. Therefore Buddhist ideas of justice are important in conditions of deciding the accurate thing to act by deriving instructions.

2.2 Plato's Conception of Justice.

The majority of political philosophers, including Plato, were Greek philosophers. was motivated by Socrates. The essence of justice was the subject of Socrates' most crucial query. Justice was defined by both Plato and Aristotle as goodness and a willingness to respect the rules. Plato was also quite clear that justice was one of the highest virtues and the true foundation of social life.

Plato elaborates on the platonic concept of justice in his book Republic, where he also includes a dialogue on the subject. After the book, He claims, "I don't know what justice is, so I'm not likely to know if it's a virtue or not, and I can't say whether the just man is happy or unhappy”¹⁷. The discussion of justice in the work of Plato's republic tried to describe justice from three broad perspectives, first, justice is the act of fulfilling a duty. This show that a just man should not escape from defending what is right in the society he lives by doing so he is fulfilling his duty. A good example given is paying off the debt. Second; the debate focused on the distinction between just and unjust and the third discussion on justice comes after a dialogue between

¹⁶ Surendra Bhandari; *“The Ancient and Modern Thinking About Justice”*, the life of Buddha and its lesson, An appraisal of the positive Paradism and the Influence of International Law. Ritsumeikan University pg6
https://www.ritsumei.ac.jp/ir/isaru/assets/file/raris/raris-13-01_Bhandari.pdf

¹⁷ Surendra Bhandari; *“The Ancient and Modern Thinking About Justice”*, the life of Buddha and its lesson, An appraisal of the positive Paradism and the Influence of International Law. Ritsumeikan University pg9
https://www.ritsumei.ac.jp/ir/isaru/assets/file/raris/raris-13-01_Bhandari.pdf

Socrates and Thrasymachus about the form of government, either tyrannical, monarchical or democratic all these governments must follow the idea of justice.

“Also Plato, justice is that in a person's life and social life, means placing each person and each class in its proper place”¹⁸. this show that justice is equality for every individual in society and also observation of moral life, this recall of justice show how people live in proper fair in society but going against that is unjust, also the state is the truth of which justice is the idea, this means that we cannot call the state while it is unjust and violation of human right.

2.3 Aristotle's Conception of Justice

according to Aristotle, he divided justice into two meanings; the first meaning of justice is that all fundamental idea that justifies behavior that complies with the law, conduct or principle which had been established, and it is the authoritative rule of human conduct, also all that relay as a tool of social and moral principle. “In this meaning, justice refers to a moral character trait that makes people eager to act righteously, to desire what is right, and to do the just”¹⁹. In other terms, we can classify this as a virtue of righteousness or accurate justice which display a social virtue. This social virtue or conduct helps the community to live a just life which Aristotle was meaning.

The second meaning of justice according to Aristotle is what signifies equality or fairness. In this second sense of justice- “justice in the narrower wisdom”. That the concept of justice depends on the law in action and not on the moral conduct of man. Aristotle tries to distinguish justice

¹⁸ Dr. Paramita Chakraborty; “*Plato's theory of Justice*”, Surebdranath College. Pg 1
http://www.surendranathcollege.ac.in/new/upload/PARAMITA_CHAKRABORTYPlatos%20Theory%20of%20Justice%202020-04-22Plato%20on%20justice.pdf Access on 11 November 2022

¹⁹ David L. Osborn, “*Aristotle's conception of Justice*” Notre Dame Law Review Volume 17, (1-1-1949) pg1
<https://scholarship.law.nd.edu/cgi/viewcontent.cgi?article=3967&context=ndlr> Access on 1 November 2022

according to authoritative rule and equality, according to him a person who acts contrary to a certain principle this person lacks virtue because he has done it unjustly while the principle of quality according to Aristotle concerning with fair due, “in the sense equality has to do with external and commensurable things”²⁰. Whereby a person is free to proportionate fairness in society without undermining other people to do their things because of his selfishness and interest which bring equality to all people accordingly to their position and classes.

By demonstrating how equality and moral justice are connected in the same way that the portion is connected to the whole, Aristotle went as far as to attempt to explain the connection between them. For him, everything that carries the qualities of a just person in the community and can be considered to be moral justice and equal justice is equally vital and depends on one another.

On the other hand, Aristotle pondered, "What is the ultimate good that human effort may achieve? He implies that the solution is a happy people, and according to Aristotle, happiness may be attained in three different ways: through pleasure, wisdom, and virtue. For pleasure, Aristotle says many people consider happiness which is an animalistic instinct; also some people think that happiness is an honour which Aristotle refers to as wisdom or political wisdom, and also those who think that happiness is the virtue that Aristotle considers the uppermost form of human achievement. And he concludes that all these types of happiness people desire for their self-satisfaction and never for the sake of something. The question Aristotle asked is: is happiness self-fulfilment? (Virtue, wisdom and pleasure) “Aristotle argues that as the end of an

²⁰ David L. Osborn, “*Aristotle’s conception of Justice*” Notre Dame Law Review Volume 17, (1-1-1949) pg131 <https://scholarship.law.nd.edu/cgi/viewcontent.cgi?article=3967&context=ndlr> access on November 2, 2022

action, where acts are pleasant to the lover of justice and in general virtuous acts to the lover of virtue, only virtuous acts are self-sufficient”²¹.

Also Aristotle in the book V of Nicomachean Ethics, exposed questions dealing with justice, he “asks a question what a kind of actions would champion justice”²².for the infers justice is all kinds of the character of actions that reflect on just and contrary of that is unjust. Also, he explains further by saying justice is what is lawful and fairness and injustice are what is unfairness and unlawful and he divided just act into two categories; that which is fair and lawful, likewise the unjust act is divided into two that which are unlawful and unfair, and he concludes that justice is what is lawful and fair which carry the standard institution to protect human rights in the community.

2.4 John Locke on Justice

John Locke wrote in chapter VIII of The Beginning of Political Societies: "Men being, as has been mentioned, all liberated, equal, and independent by nature, non can be thrown out of this estate, and subjected to the political power of another, without his consent."²³ john Locke was trying to show that every person is responsible to defend justice which he/she has been born with, by our nature we are free and no one is above our liberty, but our free liberty we grant to the bond of society, where we agree other men to unite as a society for the sake of security against any that are not of it. We do all this because of our nature to desire of being free, and

²¹Surendra Bhandari; “*The Ancient and Modern Thinking About Justice*”, the life of Buddha and its lesson, An appraisal of the positive Paradism and the Influence of International Law. Ritsumeikan University pg12 https://www.ritsumei.ac.jp/ir/isaru/assets/file/raris/raris-13-01_Bhandari.pdf access on November,2022

²² Surendra Bhandari; “*The Ancient and Modern Thinking About Justice*”, the life of Buddha and its lesson, An appraisal of the positive Paradism and the Influence of International Law. Ritsumeikan University pg12 https://www.ritsumei.ac.jp/ir/isaru/assets/file/raris/raris-13-01_Bhandari.pdf access on November,2022

²³ John Locke, “*Second Treatise of Government* “*Locke on Justice* oodule 4 <https://wisc.pb.unizin.org/ps160/chapter/4-2-locke-on-justice/> access November 3,2022

when the community grow they start to form one political body, and this political body helps them to act accordingly to their will.

Also in chapter iv of slavery john Locke explains the importance of a commonwealth which is granted by the societies members to domain their liberty or freedom, But, this freedom of men under government is to have a permanent rule to live by that is shared by every member of that community and made by the legislative power established in it. this shows that even the government which has been entrusted by the members should not interfere with the freedom which Locke infers as justice of the people, The natural liberty of man, in the words of John Locke, is to be free from any supreme power on earth, to not be subject to the will or legislative authority of man, and to be subject solely to the laws of nature of his rule.²⁴” this stand when the government stand to follow the liberty, to follow the wills of majority, not undermine any freedom of member of the society, because failure to do that injustice and violation of freedom prevail which Locke was against that. We cannot live in a society in which the government is above our freedom because it goes against our nature of freedom, we need a government that listens to our will, which also applies to us members we have to obey the government by doing what is rights and following the laws which we have made our self-protection of liberty, also we should not allow any intruder to harm our right because our nature of freedom will be chained into slavery, which Locke describes clearly that we are out of that domination.

