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## Foreign Aid, Partisan Politics and Election Observation in Tanzania, 1995 -2020

**David J. Luheja \*** | ORCID: 0009-0004-2486-1080  
Department of International Relations and Diplomacy  
Dr. Salim Ahmed Salim Centre for Foreign Relations  
[davidluheja@gmail.com](mailto:davidluheja@gmail.com)

**Philemon L. Sengati** | ORCID: 0009-0009-0414-9180  
Department of Political Science and Public Administration  
The University of Dodoma  
[philemonsengati@gmail.com](mailto:philemonsengati@gmail.com)

### Abstract

Previous research on election observation has assessed observer bias or examined the effect of local observers on the credibility of elections. This article examines how the interplay of foreign aid and domestic has shaped election observation practices in Tanzania's general elections from 1995 to 2020. The article anchors on documentary evidence to argue that foreign aid influences, the motives of Electoral Management Bodies, and partisan influence contributed significantly to domestic observers issuing ambiguous, contradictory, and even flawed election assessments. The study calls for more accountability of the electoral stakeholders and proposes measures to deter the negative influence of foreign aid and local actors.

### Keywords

Foreign Aid, Electoral Management, Election Observation, Electoral Processes, Election Observers

## 1. Introduction

Election management in Tanganyika and Zanzibar, the two countries that came together to form the United Republic of Tanzania dates back to the first multiparty election in 1962 and the subsequent post-colonial single-party elections in 1965, 1970, 1975, 1980, 1985, and 1990 (Mmuya, 1994). Single-party elections were managed and funded by the ruling single-party regime which dictated the conduct of elections management. The immediate post-independence government in Tanzania received substantial foreign aid which was not associated with political conditionalities related to electoral governance (Luheja, 2021). This enabled the United Republic of Tanzania to choose electoral governance practices that suited the wishes of the single-party regime and facilitated its motive of consolidating political power (Mallya, 2006). Several factors such as the absence of opposition political parties and vibrant domestic observer missions contributed to electoral malpractices which significantly distorted the freeness and fairness of the general elections (Ndumbaro, 2000).

The political and economic reforms that swept Africa since the 1980s changed electoral management practices. This was mainly because political conditionalities attached to foreign aid demanded reforms in political governance including the management of elections. Foreign aid conceptions were easily implemented because most of the African governments had poor economies that could not finance election management activities. Since then, western donor's foreign aid has become the most important catalyst in boosting the democratisation process in Africa dictating the presence of an election observation component in the electoral processes (Bratton & van de Walle, 1997).

Tanzania in particular complied with the requirement of the democratisation wave and changed from single-party managed elections to competitive multiparty elections whose legitimacy also depends on certification by "independent" domestic and international observers. (Mwesiga, 1994; Msekwa, 2006). Since the reintroduction of multiparty elections in Tanzania, the relations between foreign aid and election management has evolved as Tanzania's democratic practice featuring in every electoral cycle (Selbervik, 1999). This article argues that foreign aid, which is now a permanent feature of Tanzania elections and democracy dispensation, dictates election observation. The funders' conditions are revealed in the ways the funds are allocated and prioritised, who gets the funds, and how funds will be used, as well as gauging the impact of the interventions (Carothers, 1999). Consequently, election observation assessments of multiparty elections conducted in 1995, 2000, 2005, 2010, 2015 and 2020 swung reflecting both expressed and undeclared funders' political motives.

Election observation in Tanzania has been a subject of research interest for some time now with some researchers such as Makulilo (2011) and Henry, (2017; Henry, 2023) questioning the role and credibility of election observers. Elsewhere, studies have also examined election observer biases and their impact on the credibility of elections (Kelly, 2010; Bush & Prather, 2018). However, there have been no attempts to examine the interplay of foreign aid, partisan influence and election observers' assessment of the elections. In this context, the current study examines the question of whether partisanship and donor motives affected the domestic observers' assessments of general elections in Tanzania. The article contributes to research on election management and election observation in general.

