

# Tanzania

Tanzania is a united republic formed from mainland Tanzania and Zanzibar, in 1977. The constitution defines Tanzania as a “democratic and... secular” state. (Zanzibar has its own constitution, courts and legislature within the united republic’s constitution.)

Constitution and government	Education and children’s rights	Family, community, society, religious courts and tribunals	Freedom of expression advocacy of humanist values
<u>State legislation is partly derived from religious law or by religious authorities</u>		<u>Religious control over family law or legislation on moral matters</u>	<u>‘Blasphemy’ is outlawed or criticism of religion is restricted and punishable with a prison sentence</u>
		<u>Religious groups control some public or social services</u>	
	<u>State-funded schools offer religious or ideological instruction with no secular or humanist alternative, but it is optional</u>		

Legend

## Constitution and government

In principle, the constitution protects freedom of thought and expression; freedom of conscience, faith and choice in matters of religion; and freedom of association and assembly. However, these provisions of the constitution are not upheld in practice.

The present constitution includes a Commission for Human Rights and Good Governance (CHRAGG). This body is intended to be an independent government department, established as the national focal point institution for the promotion and protection of human rights and duties as well as good governance in Tanzania. But local Human Rights groups question both CHRAGG’s independence and its capacity to deliver.

<[humanrights.or.tz/downloads/tanzania-human-rights-report-2013.pdf](http://humanrights.or.tz/downloads/tanzania-human-rights-report-2013.pdf)>

## Family, community and society

The human rights situation in Tanzania remains of serious concern. The Legal and Human Rights Centre (LHRC) of Tanzania, in its report on the human rights situation for 2018, notes a long list of human rights concerns including but not limited to: “Alarming rate of incidents of sexual violence against children”, “Controversial Online Content Regulations signed into law”, “misuse of arrest and detention powers by regional and district heads”, “Tanzania further dropping in the World Press Freedom Index”, “Killings of older people in Tabora, Songwe, Kagera and Rukwa”, “Killing of a university student, Akwelina Akwilini, during an opposition protest in Dar es Salaam”, “National and international stakeholders and partners expressing concern over decline of human rights in

Tanzania”, and “Abductions and killings of bodaboda drivers”.

<[humanrights.or.tz/assets/attachments/1557833574.pdf](http://humanrights.or.tz/assets/attachments/1557833574.pdf)>

There continue to be widespread attacks on accused “witches”. It was estimated in 2014 that 500 suspected witches are killed in Tanzania annually.

<[bbc.co.uk/news/world-africa-29572974](http://bbc.co.uk/news/world-africa-29572974)>

## Religious courts

There are significant differences in the approach to religious courts between mainland Tanzania and Zanzibar. After independence, Tanzania mainland embarked on the process of unification of personal laws with a view of having a unified law to all her citizens irrespective of their religious inclinations. The unification process resulted in the application of the Law of Marriage Act of 1971. However, *Kadhi’s* courts are part of the national judicial system of Zanzibar and Islamic law is predominant in matters of personal status. Many Muslims of Zanzibar regard attempts by mainlanders to reform some aspects of the judicial system as an attack on Zanzibar’s legislative autonomy.

<[sharia-in-africa.net/pages/project/tanzania.php](http://sharia-in-africa.net/pages/project/tanzania.php)>

## Birth control discouraged

In September 2018, Tanzanian president John Magufuli told a rally that he does not “see any need for birth control in Tanzania” and that people who make use of contraceptives are lazy as “they do not want to work hard and feed a large family”. Although Tanzanian women have the right to control their fertility and choose any method of contraception, access to services is limited.

<[theguardian.com/global-development/2018/sep/11/no-need-for-birth-control-tanzanian-presidents-views-cause-outrage](http://theguardian.com/global-development/2018/sep/11/no-need-for-birth-control-tanzanian-presidents-views-cause-outrage)>

During a rally in 2017, Magufuli stated:

*“As long as I am president [...] no pregnant student will be allowed to return to school. [...] We cannot allow this immoral behavior to permeate our primary and secondary schools”.*

Magufuli reintroduced a ban which dates back to the 1960s. Tanzania has one of the highest adolescent pregnancy and birth rates in the world, with 21 percent of girls aged 15 to 19 having given birth. According to a report published in 2013 by the Center for Reproductive Rights (CRR), more than 55,000 Tanzanian girls have been expelled from school over the last decade for being pregnant.

<[reuters.com/article/us-tanzania-girls/tanzanias-ban-on-pregnant-girls-in-school-violates-basic-rights-campaigners-idUSKBN19H1FE](http://reuters.com/article/us-tanzania-girls/tanzanias-ban-on-pregnant-girls-in-school-violates-basic-rights-campaigners-idUSKBN19H1FE)>

## Highlighted cases

One **Eva Abdulla** was charged with blasphemy (said to have urinated on the Koran) and in July 2012 was sentenced to 2 years imprisonment. On appeal, January 2013, Abdulla was found not guilty and released.

<[hrwf.org/images/reports/2013/forbprisoners.pdf](http://hrwf.org/images/reports/2013/forbprisoners.pdf)>