²⁴ John Locke, *“Two Treatises of Government”, OF slavery*, Vol.V. London: McMaster University,(1823)pg114
<https://www.yorku.ca/comninel/courses/3025pdf/Locke.pdf> access on November 4,2022

2.5 David Hume's Conception of Justice.

Hume used a revolutionary approach to explore the morality of justice that shows how it is rooted in social utility and the advancement of human rights of mankind²⁵. In his book III of the Treatise, he viewed justice as the foundation of progress and which bring mankind, but this justice without real liberty of engaging in unifying the society which fights for human progress in social, economic, and political affairs is nothing, to have a true morality of justice in the society, the politician must keep the promise of the need of the peoples, because human convention, it needs to observe the promise which is considered as a part of justice. The promises that we act toward justice, it the foundation of community utility, which guides people to act properly to the moral code, therefore human justice is the progression of mankind.

Also give us the function of justice in society “claims that the rule of justice is social inventions”²⁶.then he asked which kind of inventions? For him is deliberate and serves various purposes. So he stands with justice as artificial which is made for the purpose for the give different examples like armies, canals, bridges, and ramparts deliberately invented for a certain role, to recover the collision of justice. This invention must comprehend the interest of each individual in the public, not the interest of one person, this invention makes a contract to maintain human rights and preserve a just man to do what is right, for the betterment of the whole community. "For Hume to demonstrate that legal requirements are artificial rather than natural”²⁷. for him, if nature does not cause false and unjust the world would be at peace because the world there is no peace, therefore the invention of artificial justice is contrived, invented and

²⁵ Horacio Spector, "Hume's Theory of Justice", RMM Vol.5, 2014, 47-63, pg47. <https://d-nb.info/1076495729/34> access on November6,2022

²⁶ Horacio Spector, "Hume's Theory of Justice", RMM Vol.5,2014,47-63, pg57. <https://d-nb.info/1076495729/34> access on November6,2022

²⁷ Horacio Spector, "Hume's Theory of Justice", RMM Vol.5,2014,47-63, pg34 <https://d-nb.info/1076495729/34> access on November6,2022

projected into the world to bring justice, for example, constitutions, prisons, parliament where a person or society can express their feeling and defend their rights toward justice in the community.

"The division of possessions is another aspect of the virtues of chastity and modesty. In the same way that it is important to "partition" outside objects to prevent damaging and pointless interactions, Hume's theory requires that we separate people into those who are mine and those who are not: my wife, your spouse, and, in particular, his child"²⁸.coming to the justice of properties Hume explain that the society must have chastity and modest of owning these properties to maintain peace, this peace must be observed by the agreement or contract that protect a person from intimidating by those in power or see themselves they have rights to own properties and other they don't have that rights, therefore we should maintain the virtue of owning properties by limiting selfishness which causes the innocent people to be killed by the name of properties, therefore justice is the pillar of social virtues in the society.

2.6 Thomas Hobbes on the Conception of Justice

Thomas Hobbes comes up with the concept of justice by saying; "There is no such thing as justice or unfairness in the state of nature"²⁹ "This likewise is a consequence of this struggle of every man against every man; nothing can be unjust. Morality, fairness, and injustice have no place in the world. Where there is no universal power the power is made of equality, If there is no law, there is no injustice. The two cardinal virtues of war are force and deceit. Justice and injustice are not qualities of the body, mind, or abilities. If they were, then a man who was by

²⁸ <https://www.erudit.org/en/journals/man/1987-v6-man0239/1011870ar.pdf> access on November 8,2022

²⁹ Thomas Hobbes, "*Leviathan, social and political philosophy*(Hobbes on Justice)", spring(2009)
<http://carneades.pomona.edu/2009-SPP/hdo-0223.pdf> access on November 9,2022

himself in the world might have them, along with his perceptions and passions. These are traits that apply to men in social settings rather than in seclusion. The fact that there is no propriety, no power, no mine and thine distinct, and only what each individual may obtain and maintain as his own is a consequence of the same condition. Therefore human in the state of natural justice is the quality of men in society to live in peace which protects his/her rights.

Also, he comes up with another concept of justice by trying to explain the meaning of injustice, which is no other than the not doing of a contract. “And whatsoever is not unjust, is just³⁰.” for him was clearly says the society we live in is made u of a covenant which binds all people to leave a peaceful and joyful life because when we break this covenant it is where injustice comes out, therefore Thomas defended that we should protect our covenant which we give out to some people to lead us and maintain peace, this covenant is same like a constitution which many countries use it to maintain and observe all principles which demand the society to follow it.

Thomas Hobbes gives another conception of justice by defining the term justice as “the constant spirit of giving to every man his own.³¹” for him if a person owns nothing there is no injustice because a person who owns things or properties starts to find a space to protect their properties which cause a war of interfering other rights in the society. Therefore, there is no injustice where there is no own, also known as appropriateness, and nothing is unjust where there is no commonwealth. Propriety of things held in those that are dearest to a man is his own life, and those that concern conjugal affection; and after them riches and means of living bring justice because of their sacrifice will fight for justice for the benefit of the commonwealth and not for

³⁰ Thomas Hobbes, “*justice in Hobbes’Leviathan*.”accession on November 9,2022

<https://quigley.blog/2006/02/25/justice-in-hobbes-leviathan/>

³¹ Thomas Hobbes, “*Leviathan, social and political philosophy*(Hobbes on Justice)”, spring(2009)

<http://carneades.pomona.edu/2009-SPP/hdo-0223.pdf> access on November 9,2022

his/her interest. Therefore it is a call for all who what to live a just life need a total give of their life for the betterment of society, which has been a challenge to many people to come out because of fear of the government which kill many people who want to bring revolution in the country.

2.7 Mwalimu Julius Kambarage Nyerere on the Conception of Justice.

Mwalimu Nyerere believed much in justice which was among the core values of his desire to have in his government of the Republic of Tanzania, for his justice is “...Three guiding principles will serve as the foundation of the socialist society we hope to build: equality, value for human dignity, division of the resources produced by our labour, work by all, and exploitation by none.³²” this was under his ideology of socialism which he believed to create political institutions that would largely participate and sustain the purpose of the republic and also constructing a just society in Tanzania that would be devoid of extreme income inequality and where everyone will benefit from progress as intended.

From the bottom of his heart, Mwalimu Nyerere's justice is the declaration of the fundamental equality of all humankind and he must create a social, economic and political institution, which would light and ensure that equality. For him, he presented all by the umbrella of his ideology of socialism which brought a fruitful dramatic change in Tanzania communities. Nyerere was aware that the social value of the traditional Tanzania community was destroyed by the white people who colonized Tanzania “Nyerere argued that Tanzanians must discover a way to progress

³²Simeon M and Mrisho M. “Julius Nyerere’s influence and Legacy: *From a Proponent of Family hood to a Candidate for Sainthood*” pg 95 <https://core.ac.uk/download/pdf/55889443.pdf> accession on November 11,2022

economically and would not weaken the communal equality of their society.³³” For him, there will always be injustice without changing our Minds. Therefore he proposed educated men and women that would lead forward the society toward true development in social, economic and political development. Also, he believed that these elite peoples will help the society to live a just life of sharing the dignity and human resources that the community produce, as his ideology of socialism will be practised. His belief in socialism was a reflection of African cultural ideals that stressed having the means to live in dignity and equality with other members of society.

Coming to the concept of democracy Mwalimu Nyerere “explain democracy as "government by the people, ideally, it is a kind of government in which the people are all equal and solve their affairs through free discussion.³⁴” all this meaning of democracy rely on the concept of justice where each individual are equal to decide their rights and all affairs concerning their life in the society, therefore Mwalimu Nyerere wanted all the citizen in his country both in Tanganyika and Zanzibar to be able to participate without interference from other people. The reason was to initiate socialism to be practised and lived fully by all people. In 1954, Nyerere formed a political party called TANU, which campaigned for Tanganyika's independence from the British Empire. This was under the influence and help of Mahatma Gandhi from India, which firmly called for the justice of their people, this sacrifice was a total giving of their life to find that equality for all races in this world.

³³ Simeon M and Mrisho M. “Julius Nyerere’s influence and Legacy: *From a Proponent of Family hood to a Candidate for Sainthood*” pg 95 <https://core.ac.uk/download/pdf/55889443.pdf> accession on November 11,2022

³⁴ Wikipedia, Julius Nyerere “*democracy*” Article: accession on November 11,2022
https://en.wikipedia.org/wiki/Julius_Nyerere#Democracy_and_the_one-party_state

2.8. Access to Justice in Tanzania

Justice is a means of elucidating a situation where people take delivery of and are treated equally. It is all about getting the rights to any concern that pertains to one's social difficulty. we argue that it is a primary right and part of the rule anxiety that, all people are equal before the regulation and that the government and non-governmental organizations should be open to all people whose rights are violated³⁵

Regardless of having fundamental principles in the constitutions of Tanzania that speak about justice and equality before the law, the majority lack access to their civil liberties. it does not mean that we are ignoring that there is absolutely no access to justice; But we want to illustrate the necessity of it which was emphasized by Nyerere, the founder of it.