Subsequent parts of the article are structured as follows. The literature review discusses the influence of foreign aid, and partisan politics on the role of domestic observers in the general elections and ends up with the theoretical framework guiding the study. The methodology section explains how the study was conducted, followed by the presentation and discussion of the study findings. The last section of the paper presents the conclusion and the recommendations.

## **2. Literature Review**

Electoral assistance for supporting election observation is not only important but also a much-contested aspect of strengthening electoral governance in developing countries. Finkel et al, (2007) argue that international electoral assistance to domestic observers enables them to enhance the security at voting locations, monitor election-day activities, improve election integrity, certify the legitimacy of electoral outcomes, and advocate for electoral reforms. The presence of election observers at the voting stations on election day raises the trust and confidence of the participating political parties and voters. Likewise, electoral support ensures the accountability of election management, and facilitates the management of electoral disputes, on-site results verification, and, election legitimisation (Bargiacchi et al., 2011).

On the other side, scholars argue that foreign aid support to domestic observers may compel observers to be agents of donors to the extent of legitimising flawed elections and

forged democratisation (Abbink & Hesselting, 2000). Beaulieu & Hyde (2009) argue that observers can cause politicians to switch to less blatant forms of cheating and that this indirectly causes boycotts. Aids may also motivate the establishment of new election observer organisations to compete for funding rather than for democratisation (Bjornlund, 2004). Similarly, practitioners and scholars are in great doubt whether foreign aid support for election observation is still relevant (Kelley, 2012)

International donor influence may affect even the core elements of how some countries conduct and structure election observation activities. Donor-sponsored projects extended to election observer actors have to maintain a donor-accepted arrangement (conditionalities) and its composition of activities follows a standardised implementation course that supposedly guarantees impact. Conditionality, in this study's context, is "the promise or increase of aid in the case of compliance by a recipient with conditions set by a donor, or its withdrawal or reduction in the case of non-compliance" (Frerks (2006: 15). It also refers to "the use of pressure, by the donor government, in terms of threatening to terminate aid, or actually terminating or reducing it, if conditions are not met by the recipient" Stokke (1995:12). Usually, electoral assistance has political conditionality aiming to influence election observation process in the recipient countries (Zamfir & Debreva, 2019). This is a political reality that controls donor-recipient relations in election observation. When coupled with motives beyond democracy promotion, international electoral assistance may even undermine the election observation they claim to support in recipient countries.

It would be clear from the preceding discussion that electoral support from donors has a direct influence on the actions, behaviour and operation of the recipient actors involved in election observation. In sharing this view, Bakari (2001:36) points out that, "promoting or supporting a democratic course is a political strategy to achieve specific interests –economic, political and strategic". This argument explains better the neo-liberal agenda and donor support for democracy, a move seen by Marxists as having a detrimental effect on poor countries' politics and economic well-being (Hobden & Jones, 2005). This discussion prompts the need to sincerely examine the effect of foreign aid in election observation in Tanzania's general elections.

The theoretical framework informing this study is based on the determinants which influence recipients' compliance with donors' conditionality. Several scholars share their opinions on two important factors which are the lack of financial capacity, and the weak strategic importance position of recipient's actors involved in election observations. These factors cause the beneficiaries (election observers) to have low negotiating power to demand better terms of agreements (Breblein & Schmaljohann, 2014; Hernandez, 2016; Li, 2016; Girod & Tobin, 2016).

Policy conditionality makes donors impose explicit conditions and requirements about how they believe aid provided should be used, and either withhold or withdraw aid if the conditions are not met by the recipient actors (Rachel et al., 2021). In turn, this is likely to influence election observers' assessment of the election process and election results. The weak financial capacity and lack of strategic importance framework resonates with the domestic observers' donor relations in Tanzania. Domestic observers in Tanzania are non-government organisations (NGOs) and civil society organisations (CSOs) which usually do not have their own sources but they entirely depend on foreign aid to conduct election observation activities. This state of affairs gives the donors a very influential strategic position in imposing conditionalities which must be fulfilled by the recipient actor.

Despite the overbearing influence foreign donors may be having on domestic observers, the latter cannot be assumed to be entirely submissive to the donor's instructions.

