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THE LEGACY OF NEO-PATRIMONIALISM AND THE CRISIS OF STATE LEGITIMACY IN TANZANIA

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Abstract
This article looks at the ongoing problem of people not trusting the government and the Tanzanian state not having real authority through a political and philosophical lens. Even though Tanzania's economy is growing and the country has made formal democratic changes, the Tanzanian government still faces a serious problem with legitimacy. The article argues that this problem comes from neo—patrimonialism, which is a mixed system of government where official legal structures (what Max Weber called the ideal) exist alongside informal networks of personal favors and individual rule. When neo—patrimonialism mixes public responsibility with private gain, it breaks the social contract between citizens and government, turning citizens into people seeking favors instead of equal members of society, and it stops people from working toward the common good. This article uses conceptual analysis, phenomenological inquiry, and analytical—political methodology to examine how Tanzania's state legitimacy has changed over time. The article examines how power developed in Tanzania from the charismatic, communal, and moral values of African Socialism promoted by Julius Nyerere, through economic liberalization in the 1990s, to today's forms of performative and legalist governance. The article shows that technical approaches to fighting corruption are likely to fail because they treat neo—patrimonialism as an administrative problem rather than as an alternative ethical system. To address this gap, the article suggests a restorative approach that combines the communal and trust—building values of Ujamaa (without the state's paternalism and force) with the structural rationalism of Weberian legal—rationalism. By spreading out executive power, creating a merit—based bureaucracy with integrity, and basing civic virtue in both classical and African humanist traditions, this article offers a decolonized reinterpretation of the social contract meant to restore genuine moral authority and civic responsibility to Tanzania's citizens and government.

Keywords: State Legitimacy, Neo-Patrimonialism, Social Contract, Political Trust, Ujamaa, Weberian Legal-Rationalism, Civic Virtue, Tanzania

Introduction

Today, the main challenge of Tanzania is associated with governance. This is due to the lack of the state legitimacy. As we know, the legitimacy can be defined as the moral and legal justification of power. Such a concept as legitimacy can be defined according to the social contract theory. In accordance with this theory, a society surrenders certain of its freedoms to the ruler, who protects people in return. John Locke claims that if a ruler does everything only for his personal benefit, the social contract is violated.[1] In Tanzania, notwithstanding all progress that had taken place and democratic reforms, there has appeared a deep crisis of trust between people and

1. Alex Thomson, *An Introduction to African Politics,* 5th ed. (London: Routledge, 2023), 115–20.

their government which is mainly associated with the legacy of neo—patrimonialism.[2]

This paper provides a restorative strategy which unites African humanist tradition of *Ujamaa* and the approach of Weberian Authority. The central point of this strategy is that the problem in Tanzania is not only in ways of governance but even in the essence of the state. In this article, the author seeks to investigate the problem of Tanzanian state's legitimacy, its philosophic base and its changes throughout history. In addition, the article will cover the problems that arise when implementing neo—patrimonialism and the consequences of personalized governance of the state. Finally, the author will discuss how these problems can be solved using reforms that involve traditions.

Therefore, this article attempts to identify the causes of legitimacy deficit in the Tanzanian state that appear because of a clash of the laws and real practices of governance. In this case, the state officials pursue the personal benefits instead of the common welfare of the country. Consequently, in order to improve the situation, it is necessary to revaluate the social contract and citizens' civic virtue in order to create the strong civil society that would include citizens who are both grounded in cultural values and involved into modern governance. Thus, the aim of this article is to make the connection between the modern theories of state and Tanzanian ontological peculiarities and provide the moral and ethical foundation of political legitimacy.

1.1 Foundation and Shift of Tanzanian State Legitimacy

1.1.1 Understanding State Legitimacy

The legitimacy of the state is the moral and ethical justification of governmental power. This justification distinguishes the political power from the power exercised by violence or coercion.[3] There are two kinds of legitimacy of the state: normative and sociological. According to Max Weber, it is very important because this concept turns the mere authority into the recognized right of ruling the country, providing the government with possibility to exercise violence.[4] The relation between the ruler and citizens plays the great role because in case of any violent acts or absence of improvement of citizens' living conditions there is no longer a justification of legitimacy of the government.

There are several ways to get legitimacy and such aspects as the effectiveness of governmental activities and the degree of its correspondence to the representatives of the population should be mentioned here. Nevertheless, mere functioning is not sufficient for creating of legitimacy because the institution must establish the real relations with society. International development organizations may be helpful in improving of state institutions, but these institutions tend to adopt Western models of states that may not correspond to the realities of this state.[5]

Philosophically speaking, the state's legitimacy implies the discussion of moral and political authority. This concept is the subject of disputes regarding its correlation with the security. Some famous historical philosophers (for example, Hobbes, Locke, Rousseau, Weber) made a great contribution to our understanding of state legitimacy because, as the experience tells us, state legitimacy is connected with the observance of the values of the society.[6] Throughout history,

2. Dan Paget, *The Logic of Hegemony: Party Building and Popular Mobilisation in Tanzania* (Oxford: Oxford University Press, 2024), 112–15.