Conclusion

Looking to all above how the concept of justice has been philosophized by different philosophers and living examples of how justice is to be, though of a lot of challenges, for them they believed justice is possible in this world if we remove our inner selfish which bring us back toward social, political and economic development. Taking a Nyerere as an anti-colonial activist, politician and political theorist and the first president of from 1964 to 1985 of Tanzania was a true founder of justice in the land and a citizen of Tanzania and Africa at large who sacrifices his life for the name of demanding justice against colonialism and exploitation of African resource, for the benefit of Tanzania and Africa in all, in which up today Tanzania is enjoying that foundation of peace which was the desire of this great man.

³⁵ Patricia Boshe, Mbezi Prisca, *The Value of Pro Bono Services in Accessing Justice in Tanzania* (2013), accession on November 11, 2022, <https://ssrn.com/abstract=2358019>.

CHAPTER THREE

EVALUATION OF JUSTICE IN TANZANIA BEFORE INDEPENDENCE AND AFTER INDEPENDENCE

3.0 Introduction

In this chapter, we are going to evaluate how the concept of justice has been viewed by the citizen of Tanzania, during colonialism and after getting independence, and how far it is practical toward social and political development, which is the essentials element to each country around the world because this world without just life is miserable of poverty, ignorance and lack of peace which bring back many countries in achieving their goal.

Therefore this chapter will analyse the sources of justice in Tanzania and the challenges hindering the development of social, political and development in Tanzania before and after independence. coming to remember how colonialism started in Tanzania" Germany founded the colony of German East Africa, comprised of Tanzania, Rwanda, and Burundi in 1891 after declaring East Africa a protectorate in 1885. Germany was defeated in World War I, and German East Africa was divided under the Treaty of Versailles.³⁶” this occurred immediately after the Berlin meeting of 1884-1885, in which before this conference European countries were scrambling African countries without understanding themselves, though, after the conference, Tanzania was taken by German, then once the second world war, Tanzania was colonized by the British. Coming to the concept of justice during the colonialism of both Germany and British, in

³⁶ Family Search. “*Tanzania Colonial Records*”. German Colonization (1885- 1919). [https://www.familysearch.org/en/wiki/Tanzania_Colonial_Records#:~:text=German%20Colonization%20\(1885%20D1919\),under%20the%20Treaty%20of%20Versailles](https://www.familysearch.org/en/wiki/Tanzania_Colonial_Records#:~:text=German%20Colonization%20(1885%20D1919),under%20the%20Treaty%20of%20Versailles). Accession November 15,2022

Tanzania and Africa in general, there was a lot of injustice whereby there was no room for the indigenous people to express their rights in social, political and economic sectors.

3.1 General View of the Concept of Justice in Tanzania

Justice in Tanzania is the conception by the citizen that equality before the law and equal guard under the law is guaranteed under Tanzania's constitution, as stated in Article 13(1)³⁷. Therefore in Tanzania, there is no one above the law. Equality for all people is observed through constitutions which were made in 1977, under the government of Mwalimu Nyerere who is considered the founder of justice in Tanzania, therefore anybody who goes contrary to the constitution is seen as an unjust person. Justice is categorized into two here to understand better the ground of justice in Tanzania before independence and after independence.

3.1.1 The Concept of Justice before Independence

Tanzania struggled much to get her independence which was the key to justice for the citizen. During colonialism, black people were restricted in their rights. This caused the indigenous people to rise and fought their colonial masters and struggle for independence, Many obstacles stand in the way of individuals attempting to access justice.³⁸ The main reason which caused them to fight for independence is because of inequality and injustice which contributed to a lot of reasons including;

³⁷Asina Omari. *“Challenge of strengthen Access to Justice in Tanzania”*: A Governance Point of View. Pg 1 https://tanlap.or.tz/sites/default/files/Adv.Asina%20Omari%20article_0.pdf accession November 16,2022

³⁸Asina Omari. *“Challenge of strengthen Access to Justice in Tanzania”*: A Governance Point of View. Pg 1 https://tanlap.or.tz/sites/default/files/Adv.Asina%20Omari%20article_0.pdf accession November 16,

3.1.1.1 The Consequence of the Slave Trade

The impacts of slavery which were operated by the white people (the colonial masters), especially during the time of scrambling of the African continent and after the Berlin conference of 1884-1885, brought a lot of consequences to Tanganyika and Zanzibar (Tanzania) and Africa at large, this trade of selling Africans contributed much to fight of the people for freedom, from the chain of slavery. This caused a lot of death, for example in Iringa “Hehe started to grab people and condense them to slavery; they practised complete fraud and extortion and discriminated them unjustly and in 1904 Kinjikitile arose.”³⁹ This man was able to convince all tribes found in the Iringa region, to fight against the Germans who were oppressing the people of the land (Africans), therefore we can label Kinjikitile as a man who seek justice for their fellow Africans who were under this slavery which boosted to demand independence, though the war lasted for one year, from 1904-1905, and Kinjikitile and his followers were defeated.

This show that even before independence, Tanzania and for that matter Africa, was fully organized to have Africans who were aware of their rights, therefore we can not negate that we were total barbarians with no politics because tracing back the history of the different part of Tanzania, every village has her traditions and customs which help to promote Justice and equality. For instance, the Maasai people, and the people from Tabora and Nyamwezi had their customs. These people have a leader like Ntemi who was the leader of some of these villages mentioned above, who make sure that justice and equality are practised and maintained or observe in his territory.

³⁹Sufismo. “*The Maji Maji Rebellion*”
<https://scholarblogs.emory.edu/violenceinafrica/sample-page/the-maji-maji-rebellion-2> accession on November 16, 2022

3.1.1.2 The Impact of the Exportation of African Resources to Europe

The goal of colonialism is to use a region's productive, human, and material resources for the benefit of one's own country. By promoting the growth of cash crop agriculture systems, commodity-based trading systems, and a trade network connecting a region's total economic output to the demands of the colonizing power, European powers pursued this goal.⁴⁰ This caused the African economy to change because the colonial power exploited and exported all the resources of the African continent and for that matter Tanzania which lead to miserable poverty even after the independence. The exploitation of African resources including humans as a slave was the concept of injustice which leads the African elite like Mwalimu Julius Kambarage to start negotiations with another fellow to demand independence; this was the foundation of justice.

Therefore the exploitation and exportation of resources caused many African to think for justice, which is to demand their land which was taken by the colonial state which was there for their demand, of feeding their countries, and lead to permanents poverty until now, they have colonized us by the name of Neo-colonialism, whereby we are not free, to do our things without them, this is unjust because they put a lot of conditions when having a contract or helping African countries both in the political, social and economic affairs.

Moreover, throughout the time of colonialism, the European nations were rapidly industrializing and required the raw materials that Africa had to supply. Although dependent on international trade, the African government nevertheless had great control over their economic development, and the European power had to deal with its shifting moods. They introduced small industries for

⁴⁰Joshua Dwayne, "*The Impact of Colonialism on African Economic Development*", University of a Tennessee, Knoxville. Pg 1
https://trace.tennessee.edu/cgi/viewcontent.cgi?article=1182&context=utk_chanhonoproj

the consumption of African resources, which helped them to exploit more resources which were available in Africa and Tanganyika, for example, they introduced sisal industries in Tanga, coffee industries in Kilimanjaro, tobacco in Tabora and all these industries involved black people who were slaved to work without any wages, this demonstrated the people to demand their rights, which is justice in general.

3.1.1.3 The Impact of World War

WWI contributed much to the rise of justice for Africans during colonialism because of the impact that came out before and after the war, In this war, many Africans and the people from both Tanganyika and Zanzibar were taken by the former colonial master to go and fight for their interest, which caused many black fighters to be conscious and confident that it is possible to start demanding for independence. the war was the brainwashing to the rise of consciousness and political development in the African continent at large.

Taking an example of Nyerere as the elite of Tanganyika and the founder of justice in Tanzania and Africa at large, after being educated and seeing the occurrences of the Second world war, he went to England to demand and sign that Tanganyika territory is a mandate country which was under the British colonial power, this was among the impact of first world war, it opened the door to start demanding for African justice, which was inevitable before the first world war. Also, Julius Kambarage in July 1954 formed the political party called TANU (Tanganyika African National Union) which political party led the fight for independence in Tanganyika and other East African states and Zanzibar, the political party was Zanzibar Afro-Shiraz, which was under Abed Karume. These two elites brought a change of mindset of Black people to start demanding independence which result in truth.