Domestic observers are also political actors with stakes and interests in domestic politics. Their assessment of elections is not politically neutral because partisanship motives may also influence the behaviours of the domestic observers to either favour or dislike some actors participating in the electoral process. Domestic observers can be susceptible to political bias, ethnic alliances, and prone to corruption (Macdonald & Molony, 2023).

### **3. Methodology**

The article uses evidence from credible documentary sources. The extensive documentary review involved a thorough assessment of various sources containing information and evidence related to foreign aid's role in the observation of Tanzania's general elections. Amongst the key sources were reports from various local election observers in Tanzania including, Tanzania Electoral Monitoring Committee (TEMCO), Tanzania Civil Society Consortium on Election Observation (TACCEO), Tanzania Election Watch (TEW) and Research for Democracy in Tanzania (REDET). Others were newspaper reports, donor election observation project documents and the National Electoral Commission's reports. The study also engaged secondary sources mainly published scholarly works on election observation.

The analysis was carried out through content analysis mainly focusing on themes, meanings, and use of words and phrases which provided an in-depth understanding of a social phenomenon related to foreign aid and elections observation from 1995 to 2020 (Babbie, 1992). In this regard, the authors read the documents, sorted relevant texts and interpreted the information accordingly.

### **4. Results and Discussion**

Election observation is an integral part of the democratic and electoral legitimising in Africa and the world. International, regional and domestic observers play an important role in improving the transparency and credibility of elections, legitimising electoral processes, minimising conflicts before, during and after elections, and certification of election results (EISA, 2005). This section discusses the results of how foreign aid and politics influenced the electoral practices related to election observation of Tanzania's general elections from 1995 to 2020.

The number of domestic observer missions in Tanzania has constantly increased due to the availability of donors' electoral resources. For example, in the 1995 elections, three domestic observer missions participated in observing the elections. These were the Tanzania Election Monitoring Committee (TEMCO), The Muslim Council of Tanzania (BAKWATA), and the Christian Social Services Commission (CSSC). In the 2000 elections, four domestic observers came out, the Christian Council of Tanzania (CCT), Elections 2000 Media Monitoring Project, TEMCO and Tanzania Youth Forum. In the 2005 elections, three domestic groups observed the elections including Ecumenical Observer Group, Agenda Participation 2000 and TEMCO. In the 2010 elections, besides TEMCO, a consortium of sixty organisations under the Tanganyika Law Society (TLS) and Tanzania Civil Society Consortium on Election Observation (TACCEO) were accredited by NEC to participate in election observation. In the 2015 and 2020 elections, a total of 97 domestic observer missions were accredited to monitor and observe the elections NEC, 2016; NEC, 2021).

In the 1995 elections, TEMCO, BAKWATA and CSSC observed the elections with electoral support from Denmark, Sweden, Finland, Norway, The Netherlands and the European Commission. The participation of BAKWATA in these elections requires a more refined analysis. In response to BAKWATA's request to observe the elections, the NEC wrote twice to BAKWATA and even sent a person to draw BAKWATA's attention to the fact that they were welcomed as

domestic observers. BAKWATA replied that they had teamed up with TEMCO, and will not observe the elections independently. Surprisingly, BAKWATA sent their own independent election observers (NEC, 1996). This suggests that the operation of BAKWATA represents other donor-funded actors who participate with hidden agendas in the electoral process. Regarding the BAKWATA event, Omari (1996:68) stated that; “there were, however, some NGOs which were not open and carried out their activities clandestinely. In any case, whether local or foreign, their aim was to influence the voter’s behaviour through education and mobilisation.”