3. Margaret Levi, *Consent, Dissent, and Patriotism* (Cambridge: Cambridge University Press, 1997), 16–22.

4. Max Weber, *The Theory of Social and Economic Organization*, trans. A. M. Henderson and Talcott Parsons (Mansfield Centre, CT: Martino Publishing, 2025), 324–28.

5. Pierre Englebert, *State Legitimacy and Development in Africa* (Boulder, CO: Lynne Rienner Publishers, 2000), 45–48.

6. Thomas Hobbes, *Leviathan*, ed. Richard Tuck (Cambridge: Cambridge University Press, 1996), 120.

the Tanzanian state faced the change of various kinds of legitimacy.

From traditional to legal—rational, throughout the history the legitimacy of the government has been evolving, demonstrating the combination of collective welfare, individual rights and the strong state that corresponds to both Hobbes and Lockes ideologies. The people of Tanzania dream about the government that will unite development, security and democracy.[7]

1.1.2 Types of State Legitimacy

There are three kinds of approaches to this concept: Max Weber's sociological types, social contract theory and performance—based legitimacy. According to the first type, the state legitimacy consists of the following types: traditional, charismatic and legal—rational. The traditional legitimacy is based on custom and historical continuity. In the charismatic legitimacy the authority is justified by the extraordinary qualities of the ruler and it forms very close but fragile bonds with the society. Finally, the legal—rational legitimacy corresponds to the state of the modern world and the power of government depends on the legality of the rules and office—holders.[8]

The main idea of the second approach is that legitimacy is justified by the consensus of the governed. From the Hobbes' point of view, the legitimacy is secured by the security of people, whereas for Locke it depends on the protection of natural rights. Finally, Rousseau develops this idea by introducing the notion of true legitimacy of the government which corresponds to the will of the society and serves for the common welfare.[9]

Finally, in the last approach we speak about the effectiveness of state that brings the economic growth and social welfare. This type has the risk of the crises of legitimacy because the government cannot satisfy the expectations of its citizens. It is opposite to the virtue—based legitimacy where a state is regarded to be legitimate only if it promotes morality and development of its citizens.[10] The theories of state's legitimacy show that there are contradictions between sociological beliefs and moral truths.

Any legitimate state should find the equilibrium between the legitimacy of the authorities and moral justification of the state power. The contradiction of voluntarist and natural duty theories illustrates the problem that arises in such situation. Whereas the voluntarism pays attention to the concept of consent, the natural duty theory is connected with the concept of moral necessity for existence of the state.[11]

1.2 Foundation of State Legitimacy in Tanzania.

In Tanzania, the state legitimacy is based on socialist ideology that has been introduced by Julius Nyerere and then changed into more pragmatic approach to the state governance. At first the state's legitimacy was rooted in the charismatic leadership and *Ujamaa* policy that focused on the communal development and the moral character of government.[12] But the economic problems in 1980's led to the crisis of the legitimacy in Tanzania which forced the government to shift to the liberalization.

7. Pierre Englebert, *State Legitimacy and Development in Africa*, 65

8. Max Weber, *The Theory of Social and Economic Organization*, 64.

9. Thomas Hobbes, *Leviathan,* 67.

10. Aristotle, *The Nicomachean Ethics,* trans. David Ross, ed. Lesley Brown (Oxford University Press, 2009), 1103a.

11. Jean—Jacques Rousseau, *The Social Contract and Other Later Political Writings*, ed. and trans. Victor Gourevitch (Cambridge University Press, 1997), 41.

12. Jan Blommaert, *State Ideology and Language in Tanzania*, 2nd ed. (Tilburg University, 2013), 35, https://repository.tilburguniversity.edu/server/api/core/bitstreams/77d099b4—196d—447c—9f53—5bb3c4a53da7/content.

Nyerere political philosophy is very important for understanding of the link between Western political thought and African perspectives. His ideology reflects the ideals of Rousseau's social contract theory and is very close to communitarianism because community members determine people's identity and rights. Moreover, Nyerere's attitude to the people's dignity can be compared with Hegel's recognition theory because state for him is a form of mutual recognition of moral subjects.[13] Finally, his approach is connected with Rawls' difference principle because in his opinion the poor must come first in case of the state. Nyerere's ideologies were influenced by Christian Social teachings such as the encyclicals of Pope John XXIII and *RerumNovarum*of Pope Leo XIII. Nyerere tried to develop synthesis of the tradition and modernity through the Tanzanian values.[14]

Nevertheless, the implementation of these principles led to the contradiction between paternalism and individual liberty. As the result the princioles led to the loss of justification to exercise power. In Arusha Declaration, moral legitimacy was established to eradicate the exploitation of the citizens through education policy named "education for self—reliance." At the beginning, the *Ujamaa* policy promoted voluntary villagization, but later, due to its slow acceptance by people, the government decided to organize the compulsive measures. This case reflects the Rousseauian search of the equality that sometimes conflicts with individual rights.