Also, the impact of WWI helped many black soldiers who fought to have different techniques of invading their enemies, when they return they pursued their fellow Africans to demand independence and they helped Africans who were not trained, they formed different groups which can be used to fight, also they worked for hand in hand with the nationalist like Jomo Kenyatta, Kwame Nkrumah and Julius Nyerere to seek for the justice which was taken by the colonial state.

Also, the Second World War had contributed toward justice of independence to Africa at large and Tanganyika, this is due to the influence of many nationalist leaders who started to demand independence, taking the example of Kwame Nkrumah, and Nyerere helped a lot of other Africans to demand independence. Kwame Nkrumah and Nyerere had a similar movement and implemented many of the same policies during their initial year in office have such disparate holds on power. So the occurrence of the second world war contributed much that many ex-soldiers coming back to start to fight for independence for example in Kenya, these people fought for the Mau Mau war led them to start demanding independence so that they can be free to use their land.

Therefore the influence of both the first and second world war brought a significant turning of freedom and justice to the Africans, to their homeland which was occupied by the white people since the Berlin conference up to the end of the WW2, therefore it was an opportunity for Africans to come together as one family to collaborate and fight for freedom and justice (independence).

3.1.1.4 The Impact of Colonialism in General

Africa is among the continents that suffered colonialism. Tanganyika and Zanzibar (Tanzania) are among the African countries that were conquered by the European power for colonialism before attaining their independence. Tanzania as part of colonialism was colonized by German and Britain. After the Berlin conference of 1884-1885, Tanganyika was confirmed to be colonized by a German colony, which dominated and exploited Tanganyika up to the end of the First World War (WWI) of 1914-1918, then Germany was defeated and Tanganyika was dominated by the Britain colony up to the attaining of the independence.

Colonialism in Tanganyika and Africa, in general, had a great contribution to the development of justice; this is due to the impact that forced the citizen to demand independence, the consequences of colonialism can be categorized as positive and negative. This negative cannot dismiss the truth that contributed to the rise of the spirit of justice for Tanzanians who were suffering from the establishment of colonialism. In this regard, we are going to look at both the positive and negative impacts of colonialism in Tanzania on the foundation of justice.

3.1.1.4.1 Positive Consequences of Colonialism

In this part, we are going to look at the system of education that colonial masters provided to their colonies. We will see how this education has influenced the foundation and solidarity of justice for Africans and in Tanganyika as part of colonies which was affected by colonialism.

Firstly, education is the impartation of skills from one person to another, and it is among the positive consequence of colonialism which was provided by the colonialist during colonialism. Though this education of colonialists was provided in the interest of achieving their goal and most African countries when we look and talk about the system of education which was there

before colonialism, we recall an informal system of education. And this informal education was more practical because it involved the student putting into practice what they are learning, but it was not the same as what the colonialists introduced, which demanded the student to attend classes and lectures and also demanded curriculum. Informal education consists of experiences and living in the family or community.⁴¹ Therefore people were taught according to the environment experience, in which they grew up.

Coming to the colonialism system of education was formally practised, whereby the student is registered to attend school for years to accomplish what he is learning. In this educational system, only a few Africans were allowed to attend, among the few was Mwalimu Julius Kambarage Nyerere, who had this opportunity to achieve up to higher education, and later on, come to start demanding justice during colonialism. All this was impossible if Nyerere could not get the opportunity to get this colonial schooling, which leads him to demand and struggle for independence within Tanganyika and Africa at large, another African leader who had this opportunity to get colonial education was Jomo Kenyatta of Kenya, Mubutu Seseseko, Kwame Nkrumah and Nelson Mandela.

Those who were able to get the colonial education were indeed treated differently compared to other Africans who did not have the opportunity to get that education, the elite was much more valuable because they educated them to help the colonial masters reach their interests and activities that were operated in their colonies. For example, some were educated to be doctors, teachers and farmers, which could help them to reach their fellow African easy, this education

⁴¹ <https://types-of-education-formal-education-informal-education-nonformal-education.pdf> accession on November 17,2022 (examplaning.com)

was the benefit to these African to use and criticize colonialism and then helped to struggle for independence hence justice was available.

3.1.1.4.2 Negative Impacts of Colonialism

There is a lot of effect of colonialism on the people of Tanzania and at large Africa. This helped push the demand for justice in Tanzania, which was caused by the colonialist during colonialism, these demands for independence includes selfishness, lack of unity, racialism and disunity. All this we going to explain in much detail as follows;

Firstly, selfishness: this is one that contributed much to the foundation of justice because the opposite of fairness in society, during colonialism the colonialists believed they are high quality compared to Africans. Coming to Mwalimu Julius after an opportunity of getting colonial education, he believed that before the coming of colonialism in Africa, Africans were communitarian in their way of thinking and living.⁴² But after the coming of colonialism in Africa, they introduced selfishness, which changed the mindset of many African elites to work for the interest of themselves and the colonialists. An African, according to Nyerere, could not think of himself as apart from the society in which he lived. it was an invitation to all Africans to form solidarity to start demanding independence which was the foundation of justice, so from this point of view of Mwalimu Nyerere, colonialism harmed the communitarian aspect of living in which it was full of justice and freedom to do according to the community of African. Colonialism introduced individualism which was hand in hand with the education brought by the colonial masters which were against communitarian societies especially in Tanganyika at the time of German colonialism.

⁴² Julius K. Nyerere, *Africa Today and Tomorrow*, Dar es Salaamu: Dar es Salaamu University Press (2000) P.14

Therefore, during colonialism, the colonialist introduced this individualism, which was an instinct of their interest and killing African communalism which they saw as well-structured justice. The rise of Mwalimu Nyerere was a turning point in the calling of communal life which helped Tanganyika to come together and struggle for independence.

Secondly, racialism: This is another impact that was introduced by the colonial powers in the colonies including in Tanganyika and Zanzibar, being of colonialism which was full of racialism, Africans were treated badly in all sectors, which was caused by the slave trade and slavery, where African were treated likes animals, few African were employed, no medication to African who were sick, they were working 24 hours, this led many African elites to think for justice for their fellow Africans, among the African elites was Mwalimu Julius Nyerere, who thought to rectify this kind of racial structure, because he believed all people are equal.

The colonial structure was built in a way that white people are superior to black people in every sector of life. For example, Africans were not allowed in decision-making and were discriminated against, this lead the Africans to demand equality, which Mwalimu Nyerere triggered to demand justice and independence from the colonial master which was Britain to destroy this racialism which was established in African countries.

Thirdly, Disunity: this is among the effect which led Africa to be colonized, this disunity was both mental, in the military and in political affairs. Disunity we can refer to during colonialism is the lack of togetherness between Africa and Tanzania. During colonialism, Tanganyika failed to have the spirit of togetherness, and brotherhood which was a part of life before colonialism. Before colonialism people of Africa including Tanganyika lived a life of caring for each other in the community (your problem, joy, its mine) this was theirs and was known as communalism,

but with the coming of colonial powers to Africa they killed all the political, trade and social practice of Africa by introducing and giving bribes to African leaders who betrayed their fellow Africans, this brought disunity for instance, during the war like that of Maji Maji war lead by Kinjikitile Gwale of Iringa of 1904-1905 because of disunity among them they were defeated. The coming of Nyerere to struggle for freedom and justice was a challenge because many people were under the chain of disunity. Nyerere come up with the ideas of Ujamaa, He remarked, "We must revive our earlier mentality, our tradition of African communism, and apply it to the new communities we are constructing today".⁴³ Nyerere was reminding Tanzanians of the lost attitude of mind which is brotherhood and treating them as one family. Therefore coming together as one family was a foundation to ward social-political excellence in the examination of justice which is nourishing today in Tanzania

Fourthly, the Destruction of African skills and dependence: this was among the aims and techniques used by the colonial powers to rule African countries and Tanzania, they ensured that we depend on them, and they pretended to help Africa by importing manufactured industries like clothes, machines, drinks and food which killed African industries, they insured African industries to be weak and easier to control. So many Africans who had different skills suffered because of the weakness of their industries. Also, Colonialists introduced policies, whereby when Africans were caught initiating African industries, were cut off their hands, which brought fear and more dependence. Mwalimu Nyerere comes up with dramatic changes in calling for justice demand for Africans. He insisted that the white people should leave all their industries because they have killed our local industries and those that were retained were forced to employ

⁴³ Julius K. Nyerere, *Ujamaa: Essays on socialism*, Dar es Salaam: Oxford University Press.(1968) p.8

the local people more. And also he reminds Africans that, if they want to be free from their colonial master they should avoid borrowings loans.