Domestic observer missions in the 2000 elections were funded by the United National Development Programme (UNDP) Joint Electoral Assistance Secretariat (JEAS). Donors influenced the domestic observer missions in the following ways: JEAS stationed three donor experts who provided logistical support, briefed the observers before and after observation, designed a reporting format for monitors and observers and more pressing dictate, the JEAS held meetings every two weeks to assess the activities of the observer groups. The European Union (EU) set aside a total amount of TZS. 343,524,000/= (around US\$ 140,000) for funding domestic observers (NEC, 2001). The EU imposed a condition requiring the coordination of domestic and international observers to be under the UNDP and EU. The government, through NEC, hesitated to accept such an arrangement because other organisations such as the Organisation of African Unity (OAU), Southern African Development Cooperation (SADC) and The Association of European Parliamentarian for Africa (AWEPA) were not comfortable being coordinated by another regional organisation. It was, therefore, agreed after negotiation between NEC, donors and other international observers that UNDP should coordinate and the European Union could have its officers at the UNDP office. The EU threatened to withdraw their support once its demand to position its officer at the UNDP Tanzania office was denied. In anticipation of possible challenges, NEC accepted such an arrangement, since it needed EU support (NEC, 2001).

As stated earlier, the availability of donors’ electoral resources not only motivated the formation of new organisations but also heightened the conflict of interest among recipients regarding the ownership of donors’ electoral resources. For example, TEMCO being the leading domestic observer mission in Tanzania was established in 1994 with 22 member organisations, but the number of TEMCO member organisations increased to 153 in the 2010 elections. The breaking away of 17 member NGOs from TEMCO and forming TACCEO as their own umbrella organisation before the beginning of the 2010 electoral cycle is open evidence that donor resources sparked tensions among domestic observer missions. Although TEMCO and TACCEO received donors’ resources to observe the elections, in their elections final reports there was no mention if the received donors’ support had conditionalities in executing their duties.<sup>2</sup> For instance, the TACCEO election report remarked that,

We would like to acknowledge and extend our heartfelt gratitude to our Development Partners (SIDA) for their immense collaboration and support which facilitated the TACCEO to coordinate and implement monitoring of the 2010 general elections in Tanzania (TACCEO, 2010:1).

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<sup>1</sup> TACCEO member NGOs included, LHRC, TGNP, WLAC, SAHRINGON, TAMWA, ForDIA, LEAT, Policy Forum, TANLAP, MPI, ACCORD, TAHURIFO, TLF, YPC, HAKIMADINI, ZLSC and WILDAF.

<sup>2</sup> TEMCO member NGOs who observed the 2010 elections were 153. This number counted just after the separation of 17 member NGOs who formed TACCEO. Therefore, it should be understood that, wherever we use the term “TEMCO” and “TACCEO” we are referring to a total number of 180 NGOs who observed the 2010 elections in Tanzania (See the document of the list of TEMCO member organisations-2010, pp 1-14).

In the 1995 elections, TEMCO received funds from six donors: Denmark, Finland, Norway, Sweden, the Netherlands, and the Commission of the European Union. TEMCO submits, "*They made us a generous and timely grant, without any conditions attached, except that money be spent as planned and be fully accounted for*" (TEMCO 1996:6). Surprisingly, TEMCO reports for the 2000 and 2005 elections did not spell out whether the received funds were free of donors' conditionalities. In its report for the 2000 elections, TEMCO (2001:x) noted, "*We are also grateful to the Basket Group of Donors led by the Royal Danish Embassy for their financial support.*" Similar statements featured in the 2005 and 2010 general elections reports: "*We would like to give special thanks to the Donors Basket (coordinated by UNDP) whose financial assistance made it possible to carry out the elections observation work*" TEMCO (2006: xi); "*We are grateful to Election Support Project (ESP) 2010 managed under the auspices of the UNDP for their financial support which enabled us to meet the expenses of the observation mission*"<sup>3</sup>

The silence of TEMCO and TACCEO in their reports concerning whether the received electoral support had conditionalities or not for 2000, 2005 and 2010 requires more critical analysis. Anyemedu cited in Olukoshi et al., (2006) maintains that foreign aid is not only about resources and the redistribution of wealth from rich to developing nations; aid is quite political within this economic system with connections to electoral democracy. This suggests that TEMCO and TACCEO deliberately did not acknowledge the fact that the influence of donors in their activities was unavoidable. The politics of election financing is depicted in the donor's selection process to finance domestic observer groups, as donors' motives are not the same. The donors support beneficiary groups agreeing to implement the financier's interests. Thus, such circumstances force the recipient's domestic observer missions to be influenced by funders in various ways like the operation attitude, behaviour and perception towards the electoral process.