The period after 1978 showed the economic crisis in Tanzania but Nyerere argued that development is people—centered, that's why he needed one—party state in order to avoid the tribalism and to keep the national identity.[15]

But at the same time, the critics (for example, Hountondji, Wiredu) warns about the negative consequences of the unconditional adoption of the principles of communalism as the ideology of the state. It shows that even such philosophy as *Ujamaa* may transform into something that suppresses the individual freedom in name of collective harmony.[16]

Moreover, in her article Dr. Sr. NeemaMbuta criticizes the traditional family hierarchy of *Ujamaa*whichputs the father/patriarch strictly at the top of the hierarchy. Sr. Dr. NeemaMbuta argues that, this hierarchy accepts or overlooks inherent inequalities and fosters authoritarianism.This means that, some structures adopted by *Ujamaa*discourage individual efforts through centralization of authority to the father at the top of the hierarchy and which is adopted to govern a political or educational system. In this case, traditional values of mutual respect and unity are ridden over by authoritative elements that limit individual freedom. The "father at the top" structure demands compliance in the name of collective unity. This approach is able to stifle individual initiative and ignore the social and economic challenges of the time.[17]

1.3 The Shift of Tanzanian State Legitimacy

From 1985 to 2026, Tanzania witnessed important changes in state governance and legitimacy that began with the time of President Ali Hassan

13. Julius K. Nyerere, Ujamaa: Essays on Socialism (Oxford University Press, 1968), 12–15.

14. Kwame Gyekye, *Tradition and Modernity: Philosophical Reflections on the African Experience* (Oxford University Press, 1997), 35–40.

15. Julius K. Nyerere*, Freedom and Unity: Uhuru na Umoja* (Oxford University Press, 1967), 16

16 . Hountondji, P. J. (1983). *African Philosophy: Myth and Reality* (H. Blocker, Ed.; H. Evans, Trans.). Indiana University Press. (Originally published in French as Sur la "philosophie africaine", François Maspero, 1976).

17. Neema Mbuta, "The Concept of Individuality in Ujamaa: Hermeneutical Historical and Phenomenological Aspects of Politics in Tanzania,"*International Journal of Research in Forensic Medicine and Radiography* 5, no. 5 (2024): 285.

Mwinyi. His leadership meant the transformation from the socialist ideologies of his predecessor, Julius Nyerere, into more pragmatic approach which included economic liberalization and political pluralism.[18] The legitimacy of his government was based on the performance, institutional reforms and rule of law especially during the 1980's economic crisis. In this way, the shift of the ideology was determined by the necessity of the establishment of the social contract that obliged government to provide for the welfare of its citizens.[19]

On the other hand, the period of the president Benjamin Mkapa from 1995 to 2005 included the development of the concept of the legitimacy as a moral and functional contract. His concept of the government was based on such things as the truth and transparency, the performance legitimacy, institutionalism and global integration.[20] His administration paid attention to the fact that in order to avoid the charm of charisma of Nyerere, the state has to become a bureaucratic state which obeys the legal norms.Mkapa introduced institutions such as Prevention and Combating of Corruption Bureau (PCCB). At the same time, his neoliberal policies met the criticism for the alienation of the poor and the emergence of the legitimacy deficit among them.[21]

The period of the president JakayaKikwete from 2005 to 2015 continued the development of the state legitimacy concept through the provision of social services and the constitution reforms. He understood the state's legitimacy as something contingent from the ability of the government to deliver tangible results in such areas as health care, education etc. The Kikwete administration faced problems such as Richmond and Escrow corruption scandals which put his administration under mistrust of the citizens. But it still focused on the provision of infrastructure development and consultative politics of the state.[22]

The era of John PombeMagufuli from 2015 to 2021 introduced the new kind of state legitimacy which was defined by him through such concept as developmental legitimacy: the government is legitimate if it delivers infrastructure and social services. The regime of this president is very close to authoritarian because of the emphasis on the economic nationalism and moral authority and suppression of the dissent. In this way, the social contract has been transformed into the security contract where people give up their voice in name of development.[23]

The government of John PombeMagufuli in Tanzania has shown the prevalence of the charismatic authority where the personality and direct relations with the citizens of the president was the source of the legitimacy of the state. The President focused on the centralized executive power in order to combat the corruption and order in Tanzania, as it is shown by the Hobbes who believed in the necessity of a strong state in the sake of the security of people. Magufuli's concept