3.1.2 The Concept of Justice after Independence

Tanzania gained independence on 9th December 1961 at that time it was not known as Tanzania but the name was Tanganyika simply because it was before to unite Tanganyika and Zanzibar. In that case, Mwalimu Julius Kambarage Nyerere, the first president of Tanganyika, and Abeid Aman Karume, the first president of Zanzibar, led their respective countries to become Tanzania as a result of their union.

Since its independence from the Britain colony, Tanzania has practised justice since it is now a democratic country, first president Mwalimu Julius Kambarage Nyerere did not give up to find justice by following and practising different approaches which could strengthen justice in the land of Tanzania, we will look at the different steps in which Nyerere introduced which is the sign and foundation of justice which include; the introduction of Ujamaa policy, Arusha declaration, the starting of the multi-party system in Tanzania. We shall evaluate how they contributed to the rise of justice in the land of Tanzania.

3.1.2.1 The Introduction of Ujamaa Policy

This is a major of the philosophical ideology of Mwalimu Julius Kambarage Nyerere which was introduced in Tanzania, this ideology reflected much on justice in warding for social, political and economic development. Ujamaa was therefore selected because emphasizes the Africanness of the policies we intend to follow and its literal meaning is family hood so that it brings to the

mind of our people the idea of mutual participation in the family as we know it".⁴⁴ This helped to strengthen justice in social, political and economic development.

3.1.2.1.1 Social Contribution toward Justice

In the social sphere, the Ujamaa policy contributed much toward justice in Tanzania and values of African unity, which it calls to remember the way our forefathers lived during the time of communalism. Ujamaa was not only an ideology of the mind of Mwalimu Nyerere but it influenced and imparted much of social justice in ruling the country because it cemented much solidarity, equality, morality, and an increase in literacy rate. All these affirmed much justice which is the pillar of the social level standard of living in any community. In this regard, we are going to see how solidarity, equality, morality and an increase in literacy rate the contribution of Ujamaa brought by Ujamaa policy toward justice in the different approaches to the contemporary life of Tanzanians.

Firstly: equality, when we remember the classes brought by colonialism and its effect on the people of Africa, which caused classes of two groups, one of the poor and the other rich, there was no equality among these two groups. Mwalimu Julius Nyerere observed this even before independence, so After the independence, he called all the Tanzania by his ideology of Ujamaa, that no one is above the other by initiation villagization which could bring all people together as one family, one race and we share dignity. The introduction of the Ujamaa policy in 1967 brought changes where all people were together, no one is there to humiliate the other, this led to a foundation of justice for Tanzanians, therefore Ujamaa had to make there is equality among the

⁴⁴Julius K. Nyerere, *Ujamaa: Julius Nyerere on the Meaning of Human Existence*, Olusegun Gbadegisin University, Washington, D.C,U.S.A, pg 51
<https://www.utpjournals.press/doi/pdf/10.3138/uram.17.1.50>

people, in maintaining this the government insured that no one is above the law, which does not depend on your positions in the government, all we are bounded by the law which is justice.

In implementing that there is equality in Tanzania Nyerere took several measures through Ujamaa like that of villagization and nationalization of different sector economy, which were owned by few individuals, not for the interest of the country, so Ujamaa emphasized much communitarian aspect of life to build a just society, which can stop unjust and selfishness, hence lead all people of different place to come together for the interest of the whole community.

Also during this time of Ujamaa Mwalimu Julius in implementing social justice, he introduced the provision of education, to ensure equality to all members of the society, for him introduces even adult education which was an occasion for Tanzanians to learn more about their environmental challenges and human rights in equalizing all members, which compared the education provided by the colonialist which was more segregate, only a few people attended the school, the introduction of self-reliance was a reduction of illiteracy rate in Tanzania. Therefore the philosophical ideas of Nyerere of education for self-reliance under the umbrella of Ujamaa policy impacted much to the rise of equality to contemporary Tanzania, and also the late fifth President of Tanzania, Dr John Pombe Joseph Magufuli, witnessed much on education by providing free education which reborn the spirit of Ujamaa which Mwalimu Julius had and he desired to see the fruit. Magufuli come to be known as the president of helpless “wanyonge”.⁴⁵ He ensured all citizens were equal before the law. Therefore the history of justice in Tanzania cannot be talked about without putting Ujamaa which was founded by Julius Nyerere, which is one of the great works in which the citizen are still remembering him as the one who wanted justice for all members of the community.

⁴⁵ The title given to him to express his spirit of helping those who lost their right.

Secondly, solidarity: Ujamaa policy of Mwalimu Julius contributed much to the growth of solidarity, which was among the fore view to make that Tanzanians are all united, also believed that solidarity is not only for Tanzanians but also for all Africans, in 1997 Accra Ghana, was invited to deliver a speech on Africa unity during the celebration of 40 years of independence of Ghana, Nyerere said that without unity Africa has no future.⁴⁶ He believed justice of unity for Africans is the instrument which can deliver them from different problems for example poverty. And to remember Ujamaa was an instrument of justice to many African countries who were still struggling for independence from their colonial masters. Therefore this ideology helped many countries to seek justice and unite African countries. Nyerere believed that solidarity is the key to which people can express their independence, also he viewed solidarity as accurate because one of the paths used by the colonial powers to rule Africans by creating classes, which made Africa disunity and simplified to dominate us. So the calling of Ujamaa by Nyerere makes it easy for people to know their rights and dismissing of disunity and classes which created classes in the society.

Therefore, solidarity among the citizen of Tanzania expresses much the foundation of justice which was introduced by Mwalimu Julius Kambarage Nyerere through Ujamaa had contributed much to building a peaceful nation, until now Tanzania is amongst the peaceful nation in the world, which is expressed by knowing people of Tanzania have “utu”⁴⁷ which was much emphasized by Nyerere, to show sympathy to all people and respect their rights. Ujamaa had helped to build contemporary solidarity in Tanzania which had become the part and parcel of life for Tanzanians.

⁴⁶ Nyerere’s speech on 6th March, 1997, Accra Ghana

⁴⁷ It is Swahili word express the dignity of Tanzania people, which make them to live as brotherhood and peaceful country.

Third, morality: TANU which is the first political party was formed by Mwalimu Nyerere, he used it as an instrument to emphasize people on morality, he argued against the immorality which was introduced by the white people during colonialism which affected the indigenous. Also, the introduction of Ujamaa by Nyerere emphasized protecting and continuous African culture and custom which is more helpful in building fair and equal countries for all people, because some indigenous were destructed by white morality for example Nyerere was against corruption and humiliating Africans, therefore Ujamaa come to destroy all these immorality, which Nyerere asked Tanzania's to remain firms to build a peaceful national without corruption which is the source of injustice in many countries.

Furthermore, Ujamaa offended the spirit of oppression, abandoning the low classes, and exploiting other people, the reason for Ujamaa is to build a society which is just to every individual in bringing development in a different sector because it is not moral to exploit someone, or employing by looking race or tribe background, gender and religions. The time of Ujamaa ensured equal rights which express much on justice in every sector. A promise of justice through the Ujamaa ideology of destroying immorality brought hope for solidarity. Although Ujamaa did not end poverty, it gave everyone in this room—capitalists and socialists alike—the chance to create a nation that offers people a good future to many.⁴⁸ Ujamaa increased hope for Tanzanians who were morally tortured by slavery and colonialism until their current life.

Lastly, increase in literacy rate: Nyerere in his speech during the Arusha declaration highlighted three enemies which faced Tanzania after independence; these three enemies were poverty, ignorance of Africa and diseases. He believed that ignorance was one of the weaknesses used by the colonialists to dominate Africa and Tanzania. The colonialists it was possible to rule Africa

⁴⁸ Charles Nyirabu, *The Presidential Commission on Financial Sector Reform*: (Nyirabu Commission), p.6

because of the illiterate rate of many, despite colonial education, it was not offered for the aim of helping Africa from ignorance rather was offered for their interest. Also, this education was based on the injustice of creating classes, and exploitation of African resources, and also the education was irrelevant to the African environment and community challenges which were to undermine human needs of that context, therefore Julius Kambarage, came up with a solution of creating a community which can learn self-reliance education which could reduce ignorance to Tanzanians.

Nyerere believed that in order illiteracy rate to reduce, he introduced education for self-reliance, which was among the measure taken during Ujamaa ideology to make sure that many people have an opportunity to have knowledge which could overcome ignorance, which aimed to liberate each member in the society from ignorance. The self-reliance policy, in Nyerere's opinion, mandates that Tanzanian development should be dependent on its natural resources and the idea of education for self Reliance is also about self-confidence, independence, responsibility and democratic involvement.⁴⁹

3.1.2.1.2 Political Contribution toward Justice

Having looked at the social contribution of Ujamaa toward the foundation of justice in Tanzania, we know we are going to look at the aims of Ujamaa policy on political situations after independence by analyzing political stability, provision of the outstanding political leaders and Ujamaa as socialism ideology. How these three points contributed to the rise of justice in a political manner in Tanzania justice.