In the 2010 elections, TACCEO applied for electoral funds from the UNDP (ESP) 2010 but did not secure the funds. The response by UNDP was that TACCEO had a very expensive bid compared to other NGOs like TEMCO and TLS. These secured funds from UNDP to do the same job of observing the elections. The critical assessment of this state of affairs informs that observers' final elections assessment reports always vary from one observer's mission to the other depending on the motives of donors. The same donors who funded TEMCO and TLS influenced the two observer missions to produce election observation reports with the same verdict. For example, TLS (2010, p.1) report remarked that;

We also wish to further extend our appreciation to the Tanzania Elections Monitoring Committee (TEMCO), which deployed four (4) election monitoring and observation experts to four (4) training centres across the country to conduct zonal training for all the TLS observers on the practical modalities for observing elections. In this regard, special thanks to TEMCO for assisting with the drafting of the training modules and the TLS data-collection instrument (TLS, 2010:1).

The influence of donors was seen in the Terms of Reference between the financiers and the recipients, whereas TEMCO in particular was not only required to submit quarterly reports to donors to see the progress of the activity but also to comply with the donors' guidelines of free and fair elections. Then it was not surprising to see that both TLS and TEMCO shared a similar

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<sup>3</sup> The Election Support Project 2010 was supported by Canada, Denmark, the European Commission, Finland, the Netherlands, Norway, Sweden, Switzerland, UNDP and the United Kingdom, and is managed under the auspices of the United Nations Development Programme in Tanzania.

verdict in their final elections' certification reports. The conclusion that the 2010 elections were free and fair was expected since both TLS and TEMCO applied the same methodology in observing the elections and were financed by the same donor. Van Cranenburgh (2000) emphasises that the pressure to arrive at a consensus verdict in the absence of one objective standard of observation, suggests that observation activities are not processes that are immune from the peculiar interests of donors. Therefore, the perception of host donors' financing local observer groups may further undermine the election observation activity (Carothers, 2015).

The claim above is substantiated by contradictory assessments of the 2010 election between TEMCO, funded by UNDP, and TACCEO, funded by the Swedish International Development Cooperation Agency (SIDA). For example, TEMCO (2011:214) pronounced the 2010 general elections in Tanzania qualified free and fair. This is to say that; "*The elections were generally conducted freely and fairly but there were significant irregularities that affected some participants negatively*". In contrast, TACCEO concluded that the 2010 general elections were free but definitely not fair due to observed anomalies which included;

Delays in opening the polling stations, missing names of voters, inadequate materials, unreasonable delays in results; incidences of police brutality and excessive use of force (beatings, tear gas, pepper water), as a public reaction these in turn were encountered by breach of rule of law by mobs which led to arson, riots, chaos and violence all these were clear breach of both national and international standards set by Tanzania's laws and international human rights instruments (TACCEO, 2010: xv, 152).

The NEC queried the TACCEO report as it wondered why TACCEO diverged from other local and international election observers who had certified the election to be free and fair. This suggests the interest of donors is not the same always when supporting recipient actors. The condemnation versus *endorsement* assessments of the same election by TACCEO and TEMCO also reveal inherent political values and partisan interests among domestic election observers. Analysis of TACCEO membership showed that a good number of TACCEO member organisations were previously TEMCO members<sup>4</sup>. TACCEO members detached from TEMCO in the 2010 elections, they participated with TEMCO in the previous elections of 1995, 2000 and 2005, and the decisions reached were agreed by all members. For instance, TEMCO pronounced the 1995 and 2000 general elections in Tanzania as free but not fair. "*They were free because no person or category of persons was prevented from participating or forced to participate in the elections under the existing rules and circumstances*". All were free – at least legally speaking – to participate or not to participate. TEMCO (1996: 252) and (2001:198), went further stating that,

The elections were unfair because of the presence of pervasive non-compliance with electoral rules, often taking the form of government and/or election officials' actions that militate against the fair participation of some parties, candidates or voters. For example, it was noted unfairness from big state bias in favour of the ruling party, the heavy-handedness of the police in campaigns rallies of the opposition parties, and the incomplete separation of state resources from those of the ruling party.