18. Ali Hassan Mwinyi, *Mzee Rukhsa: Safari ya Maisha Yangu* (Dar es Salaam: Mkuki na Nyota, 2021), 112–15.

19. Rwekaza S. Mukandala and Haroub Othman, eds., *Liberalization and Politics: The 1990 Elections in Tanzania* (Dar es Salaam: Dar es Salaam University Press, 1994), 22–30

20. Brian Cooksey, "Trends in Corruption During the Mkapa Era – Who Wants to Know?,"*in Tanzania Transition: From Nyerere to Mkapa,* ed. Kjell Havnevik and Aida C. Isinika (Uppsala: Nordic Africa Institute, 2010), 158.

21. Benjamin William Mkapa, *My Life, My Purpose: A Tanzanian President Remembers* (Dar es Salaam: Mkuki na Nyota, 2019), 145–52.

22. Robert T. Prince, JK: *A Political Biography of Jakaya Mrisho Kikwete, President of the United Republic of Tanzania* (Dar es Salaam: Tanzania Publishing House, 2011), 88

23. Mathias C. J. Kabadi, *Mjue Dkt. John Pombe Magufuli: Chimbuka, Historia, Siasa Na Uongozi Wake* [Knowing Dr. John Pombe Magufuli: His Origin, History, Politics and Leadership] (Dar es Salaam: Benedictine Publications, 2020), 45.

of his policy and actions were connected with representation of "the silent majority" and shifting of the focus of legitimacy from the procedural one (connected with the legality) to the substantive legitimacy (deliverable results and pride of nation). Magufuli aimed at financial independence of the government from foreign assistance and promotion of such *Ujamaa* policy that implies self—reliance and African spirit.[24]

In her turn, the President SamiaSuluhu Hassan begins her government with the intention to reconcile the government and the opposition, abandoning the authoritarian policy of the previous president. Such shift was caused by the desire to perform democratic reforms that will balance the effectiveness of the policy of Magufuli and openness of previous presidents such as Julius Nyerere and JakayaKikwete. The 4Rs framework of her governance – Reconciliation, Resilience, Reform, and Rebuilding reflected the willingness to maintain the mutual respect of the laws and rights.[25]

Nevertheless, the crisis of President Samia'sstate legitimacy appears in the fact that the authority of government is disputed in the consequence of the breach of the moral agreement and the inconsistency of the laws. The consequences of the 2025 elections have proved the shifting from consent to coercion, what makes people doubt in the democratic legitimacy of the government and the necessity to use of the coercive measures for maintenance of control. The state experiences the "shadow legitimacy" when social contract has transformed into the security contract and the question of the legitimacy of this state emerges.[26]

Thus, the evolution of the state legitimacy in Tanzania has demonstrated the complexity of moral purpose and functional utility of it, which means that it should be constantly negotiated in order to provide the legitimacy of the state and communal dignity.

1.4 Weberian Typology of Authority

It is very important to pay attention to the typology of the authority which Weber has created and divided it into three types: traditional, charismatic and legal—rational. The traditional authority is based on the customs and inherited status, while charismatic authority relies on the personal characteristics of the ruler. The legal—rational authority is based on the written laws and procedures. The emergence of neopatrimonialism in the twentieth century was connected with the phenomenon of decolonization when newly created countries displayed signs of modern statehood but had neo—patrimonial structure of the state.[27]

1.5 Understanding Neo—patrimonialism

Neopatrimonialism is the term that denotes the political system where the personal relationships and patron—client networks are playing the important role in governance and dominate in the country. This concept is based on Max Weber's theory of authority but more developed by Shmuel Eisenstadt. According to Eisenstadt, the modern states can include the formal democratic institutions and the informal political networks especially in the countries of Africa, Latin

24. Dan Paget, Tanzania*: The Authoritarian Landslide* (London: Routledge, 2021), 4–12

25. Derek K. Murusuri, *Samia na Falsafa ya Samialojia: A Visionary Blueprint for Global Peace and Leadership* (Dar es Salaam: TPH Bookshop, 2025).

26. Amal El Ouassif, *The Architecture of Consensus: Tanzania's Political Culture and the 2025 Elections* (Rabat: Policy Center for the New South, 2025), 4, https://www.policycenter.ma/publications/architecture—consensus—tanzanias—political—culture—and—2025—elections.

27. Max Weber, *Economy and Society: An Outline of Interpretive Sociology,* ed. Guenther Roth and Claus Wittich (Berkeley: University of California Press, 1978), 212–230.

America and Southeast Asia.[28]In this system, the ruler with help of administrative staff uses his power in order to create the relationships based on patron—client relations which are very one—sided. This phenomenon is called "hegemonic exchange," in which patrons (office holders) are using the public resources in order to win loyalty of their clients.