⁴⁹ Innocent Sanga, *Education for self Reliance: Miserere's policy Recommendations in the Context of Tanzania*, African research journal of Education and Social Sciences, vol.3, 2016 <https://arjess.org/education-for-self-reliance-nyereres-policy-recommendations-in-the-context-of-tanzania>

Firstly, the Excellency of political stability: Tanzania since its independence is among the country in the world who had tried to maintain peace, especially in the political situation due to the strategic foundation of Ujamaa policy which Mwalimu Nyerere profound during his time. Looking since 1996 and the union with Zanzibar in 1964 till today, there is no enormous events such as war, political instability, and internal quarrel which have threatened the peace of the country except for the 1979 Kagera battle between Tanzania and Uganda. This warfare occurred because Tanzania wanted to protect part of their land which Idd Amin Dada claimed to be part of Uganda. Tanzania succeeded to take over it. Since the political stability has been maintained in Tanzania, means that there is justice which is the foundation of all these principles of Ujamaa have affected Tanzania to remain humble and nationalist in making peace to their country.

The principle of Ujamaa which maintained justice and peace in Tanzania was against tribalism, which Tanzania up till now there has been no tribalism among the citizen. Also, Ujamaa was against religionism, when compared to other countries has been a great challenge in maintaining peace, and also regionalism Ujamaa was against. Ujamaa called all Tanzania to live as one family, as those who were employed were shifted to different parts to kill regionalism and tribalism. All these principles made justice prevail in politics in Tanzania, Nyerere believed Ujamaa as the underpinning of political stabilities, as in the first article of TANU's credo is written "Binadamu wote Ni ndugu, na Afrika ni Moja" in which when we put in English, it could mean 'I believe in Human brotherhood and the unity of Africa'.⁵⁰ Following these principles of Ujamaa which was imposed by Mwalimu Nyerere, it has denied all elements of unfair and injustice politics which can harm our peace, and brotherhood among the people of Tanzania. The absence of religionism and tribalism led us to maintain political stability since independence.

⁵⁰ Julius K. Nyerere: *the basis of Africa socialism*, Dar es Salaam: Tanganyika Standard Ltd, (1962) p.8

In addition, Ujamaa was against corruption which is a disease to many countries in maintaining peace and justice, because corruption is the foundation of unfairness and leads to the destruction of human rights. Also, Ujamaa was against selfishness, which is why Nyerere called people to come together to share brotherhood and communal life, this has helped many politicians to seek the betterment of the majority but not for their stomachs only. Dr Magufuli Joseph, during his time as the president, tried to remove all leaders who were selfish and corrupt in the government. For him, he used the word ‘Tumbua Tumbua’⁵¹ because he believed that all these can destroy the foundation of Ujamaa which was the spirit of unity and equality for all people in the societies.

Secondly, provision of the outstanding political leaders: the spirit of Ujamaa affected many Tanzania people as it was planned by Mwalimu Julius, where many people become patriotic of their countries. The calling of the Ujamaa spirit by Nyerere intended to produce Africans who can have the spirit to serve the majority, without any interest in wealth, or good, and it was aimed to destroy colonialism attitude of racism, tribalism which was focused on injustice and fairness as well as segregations among the majority. The Ujamaa lead to produce the spirit of unity and brotherhood, which is caring each one for the betterment of nations and justice, is observed in political matters. This leads to the contribution of outstanding leader where built, which stand firm to protect human rights, and Tanzania have peace since independence which regard freedom and equality of the member to participate in political matters. The contribution of Ujamaa lead to the production of outstanding leaders who maintained justice starting with Nyerere Kambarage, Ali Hassan Mwinyi, Edward Mlinge Sokoine, Rashidi Mfaume Kawawa, Jakaya Mrisho Kikwete, and John pombe Magufuli.

⁵¹ Word used by later Dr Magufuli Joseph, to remove corrupt and selfish workers in the government.

Third, Ujamaa as a socialist ideology: Ujamaa was founded in the socialist ideology which Nyerere called African socialism. Nyerere believed capitalism destroyed the African way of life. Nyerere believed that before capitalism in Africa, we had our way of life which was centred on unity, and equality among all peoples in the society. The coming of white people in Africa introduced led slave trade, which undermined the equality of people in the societies of Africa, and it was under exploitation of African resources which is the element of capitalism until today. Nyerere was interested in a utopian and Marxist ideology which practised equality and fairness for all the members of the society. The ideology of capitalism Mwalimu Nyerere seems that it can lead us into individualism, corruption and selfishness, which is attacking many African countries nowadays. For example, in the Democratic Republic of Congo, since capitalism entered, there is no peace and justice for the indigenous people because of the selfishness of other African leaders who want to praise the white people which cause the formation of the terrorist group against government rule.

Therefore Ujamaa as a socialist ideology made Tanzania to be recognized as a socialist country as well as become the ruling ideology of Tanzania. Also, Ujamaa contributed Tanzania to being known as a democratic, secular and socialist state under the constitution of the United Republic of Tanzania of 1977, act number 4 of 1992.

3.1.2.2 Contribution of Arusha Declaration toward Justice

The Arusha declaration by Mwalimu Julius Kambarage Nyerere on February 5, 1967, was a dramatic change where Tanzania was recognized officially as the Ujamaa ideology. The Arusha declaration devoted Tanzania to socialism and self-reliance. The main purpose of Ujamaa is to believe in democracy and equality for all people, which helps Tanzania to find a firm root of

justice for the Tanzanians. Also, the Arusha declaration needed to flourish leaders who are against tribalism, and capitalism, who don't promote dictatorship and who can prevent private ownership of properties, who can prevent some leaders from receiving more than two salaries, and who can talk of justice and political stability.

Also, the Arusha declaration leads to the nationalization of banks, plantations, private schools and companies which were ruined by a few individuals who were against African socialism. Further, Arusha's declaration led to the introduction of brotherhood where the peoples of Tanzania were called to cultivate their dignity and kindness in working together in equality and fairness; no one is above humiliating the other in the society. Looking at how Arusha's declaration contributed to the rise of justice and states the goal towards TANU which led the people of Tanzania and indicated the way of progress, among the focused goal of Ujamaa, include the following;

Firstly we will remain to be Tanzanians: The Arusha Declaration first and foremost affirms our national identity and desire to live in Tanzania as we develop.⁵² Nyerere serves as an example to Tanzanians that if we want to alter our society, growth must come from within, not from those coming in from the outside. This was important for Nyerere's political reaffirms of TANU because it was a revision from our origin root of socialism and communal life of working together. Our social changes will be resolute by our own needs. Also, we should have practical experience from the universal human and accept our Africanness and confidence that in our past there is very much which is helpful for our future. Nyerere was trying to accept that though we got many challenges from colonialism, we should remain in our roots of togetherness in equality and fairness to bring that development we need.

⁵² Julius K. Nyerere, *Ujamaa Essays on Socialism*, Dar es Salaam, Oxford University press (1968) P.91

Second, the obligation to a certain value of life: Arusha's declaration was also founded on her dedication to a specific quality of life. It was centred on the premise that everyone aspires to live a free life in society, able to live a civilized life in a situation of peace with his neighbours. Nyerere thought that it is unacceptable for one or a group of people to dominate or exploit another. It is firmly holding onto the conviction that there are more important things in life than accumulating wealth, which hinders human dignity and social equality. Therefore Arusha's declaration was implemented for the social, economic and political activity that reflects Tanzanians.

Thirdly, freedom must be maintained: During the Arusha declaration Mwalimu Nyerere talked about freedom, he believed that despite the current situation of poverty, we cannot accept and we shall refuse to do, because of individual or nation dominate our freedom because of the interest of erudite forward in economic development, he believed that we cannot increase the statistical national wealth-income because other nations had dominated our resources. Therefore Tanzanians need to control their income themselves, to commit to the freedom and quality of all citizens.

Furthermore, Arusha's declaration come up with the introduction of the TANU creed which was the political solidarity of socialism ideology, which tried its best to maintain justice in Tanzania both in social, political and economic development. The principles of socialism are laid down in the TANU constitution, and they are as follows;⁵³

- (a) (A) All people are created equal.
- (b) Everyone has the right to be treated with respect and dignity.