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<sup>4</sup> These are LHRC, TGNP, WLAC, SAHRINGON, TAMWA, ForDIA, LEAT, Policy Forum, TANLAP, MPI, ACCORD, TAHURIFO, TLF, YPC, HAKIMADINI, ZLSC and WILDAF.

This statement was not well received by the government and NEC, which accused TEMCO observers as activists who observed the elections with the motive of supporting the opposition parties (NEC, 1996; NEC 2001). The fact that TEMCO did not endorse the 1995 and 2000 elections but changed its stance in the 2010 elections, despite observing similar anomalies, suggests the influence of its former members (who later formed TACCEO) on the previous election assessments. It also signifies that while TEMCO's political inclination is biased towards the ruling party, TACCEO is inclined towards the opposition. Also, due to harsh accusations of TEMCO by the government concerning its reports on the 1995 and 2000 elections, TEMCO may have retreated in fear of retribution as it did not want to see the NEC deny its accreditation of a domestic observer for the 2005 and 2010 elections. It then followed that TEMCO reports for the 2005 and 2010 elections pronounced the elections as free and fair. This significant shift in TEMCO's assessment could be noticed from the way it framed the objectives of the 2005 election observation. TEMCO had four objectives which included providing feedback to major stakeholders (EMBs, government, political parties, candidates, voters, the media, etc.) and other interested observers, making suggestions for significant improvements in the electoral system and process, providing indications for the extent of democratic consolidation achieved, and to be able to say whether, all things considered, the elections were free and fair or not (TEMCO 2006:xi, 161). Stressing on the compromised TEMCO activities, one analyst remarked:

It was at this juncture that TEMCO's objectives became flawed. If read critically, they are vague and do not suggest anything worth election observation. As can be seen, even the words 'to observe; 'to monitor' and 'to assess' which were key features of TEMCO's objectives in the 1995 and 2000 elections, were omitted (Makulilo, 2011: 246)

Although TEMCO observed the electoral processes systematically from 1995 to 2010, its assessments were always criticised by the opposition parties and the public in general. For instance, in 2010, Tanzania Labour Party (TLP) and *Chama cha Demokrasia na Maendeleo* (CHADEMA) demanded clarification from NEC as to why TEMCO, which had allegedly proven to be biased, was still allowed to operate as an election observer in Tanzania. The allegation put forward was that the composition of the leadership of TEMCO was closely associated with the ruling party, *Chama cha Mapinduzi* (CCM) and that it was affiliated with the public university, the University of Dar es Salaam while its management comprised of university lecturers who were alleged to be presidential political advisers, (*The Daily News*, 23.10.2010; TACCEO, 2010:135).

In the 2015 elections, TEMCO and TACCEO teamed up to form the Coalition on Election Monitoring and Observation in Tanzania (CEMOT) which jointly managed the elections observation activities. In its report, TEMCO acknowledged:

The cooperation of Research for Democracy in Tanzania (REDET), the lead agency of TEMCO, received from the Legal and Human Rights Centre (LHRC), the coordinator of TACCEO, which led to the establishment of CEMOT under which the Election Observation Centre (EOC) carried out its activities. The data from EOC have enriched this report (TEMCO, 2016:19).

It also acknowledged the contribution of its donors noting that;

The funding for the observation of Tanzania's 2015 general elections came from the generous support of the American people through the United States



Agency for International Development (USAID). We are grateful to them for their financial support which enabled TEMCO to set up a Secretariat and to meet the expenses of the election observation mission. We also wish to acknowledge, with appreciation, the valuable technical support that was provided by the National Democratic Institute (NDI) to enable the infusion of ICTs in TEMCO's elections observation work (TEMCO, 2016:18).