This hybrid of political system unites such elements of the traditional society as the patron—client relations and the formal elements of the modern state such as the constitution and bureaucracy.[29]The coexistence of the rational—legal and patrimonial systems complicates the process of governance since the personal connections determine the decision—making instead of the institution. It leads to the opacity of the process and the interest of a small group of people, not the state interests. For example, in many African states the leaders distribute the state resources as the means of obtaining loyalty, thus destroying the meritocracy of bureaucracy and bringing inefficiencies. Also, the coexistence of formal institutions and personal relations complicates reforms because the measures on corruption can be ignored by people who are deeply involved in the neopatrimonialism of the state. In the executive branch, personalized network is the main source of power and governance is based on loyalty rather than efficiency and competence causing corruption and inefficient governance of the country.[30]

1.5.1 Characteristics of Neo—patrimonialism

The main features of the neopatrimonialism are the presence of centralized power in a person or elite group, the weakness of development of the institutions and the use of the state resources in order to keep the loyalty of patrons. Although the neopatrimonialism can be destructive for the political institutions and the law, it can bring short—term stability to state and allow it to extend its reach even into marginalized areas. In this context, such philosophers as Christopher Clapham describe neopatrimonialism as an organizational form where patrimonial relations penetrate in the formally rational political system.[31]

1.5.2 Mechanism of Neo—patrimonialism

Neopatrimonialism in Africa is closely linked to the colonial period and the establishment of the shallow form of bureaucratic rule in African countries as colonial powers established a legal—rational bureaucracy, which existed alongside traditional systems. Later, African post—independent leaders have adopted these structures and chose personal rule and patron—client relations rather than legal—rational governance.[32]

In Tanzania, Neopatrimonialism shows a tricky balance between wanting a strong national identity and the reality of informal power structures that keep influencing politics. The main question is whether the Tanzanian government works as a fair, rule—based system or if it's really just about powerful individuals controlling things behind official—looking institutions. Tanzania gets praised for being more stable than nearby countries, but when you look closer, that stability

28. Shmuel N. Eisenstadt, *Traditional Patrimonialism and Modern Neopatrimonialism* (Beverly Hills, CA: Sage Publications, 1973), 14–17.

29. Christian von Soest, *"Neopatrimonialism: A Critical Assessment," in Handbook on Governance and Development* (Cheltenham: Edward Elgar Publishing, 2022), 146.

30. Jean–François Bayart, *The State in Africa*, 235–238.

31. Jean–François Médard, "The Underdeveloped State in Tropical Africa: Political Clientelism or Neo Patrimonialism*?" in Private Patronage and Public Power: Political Clientelism in the Modern State*, ed. Christopher Clapham (London: Frances Pinter, 1982), 162–63.

32. Gero Erdmann and Ulf Engel, *"Neopatrimonialism Reconsidered: Critical Review and Elaboration of an Elusive Concept,"*95–119

came from mixing charismatic leadership with patrimonial management, where the national leader basically took the place of actual laws and rules.[33]

When one thinks about it philosophically, Tanzania under Julius Nyerere was an interesting example of trying to stop neopatrimonialism. *Ujamaa*was basically an ethical movement meant to prevent what Frantz Fanon called the "pitfalls of national consciousness." Fanon warned that after colonialism ended, the new leaders would just become like the old colonial rulers, using government to get rich.[34]Nyerere's Arusha Declaration, especially the leadership code, was a specific political tool created to stop "mixing the office with the person"—which is what patrimonialism is all about. But some people say that by putting all power in the *Chama Cha Mapinduzi (CCM),*Nyerere actually created one huge patron system. As Max Weber explained, when charisma gets "routinized," it usually turns into bureaucratic or traditional authority;[35] in Tanzania, the party became that traditional authority, where being loyal to the CCM mattered more than following the constitution.[36]

In Tanzania, police and military have transformed into loyal guards of the ruling party and not protectors of people as it would happen under the legal—rational governance.[37] The example shows the reality of politics where the response of the government to the demonstrations changes from a reformist rhetoric to a violent one. The findings show that the ruling party in Tanzania, CCM, is entrenched in neo—patrimonial network and does not accept democratic reforms because of their threat to their ability to access the state resources.[38]

President Samia's announcement about the creation of the Reconciliation Commission and new constitution by 2028 is a way of the restoration of the moral authority of the state after recent violence. However, according to the opposition figures, this move is superficial as Samia keeps control over the institutions such as the electoral commission and the judiciary which proves the lack of any separation of formal laws from patron—client relationships and indicates another crisis in the state of Tanzanian state legitimacy.[39]

It is obvious that neopatrimonialism is not the reason for the governance of the country in Tanzania as it is a competing source of power to the state. It means that although the state tries to present itself as a legal—rational institution it works through loyalty to patrons instead. Such type of governance is not able to keep the social contract and reduces citizens into clients.