⁵³ Julius K. Nyerere, *the Arusha Declaration and TANU's Policy on socialism and self-reliance*, The Publicity Section, TANU, Dar es Salaam (1967) P.1

- (c) Every citizen has a right to participate equally in local, regional, and national government because they are all important to the country.
- (d) Every citizen has the right to exercise their freedom of speech, association, and travel within the bounds of the law;
- (e) Every citizen has a legal right to social protection for his or her life and property;
- (f) Every citizen has a right to receive a just return for his labour;
- (g) The state must effectively regulate the primary means of production to maintain economic justice, and lastly
- (h) To ensure the welfare of all citizens, prevent the exploitation of one person by another or one group by another, and stop the accumulation of wealth to a degree that is incompatible with a classless society, it is the responsibility of the state to actively intervene in the economy of the country.

Concerning that creed, it was a good foundation for Tanzania's principles in protecting human rights and the foundation of justice in social political and economic development which until today many creeds of TANU applies to the government of Tanzania.

3.1.2.3 Introduction of Multi-Party and Its Contribution to Justice

Tanzania has long maintained peace and stability since the adapted of a socialist to a free market economy in 1985 and the adoption of many political party systems with elections in 1995.⁵⁴ The second round of multiparty elections was place in October 2000 and was more efficiently organized than the first. Latter, father the of Nation Mwl. J.K Nyerere took us from one-party to multiparty politics. Mwalimu Nyerere says to the different, the truth remains that it's Mwalimu

⁵⁴ <https://www.linkedin.com/pulse/coming-multiparty-system-tanzania-growing-democracy-good-kibore>

who virtually rammed multiparty down what should have been ‘democracy thirsty’ Tanzanian throats! Established in 1965, Tanzania under Mwalimu as President (1962-85) laboured under mono-party politics for more than a generation.

Mwalimu Nyerere argued that Tanzania is ready for political pluralism and urged the CCM Party leaders to start a peaceful transition. The majority of Tanzanians supported the “Chama cha Mapinduzi” and sought the constitution changed to allow pluralism. Mwalimu Nyerere had asked multiparty supporters in Tanzania to start at least more than two opposition parties but not more than thirty as had been done in several African countries reverting to multi-party. Since the introduction of multi-party in Tanzania, these are the following Political parties and leaders:⁵⁵, The Civic United Front; Chama Cha Wananchi CUF under Ibrahim Lipumba, the Alliance for Change and Transparency; Wazalendo ACT under Zitto Kabwe, the National Convention for Construction and Reform-Mageuzi led by James Francis Mbatia, the National League for Democracy Party of Democracy and Development Chama Cha Demokrasia na Maendeleo Chadema under Freeman Mbowe, the Alliance for Democratic Change ADC led by Miraji Abdallah, Tanzania Labor Party TLP led by Augustine Mrema, Revolutionary Party Chama Cha Mapinduzi or CCM lead by Samia Suluhu Hasani, and United Democratic Party UDP John Momose Cheyo

The multiparty system was recognized in Tanzania during the reign of the late father of the State Mwalimu. Julius K. Nyerere, his core goal was to boost the scope of political and democratic involvement, raising the competitiveness of citizens and politicians involved in different elections contesting for a leadership position, engaging in politics and giving their freedom of

⁵⁵ Tanzania political parties and leaders.

https://www.indexmundi.com/tanzania/political_parties_and_leaders.html

mind to choose a person they want or who loves him who will bring about their economic, political, and cultural progress.

Conclusion

In this chapter, we have looked at the evaluation of justice in Tanzania before and after independence by looking at a different approach to the event that took place in Tanzania to strengthen social, political and economic development. Also, we have looked much at the emphasis on justice by Mwalimu Julius Kambarage Nyerere in those events which Nyerere seem to be the foundation of all we have discussed above. Again, we have seen the contribution of the Multi-party system toward good government and how it has promoted and protected equality and freedom for Tanzanians.

GENERAL CONCLUSIONS

After looking deeply at the previous chapters, now we shall discuss this last chapter of our research where we shall look at the general overview of our topic of justice as the pillar toward social-political Excellency: a case study in Tanzania. Being looked at in chapter one, the meaning of justice both abroad and in Tanzania's context appeared to reflect much on social, political and economic impact, in which Tanzania is among the African countries which had maintained peace since independence. Though Tanzania has had some challenges of climate change in different periods, it seems that Tanzania immediately her independence, was blessed to have prophetic and visionary leaders who did their best in fighting for justice for the betterment of Tanzanians. These leaders include the first president Mwalimu Julius Kambarage Nyerere, Abed Aman Karume, Ali Hassan Mwinyi, Edward Molinga Sokoine, Rashidi Mfaume Kawawa, John pombe Magufuli and Jakaya Mrisho Kikwete. Despite Tanzania being among the poorest countries in the world and Africa, the Tanzanian Government does not give up on maintaining peace for its people. Tanzania is known as the country which adopted a socialist ideology which helped to maintain peace guided by the constitution which was approved in 1977. The Constitution has been an instrument for all people to be free to seek justice and equality in the social- political and economic situation of the nation.

In chapter two we looked at the overview of different philosophers who talked about justice in general, and how it is applicable in this world. We come crosser how justice has been described by those philosophers in different times and at different places and how justice has reflected much to the context of Tanzania in the way forward in social and political issues which is happening in Tanzania from the period of independence till today. For example, on November 24, 2022, the current president Samia Suluhu delivered a speech on justice at the opening of the

27th meeting of the East African lawyers Association where she said that “Tanzania has decided to adhere to the principles of justice and strives to build a nation of justice, democracy, equality and success including accepting criticism and those who are criticized agree to be criticized.” Any economic success that results from methods that violate the principle of justice cannot be sustainable even for one day; doing justice and respecting good governance are the principles that any government based on the people must follow without any external pressure”. The people’s government means that it has been voted by the people, it is based on the will of the people, and it has followed the principles of justice, if it does not follow those principles, the government does not belong to the people, Tanzania has decided to adhere to those principles and will strive to build a Tanzania with justice, democracy, equality and success”. We will continue our efforts to listen to everyone, where there is a gap, let us accept criticism from each other, and let those who are criticised accept to be criticised, then we should make amends and go on with our affairs, and these are not the wishes of the government of one phase or another they are the wishes and foundations of our constitution”.⁵⁶ All these words said by President Samia Suluhu, reflect much of how different philosophers defined justice in different periods.

In chapter three we have looked at the evaluation of justice in Tanzania before and after independence by looking at a different approach to the event that took place in Tanzania to strengthen social, political and economic development. Also, we have looked much at the emphasis on justice by Mwalimu Julius Kambarage Nyerere in those events which Nyerere seem to be the foundation of all we have discussed above. again we have seen the contribution of the Multi-party system toward good government and how it has promoted and protected equality and freedom for Tanzanians.

56

<https://www.facebook.com/100044544424591/posts/pfbid0R7VS4TGjFCVoquwPMQkGH95mvTW1C54F16zrsqe1Su7WMwquQvdvhab12AJe65yel/?app=fbl> Millard Ayo. Assess on November 25, 2022.

Taking Mwalimu Julius Kambarage Nyerere as an exemplary role model in Tanzania in finding justice, he has inspired many Tanzania to learn and practice justice by following the steps and principles which he followed in his time. We have observed many Tanzania from both ruling political parties and opposition parties like Freeman Mbowe, Tundu Lisu, Zitto Kabwe, James Mbatia, and Godfrey Lema have been standing firm to criticize and correct the ruling party in observing justice, equality and democracy to all Tanzanians because Nyerere Kambarage aimed to see Tanzania is ruling inequality and people are free to express their feeling, and also the ruling government should able to provide adequate social service which reflects the life of people in the societies.

Nevertheless, in the currents years, we see the late Dr Magufuli who ruled from 2015 to 2021, revive the lost principles which Nyerere introduced during the Arusha Declaration, by believing the ujamaa ideology in which in his time he cultivated the spirit of unity and equality to all people who belong to Tanzania. He reduced corruption and classes among people in society by punishing those who were exploiting the majority. Also, he listens to the different problems of the citizen in which he was able to update what is going on in the society, this was a great moment when many in Tanzania seem to have the right to live according to the constitution and the law.

Being aware of the term justice and how different philosophers has tried to define it, we recommend that; if we want to improve justice in Tanzania, the political leaders should be also aware of the origin and how other philosophers and politician from different countries have viewed what justice means to the people whom they were serving.