TEMCO member organisations which participated in the exercise were 183. As explained, donors and partisan interests might have shaped TEMCO's final election observation verdict, which after its release was much disputed by other domestic elections observers. Its assessment endorsed the elections while sugar-coating the irregularities:

TEMCO's overall assessment shows that the conduct of electoral activities during the entire electoral cycle in five constituencies (3.3%) qualify for the award of "free but not fair" certificate; electoral activities in 67 constituencies (44.7%) are considered for a "qualified free and fair" certification; while election activities in 78 constituencies (52%) deserve a "clean, free and fair" certificate. Broadly, the Tanzania (Union) 2015 election deserved a "clean, free and fair" certificate. However, taking into account the perceptions and legitimate concerns of various electoral stakeholders regarding the independence of the electoral commission, minor shortcomings in the legal and instructional frameworks as well as challenges identified in the conduct of the four core components of the electoral cycle, TEMCO awards the Tanzania 2015 Union Elections a QUALIFIED FREE AND FAIR certificate (TEMCO, 2016: 196-197).

As explained previously, the two giant and antagonistic domestic observer missions in Tanzania, the LHRC-TACCEO, and TEMCO-REDET when funded by different donors never provided a similar election observation's final verdict. TACCEO always provided critical observation reports and therefore was branded a pro-opposition movement, and TEMCO has always provided observation reports favouring the ruling party and thus labelled as a pro-government organisation. This suggests different donors shape the attitudes and electoral practices of the beneficiary domestic observer missions differently (Dietrich & Wright, 2015).

Despite this antagonistic history, for the 2020 elections, the two missions agreed to provide the same final election observation verdict which qualified the elections as free and fair. Surprisingly, the 2020 election was characterized by both the main opposition and other domestic and international actors as the worst-ever election in Tanzania's history of multiparty elections. This shift in TACCEO's opinion from condemning to endorsing highly disputed elections was likely aligned with self-motives rather than donor pressure. The 2020 elections were conducted in a politically stringent environment, unlike the previous elections, with little chance of dissenting without repression.

After the completion of the 2015 elections, TEMCO-REDET and LHRC-TACCEO prepared a joint meeting to discuss important issues resulting from the 2015 elections from the perspective of domestic election observers. The meeting which was funded by donors laid recommendations for the government and domestic observers in advance of the forthcoming 2020 elections. These arrangements show how donors' interests can significantly affect and shape the recipient's operation and perception in the electoral process. The LHRC-TACCEO was successfully compelled to work together with TEMCO-REDET despite their differences, and this indeed was good news to the government and NEC because TACCEO's critical stance could now be easily moderated.

In 2019, section 2 (b) of the Societies Act (CAP 337) was amended by Act No. 3 (2019), excluding all faith-based organisations from participating in the 2020 elections observation. This limited many TEMCO member organisations to take part this time. This necessitated REDET, the lead agency of TEMCO to lead the observation exercise. Again, REDET acted similarly to what TEMCO used to do in the previous years and provided a very ambiguous final election observation assessment. This was not a surprise since the management team remained the same. The report stated:

The 2020 General Elections were managed adequately by NEC and ZEC to make them credible. The electorate was afforded an opportunity to participate freely in the various election processes from the updating of the PNR to casting the vote on the Election Day, vote counting and announcement of results. Based on this observation, REDET awards the Tanzania 2020 Elections a “Qualified Free and Fair” certificate (REDET, 2021:191)

In contrast, the Tanzania Election Watch (TEW) concluded differently that, the 2020 elections were neither free nor fair:

In conclusion, the people of Tanzania, their political parties and candidates ran a fairly competitive elections campaign despite significant limitations and setbacks. The demonstrable lack of transparency, absence of comprehensive stakeholder engagement and accountability deficits in the general management of the electoral process undermined the credibility of the outcome. This is contrary to international standards for holding free, fair, participatory, transparent, accountable and credible elections. In the result, it is not possible to affirm Tanzania's elections as free, fair or credible. Thus, TEW's overall assessment of the election was that it marked a significant regression of democracy in the country's democratic development (TEW 2021:12).