History shows that the policy aimed to promote equal governance and development through *Ujamaa* and Arusha Declaration in the country was created in order to stop the emergence of parasitic elites. Instead, the ruling party is turned into an ultimate patron and the state is converted into the marketplace of loyalty. The state of law is regarded as a performance rather than an

33. Jean—François Bayart, *The State in Africa: The Politics of the Belly*, 2nd ed. (Malden, MA: Polity Press, 2009),, 235–242

34. Frantz Fanon, *The Wretched of the Earth,* 65-70.

35. Max Weber, *Economy and Society*, 225.

36. Robert Masandiko and Thomas Marwa Monchena "A Philosophical Analysis of the Legitimacy of Political Power in Tanzania from a Lockean Perspective*," International Journal of Philosophy* 12, no. 3 (2024): 45–50, https://doi.org/10.11648/j.ijp.20241203.12.

37. Michelle Kagari*, The Police, the People, the Politics: Police Accountability in Tanzania* (Nairobi: Commonwealth Human Rights Initiative, 2006), 15.

38. Dan Paget, *"Tanzania Will Never Be the Same,"* Journal of Democracy, December 2025, https://www.journalofdemocracy.org/online-exclusive/tanzania-will-never-be-the-same/.

39. O. A. Kasera and T. O. Juma, *"Political Economy of Neopatrimonialism in East Africa: Insights from Kenya, Uganda and Tanzania,"* African Quarterly Social Science Review 2, no. 2 (2025): 337—338, https://doi.org/10.51867/AQSSR.2.2.28.

institution which causes crisis of meaning and threatens the national security as the law is used for personal goals of people.[40]

1.6 Impacts of Neo—Patrimonialism to the Tanzanian Sate Legitimacy

The analysis of current political system shows that there is a serious crisis caused by the co—existence of formal legal bureaucracy and neo—patrimonial networks. This factor leads to the violation of institutional integrity of the state and the mixing of public duties with personal interests. The institutions which should enforce the social contract violate it in order to guarantee the survival of the regime and elite privileges. The article argues that the crisis of legitimacy of Tanzania cannot be resolved with the help of reformist actions since neopatrimonialism is a competing ethical system and thus undermines the legal framework of the state.[41]

The investigation demonstrates that the existence of neopatrimonialism causes a crisis of democratic legitimacy in the country. It shows how the decay of the accountability of the executive, legislative, and judicial branches is provoked by loyalty—based appointments. Thus, the reversal of the civil service happens and the three—legged crisis is observed. It is characterized by the overreaching of the executive, the transactional character of the legislature and the compromised nature of the judicial system. The article indicates that the formal legal expectations are undermined by informal processes all the time.[42]

Talking about the ways out of the current problem, the author offers a reformist framework based on the integration of formal state structures and public morality. In addition, the paper criticizes the failures in the past and proposes the synthesis of African humanist and legal rationalist approaches to the problem. Analyzing the philosophical conceptions of civic virtue of Aristotle and Rousseau, the author proposes a dual framework which could break neopatrimonial networks in Tanzania.

Neo—patrimonialism is a serious problem which affects negatively democratic legitimacy of the country as the gap emerges between the legal framework of democracy and the informal networks. Thus, the environment in which the government can avoid accountability, distribute public goods selectivity and cause alienation from the democratic institutions emerges.[43]

Anti—corruption frameworks in Tanzania (for example, PCCB) aim to ensure the independent enforcement and transparency. However, they are also misused in order to conduct selective prosecution which destroys the trust of people and causes the cynical attitude towards the reforms.[44] Despite attempts of the international organizations and reformists of the region to resolve governance problems using technical approach, the issue is not solved since the trust crisis remains unsolved. It happens due to the misperception of the fact that neopatrimonialism is just an operational error but the ethical system.[45]

40. Goran Hyden, *Beyond Ujamaa in Tanzania: Underdevelopment and an Uncaptured Peasantry* (Berkeley: University of California Press, 1980), 18–25.

41. K. J. Maulid and A. Y. Zella, *Ethical and Inclusive Leadership in Public Security: Insights from the Tanzania Police Force under Nyerere's Governance Principles* (Zanzibar: MNMA Institutional Repository, 2024), 14–17.

42. Michael Bratton and Nicolas Van de Walle, *Democratic Experiments in Africa: Regime Transitions in Comparative Perspective* (Cambridge: Cambridge University Press, 1997), 61–63.

43. Staffan I. Lindberg, *Democracy and Elections in Africa* (Baltimore: Johns Hopkins University Press, 2006), 92–95; Steven Levitsky and Lucan A. Way, *Competitive Authoritarianism*: Hybrid Regimes after the Cold War (Cambridge: Cambridge University Press, 2010), 23–27.