Knowing that Tanzania is among the peaceful countries in Africa and in the world at large, we recommend that; it maintains that spirit of reconciling different challenges it faces to maintain

the peace they have, by knowing that there are many countries like Congo struggling to find peace(Congo is part of East Africa)

Tanzania is a socialist country which follows a multiparty system as amended in the constitutions of the republic united of Tanzania: we recommend that; it should believe the principles and laws which has been made which help to observe equality, democracy and justice for all people, also by not allowing any external pressure to change what constitution demands.

Furthermore, knowing the contribution of Mwalimu Julius Kambarage Nyerere and his ideology of ujamaa, this helped Tanzania to have the spirit of Africanness, dignity and unity that stand that all humans are equal, we recommend that we should remain firm and revive those principles of ujamaa which seem to be lost.

Lastly, being aware of the contribution of multiparty in Tanzania and how it has been practised; we recommend that: we should allow free and fair election order to open the window of justice to all politicians who desired to serve the majority of Tanzania.

BIBLIOGRAPHY

1 BOOK

Bjerk Paul. Building a peaceful nation: *Julius Nyerere and the establishment of sovereignty in Tanzania*. Paul Bjerk university of Rochester press, 1960 – 1964.

Charles Nyirabu. *the Presidential Commission on Financial Sector Reform*: Nyirabu Commission.

David L Osborn. Anton Herman Chroust, “*Aristotle’s Conception of Justice*”, Notre Dame Law Review, vol.17, Issue 2, 1942.

David L. Osborn. “*Aristotle’s conception of Justice*” Notre Dame Law Review Volume 17, 1-1-1949.

James K Feiblem. *Justice Law and culture Boston*: Martinus Nijhoff, 1985.

John Arthur. William H Shaw, *Justice and Economic Distribution*. Englewood Cliffs, NJ: Prentice–Hall, 1991.

Julius K. Nyerere. *Africa Today and Tomorrow*, Dar es Salaam: Dar es Salaam University Press 2000.

Julius K. Nyerere. *the Arusha Declaration and TANU’s Policy on socialism and self-reliance*.

AMAZED Ron. “From Race to Citizenship: *The Indigenization Debate in Post-Socialist Tanzania*” comparative studies in international Development 38, no.1 2003. The Publicity Section, TANU, Dar es Salaam 1967

Julius K. Nyerere. *Ujamaa Essays on Socialism*, Dar es Salaam, and Oxford University press 1968.

Julius K. Nyerere. *Ujamaa: Essays on socialism, Dar es Salaam*: Oxford University Press 1968.

Julius K. Nyerere. *the basis of African socialism, Dar es Salaam*: Tanganyika Standard Ltd, 1962.

W Von Leyden. *Aristotle on Equality and justice: his Political Argument*. United Kingdom: Macmillan Press Ltd, 1985.

2 Internet Sources

<https://www.ganintegrity.com/portal/country-profiles/tanzania> Corruption report. October 2020

<https://um.dk/en/danida/strategies-and-priorities/country-policies/tanzania/current-and-future-challenges-and-opportunities-in-tanzania> Retrieved on 27/9/2022

<https://www.tzaffairs.org/2008/05/report-on-richmond-scandal/>. 6/10/2022.

[https://www.thecitizen.con.tz/tanzania/magazines/political-reforms/Mawazo –murder-provides- lessons—\(December 02, 2015\)](https://www.thecitizen.con.tz/tanzania/magazines/political-reforms/Mawazo-murder-provides-lessons-December-02-2015). 07/10/2022

[https://www.refworld.org/doc/ brazen interference in the media by Tanzania’s government](https://www.refworld.org/doc/brazen%20interference%20in%20the%20media%20by%20Tanzania%20s%20government). Assess on 7/10/2022.

<https://www.juliusnyerere.org/resources/quotes> (uhuru Na maendeleo 1973). 8/10/2022

Surendra Bhandari; “*The Ancient and Modern Thinking about Justice*”, the life of Buddha and its lesson, an appraisal of the positive Paradigm and the Influence of International Law. Ritsumeikan University https://www.ritsumei.ac.jp/ir/isaru/assets/file/raris/raris-13-01_Bhandari.pdf

Paramita Chakraborty; “*Plato’s theory of Justice*”, Surebdranath College. [http://www.surendranathcollege.ac.in/new/upload/PARAMITA CHAKRABORTYPlatos%20Theory%20of%20Justice2020-04-22Plato%20on%20justice.pdf](http://www.surendranathcollege.ac.in/new/upload/PARAMITA_CHAKRABORTYPlatos%20Theory%20of%20Justice2020-04-22Plato%20on%20justice.pdf). 11 November 2022

David L. Osborn, “*Aristotle’s conception of Justice*” Notre Dame Law Review Volume 17, 1-1-1949 <https://scholarship.law.nd.edu/cgi/viewcontent.cgi?article=3967&context=ndlr>. 1 November 2022

John Locke, “*Second Treatise of Government “Locke on Justice Module 4*” <https://wisc.pb.unizin.org/ps160/chapter/4-2-locke-on-justice/>. November 3, 2022

John Locke, “*Two Treatises of Government*”, *OF slavery*, Vol.V. London: McMaster University, 1823 <https://www.yorku.ca/comninel/courses/3025pdf/Locke.pdf>. November 4, 2022

Horacio Spector,” *Hume’s Theory of Justice*”, RMM Vol.5, 2014, 47-63. <https://d-nb.info/1076495729/34> November 6, 2022
<https://www.erudit.org/en/journals/man/1987-v6-man0239/1011870ar.pdf> . November 8, 2022

Thomas Hobbes, “*Leviathan, social and political philosophy . Hobbes on Justice*”, spring 2009
<http://carneades.pomona.edu/2009-SPP/hdo-0223.pdf>. November 9, 2022

Thomas Hobbes, “*justice in Hobbes ‘Leviathan*”. November 9, 2022,
<https://quigley.blog/2006/02/25/justice-in-hobbes-leviathan/>

Simeon M and Mrisho M. “Julius Nyerere’s influence and Legacy: *From a Proponent of Family hood to a Candidate for Sainthood*”. <https://core.ac.uk/download/pdf/55889443.pdf> . November 11, 2022

Wikipedia, Julius Nyerere “*democracy*” Article: November 11, 2022,
https://en.wikipedia.org/wiki/Julius_Nyerere#Democracy_and_the_one-party_state

Patricia Boshe, Mbezi Prisca, *The Value of Pro Bono Services in Accessing Justice in Tanzania* 2013, November 11, 2022, <https://ssrn.com/abstract=2358019>

Family Search. “*Tanzania Colonial Records*”. German Colonization (1885- 1919.
[https://www.familysearch.org/en/wiki/Tanzania_Colonial_Records#:~:text=German%20Colonization%20\(1885%2D1919\),under%20the%20Treaty%20of%20Versailles](https://www.familysearch.org/en/wiki/Tanzania_Colonial_Records#:~:text=German%20Colonization%20(1885%2D1919),under%20the%20Treaty%20of%20Versailles). November 15, 2022

Asina Omari. “*Challenge of Strengthening Access to Justice in Tanzania*”: A Governance Point of View. https://tanlap.or.tz/sites/default/files/Adv.Asina%20Omari%20article_0.pdf. November 16

Sufism. “*The Maji Maji Rebellion*”
<https://scholarblogs.emory.edu/violenceinafrica/sample-page/the-maji-maji-rebellion-2>
<https://scholarblogs.emory.edu/violenceinafrica/sample-page/the-maji-maji-rebellion-2>
[accession on November 16](https://scholarblogs.emory.edu/violenceinafrica/sample-page/the-maji-maji-rebellion-2), 2022

Joshua Dwayne, “*The Impact of Colonialism on African Economic Development*”, University of a Tennessee, Knoxville. Pg 1
https://trace.tennessee.edu/cgi/viewcontent.cgi?article=1182&context=utk_chanhonoproj
<https://types-of-education-formal-education-informal-education-nonformal-education.pdf>.
November 17, 2022 (examplaning.com)

Julius K. Nyerere, Ujamaa: *Julius Nyerere on the Meaning of Human Existence*, Olusegun Gbadegisin University, Washington, D.C, U.S.A,
<https://www.utpjournals.press/doi/pdf/10.3138/uram.17.1.50>

Innocent Sanga, *Education for self Reliance: Miserere’s policy Recommendations in the Context of Tanzania*, the African research journal of Education and Social Sciences, vol.3, 2016

<https://arjess.org/education-for-self-reliance-nyereres-policy-recommendations-in-the-context-of-tanzania>

<https://www.linkedin.com/pulse/coming-multiparty-system-tanzania-growing-democracy-good-kibore>

Tanzania political parties and leaders.

https://www.indexmundi.com/tanzania/political_parties_and_leaders.html