REDET was financed by USAID and the Danish International Development Agency (DANIDA) through the Tanzania Electoral Processes Observation (TEPO) initiative (REDET, 2021:10). It received a sum of US\$ 1,499,307 million from July 2020 to April 2021 to conduct election observation and post-election activities. Through TEPO, USAID conditioned REDET to issue timely public reports and statements on the 2020 elections, disseminate key recommendations to stakeholders and ensure increased awareness and transparency of Tanzania's 2020 general elections. REDET was also conditioned to recruit, train, and deploy 160 both long and short-term observers, to monitor the planning, administration, and conduct of elections in 160 constituencies in Tanzania mainland and Zanzibar (TEPO 2020:1-2). On the other side, TEW was supported by the International Federation for Human Rights (FIDH) which channelled its support through Kenya Human Rights Commission (KHRC) and Ugandan (*Kituo cha Katiba*) partners (FIDH 2020:1).

The sharp differences in election assessments between REDET and TEW bring more issues to be desired in understanding what caused the contrasting assessments. The previous analysis points to donor interests and partisanship or domestic observers' motives. Notwithstanding, there are complex concerns by-elections observation practitioners on what determines the free and fair elections. If one applies the subjective approach by Robert Pastor on what constitutes free and fair elections, we can be tempted to conclude that all multiparty elections conducted in Tanzania from 1995 to 2020 were not free and fair. Pastor defines a

“free and fair” election, as the “one in which the major parties all accept the process and respect the results” (Pastor,1998: 160). A “Flawed” election is “one in which some or all of the major political parties refuse to participate in the election or reject the results” (Pastor, 1999:15). In whatever circumstances, there are complexities in agreeing on the freeness or the fairness of the election between political parties in power and the opposition parties. If election results retain the incumbents in power, they are termed as unfree and unfair by opposition parties even though are being declared free and fair by election observers. On the other side, when the opposition party wins elections, it rarely terms the elections as unfree or unfair. Geddes (1999) has observed this and noted a possibility of over-reporting and exaggeration in both extremes for opposition parties and election observers. In whatever the case, election observation is not value-free. Taking into account the above scholarly precautions concerning gauging the freeness and fairness of elections by Pastor and Geddes. It is suggestive that the interplay of the motives of foreign aid, observers' partisan or other motives and domestic political dynamics of the time significantly influence election observation practices.

The above discussion correlates with what Moehler (2005) argued concerning the problems arising from the certification of elections, especially when observers use the ‘freeness – fairness’ scale. In this model, usually, election managers and the winners of the elections wish to hear that the elections were *free and fair* because this raises their legitimacy and confidence before the electorates and the international community. Therefore, it was not a surprise for TEMCO and REDET election observation verdicts for the 2005, 2010, 2015 and 2020 elections to be accepted by NEC and the ruling party and rejected by the opposition. In contrast, the losers want to hear that the elections were *unfree and unfair*. It then followed that TEMCO elections observations assessments for the 1995 and 2000 elections; and the TACCEO elections observations verdicts for 2010, and TEW 2020 election reports were applauded by the opposition parties. Blais & Gelineau (2007) further emphasise that certification of elections must be carried out carefully and objectively, rather than to appease some actors at the expense of others, and must be based on concrete data gathered by observers. However, this is difficult to achieve given the conflicting interests and motives among election observers.

## 5. Conclusion

Election observation is not a neutral undertaking. The interplay of electoral assistance, observers' partisan or other motives and domestic political dynamics of the time significantly influence election observation practices and determine the observers' election assessments thereof. This explains why domestic election observers in Tanzania make different conclusions on the same election or even offer ambiguous and controversial assessments that in turn have undermined their credibility. Such assessments are either aimed at pleasing the donors, the political parties, or the EMBs and the government rather than defending the interests of the electorate. This calls for more transparency and accountability of domestic observers, not to the donors or EMBs but to the citizens. It also calls for consensus among election stakeholders in Tanzania on election observation methodology and on the parameters to judge the election as free and fair, qualified free and fair, free and not fair, or unfree and unfair.

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