44. Bruce Heilman and Lawrean Ndumbaro, *"Corruption, Politics and Societal Values in Tanzania:* An Evaluation of the Mkapa Administration's Anti-Corruption Efforts," African Journal of Political Science 7, no. 1 (2002): 54.

45. M. Baregu, *"Parliamentary Oversight of Defence and Security in Tanzania's Multiparty Parliament*" (research paper, Agora, n.d.), 4.

1.7 What Should Be Done

In order to integrate the rational—legal aspiration of the country with the reality, the state needs to adopt a restorative framework which will combine the ethics of *Ujamaa* (African humanism) and legal—rationalism. This approach includes the role of the leader as public servant and promotion of shared wealth for the benefit of society. Civic virtue and reciprocity are also promoted with this framework which will help Tanzania to get rid of neopatrimonial networks.[46]

The revival of *Ujamaa* which means that public office is the shared trust and not the personal asset helps to re—establish the integrity of the bureau. In addition, the de—centralization of executive power is crucial in order to prevent autocracy and patronage networks.[47] It will be possible with redistribution of power to the independent bodies and local governments and protecting of public officials legally.

Such concept as civic virtue which means the priority of the common good is crucial for the stability of society. Historical and philosophical perspectives show the need of citizen activity in order to ensure a legitimate state. During the age of enlightenment, Hobbes, Locke, and Rousseau paid attention to the concept of social contract and role of citizens. In order to combat neopatrimonialism, Tanzania must promote cultivation of civic virtue as a structural necessity.[48]

From the historical perspective, there is a powerful cultural basis for the promotion of this idea in *Ujamaa* which promotes self—reliance of community and the welfare of society. However, patron—client relations challenge the ethos of Tanzania. It will be possible to revive civic virtue through the incorporation of African humanist approach into the modern democratic values in education and public life. The revival of this concept means encouraging of people to stop being corrupt and treat the public funds as the shared good.[49]

To fight with neopatrimonialism, the combination of reinforcement of institutional integrity and promotion of active citizenship is needed. The representatives of the government should embody justice and honesty and citizens should get involved in the democratic processes and control leaders.[50]

In order to resolve neopatrimonialism in Tanzania, it is necessary to understand that there is a difference between the noble aims of Julius Nyerere and the methods he has used. Although the initial system of *Ujamaa* failed because of the illusion of humanism and neglect of incentives of individuals, its basic principles can help in solving the current problems in Tanzania. The ethical approach offered by *Ujamaa* and especially the leadership code can prevent the corruption in public office and focus on local knowledge and empowerment.[51]

Analysis of the paper reveals that there are some serious problems in the governance of Tanzania

46. Marie—Aude Fouéré, *"Julius Nyerere, Ujamaa, and Political Morality in Contemporary Tanzania,"* African Studies Review 57, no. 1 (2014): 1–5.

47. Issa G. Shivji, *"Mwalimu and Marx in Contestation: Dialogue or Diatribe?"* Agrarian South: Journal of Political Economy 6, no. 2 (2017): 192, https://doi.org/10.1177/2277976017731844.

48. Andreas Schedler, *"Restructuring Accountability: The Concept,"* in The Self—Restraining State: Power and Accountability in New Democracies, ed. Andreas Schedler, Larry Diamond, and Marc F. Plattner (Lynne Rienner Publishers, 1999), 14–17.

49. James Manor, *The Political Economy of Democratic Decentralization (World Bank, 1999)*, 56–60.

50 . Mwesiga Baregu, *"The Dynamics of Political Transition in Tanzania," in The Political Economy of Transition in Zambia and Tanzania,* ed. J. Koponen (Dar es Salaam: Dar es Salaam University Press, 2001), 88–95.

51. Edward Gamaya Hoseah, *"Corruption as a Global Hindrance to Promoting Ethics, Integrity, and Sustainable Development in Tanzania: The Role of the Anti—Corruption Agency,"* Journal of Global Ethics 10, no. 3 (2014): 386–88, https://doi.org/10.1080/17449626.2014.973995.

associated with a deep crisis where there is co—existence of formal bureaucratic institutions and informal patron—client networks. They affect the legitimacy of democratic institutions negatively and cannot be solved with some superficial reforms. Thus, the article offers a restorative reform framework which integrates African humanist values and modern legal—rational approach.

Conclusion

Discussion on political governance in contemporary philosophy focuses on the issue of state legitimacy. Legitimacy is defined as the moral and legal basis for the state's governance over citizens. A state receives legitimacy if it fulfills its obligations through legal mechanisms that are equal and consistent. On the other hand, political leaders who use the state resources for their benefits destroy the essence of the social contract. This occurs in the case of Tanzania. A neo—patrimonial governance system results in a governance paradox in the country. The paradox causes a crisis of civic trust in spite of economic developments and reforms.

As it follows from the article, superficial changes that take place in the political system of the country are incapable of resolving ethical problems in politics. Technological reforms do not bring the desired improvements in the country because they are only used for creating an appearance of reforms in order to satisfy international organizations. At the same time, they make the network of relationships based on favoritism stronger. The article reveals that neo—patrimonialism corrupted many aspects of state activity, such as public appointments, legislative oversight, judicial independence, and anti—corruption policies.

It is claimed that in Tanzania public servants are appointed according to the criterion of loyalty rather than expertise, legislation does not serve the interests of public accountability but those of politicians, and the independence of the judiciary does not exist. As a result, there is a biased justice in the country. This article offers the synthesis between formal legal authority and African ethics, specifically, the philosophy of *Ujamaa* that means solidarity and community.

Such a combination of approaches aims at bridging the gap between the legal and moral legitimacy of the state, which provides opportunities for lawmakers and civil society of the country to revive civic virtues in order to rebuild the relations between the citizens and the state.

In this article, the author discusses the evolution of the idea of state legitimacy in Tanzania, starting with the moral and communitarian social contract under the reign of Julius Nyerere to the current crisis of legitimacy in the state. In the era of Nyerere (1967—1985), the state was established on the principle of *Ujamaa*, which presupposes moral and communal governance. The leadership of Nyerere created a spirit of communal self—sacrifice and egalitarianism; political power was perceived as public service. That era brought legitimacy to the state because of the commitment to collective welfare even in economically challenging situations.

However, the next stage of the evolution of the governance system of the country is connected with the liberalization of the economic system in 1990s and the adoption of neoliberal policies. It led to the privatization of state assets and changed the basis of the state legitimacy, transforming it from moral to procedural. Technocracy has become dominant in the system of governance of the state instead of morality. This shift in priorities resulted in the emergence of neo—patrimonialism in the country, when loyalty to the political elites takes precedence over the fulfillment of formal law. Thus, the discrepancy between the state legal framework and practice emerges and grows.

At present, Tanzania experiences the crisis of state legitimacy that can be characterized by the following features: coercive governance and output legitimacy of the state when it tries to gain

control over citizens through infrastructure development. In fact, the focus of the government on the visible achievements of the country cannot solve the problem of the moral authority and accountability of the state. In such a way, Tanzania has a "shadow legitimacy" when citizens exchange political loyalty for the minimum security.

In this paper, the author criticizes technocratic reforms suggested by the international organizations that do not pay attention to cultural and ethical aspects of governance in Tanzania. Corrupt practices are regarded as an administrative problem rather than systemic. The author proposes a synthesis that should combine rational—legal approach and the ethical values of *Ujamaa* that will allow establishing the state that is culturally rooted and morally legitimate. This synthesis should reconcile the objective character of governance structure with the communal values of the population of the country.

In particular, the synthesis emphasizes the necessity of objective impersonality and separation between the public office and private interests of the official. Transparency in asset tracking, recruitment in civil service based on the criterion of merit, and independence of judiciary are the main elements of the efficient governance. In addition, the constitution should provide the possibility of prohibition of private business contracts for public officials to prevent disruption of neo—patrimonial network.

To overcome the moral vacuum created by the neoliberal system of governance in the country, the author proposes a moderate communitarianism that is based on the African humanism. This approach should balance the protection of individual rights and responsibilities, redefining political power as community service. This approach allows changing the social contract into the contract of collective well—being. It can help to oppose individualism in the society that supports neo—patrimonialism.

The article suggests decolonizing the power by empowering local communities and integrating their experience in governance. It implies decentralization of the authority up to the level of village councils, where it will be possible for villagers to manage the budget and control the development programs. In this way, it is possible to increase democratic accountability and reduce the patronage of the elites.

Cultivation of civic virtue and active citizenship is another essential condition of the sustainable reforms in the state. The synthesis emphasizes the need to embed the sense of civic virtue in education and civil society and encourage citizens to refuse clientelism and demand the transparency from the state officials.

The strategic recommendations for the lawmakers are the following: the establishment of independent electoral commissions, amendments to the constitution to impose the high standards of ethics for public officials, and decentralization of the fiscal power to the local councils. Civil society organizations should fight for the values—based social contract and empower citizens to conduct the social audits of the public spending. Educators should decolonize the curricula and encourage students to develop civic virtues.

Thus, this article shows that stable and just society needs the synthesis of humanist tradition and rational—legal authority. Embedding these ideas into the system of governance in Tanzania aims at creation of the state that represents the common good, respects individual rights, and creates the atmosphere of accountability and ethical governance.

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