





Chapter 33

Women's Participation in Governance: Legal and Practical Challenges in Realisation of Transformative Governance in Tanzania

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Abstract

Women's participation in governance is a shared global challenge as there is no single country that has completely achieved it today. There is no doubt that comprehensive legislation, policies and effective implementation of the same, are crucial to ensure attaining transformative governance with full women's participation. Tanzania has subscribed to the United Nations Sustainable Development Goal (SDG) 5 and African Union Agenda 2063 as well as various global legal instruments which call for equal participation in governance and attaining gender parity in all spheres of life. Moreover, the Constitution of the United Republic of Tanzania (CURT) recognises the right to equality, non-discrimination and freedom to participate in public affairs. Despite the emphasis on equality between men and women in Tanzania, it is evident that women's participation in governance is still insignificant. This study employed a doctrinal research methodology, involving a comprehensive review of relevant documents, to analyse the legal and practical challenges hindering women's participation in governance. It argues that the mere inclusion of provisions recognising women's participation in governance is insufficient. There is a pressing need to ensure the effective implementation



of policies and laws, as well as to foster a societal transformation in perspectives to enhance women's participation in governance in all spheres.

Keywords: AU Agenda 2063, Network Governance Theory, SDG 5, Transformative Governance

Introduction

Women's participation in governance is vital to attain inclusive governance, representative decisions and healthy democracy. A country report on the implementation of the Beijing Action Plan (UN, 1995) contends that amongst the areas that Tanzania accorded priority is women's political empowerment and decision-making (UN, 2005). Much has been achieved in Tanzania to empower women to governance. The rationale behind the efforts is the unchallenged truth that transformative governance is inevitably linked to inclusion and women's participation in the decision-making process. The government of Tanzania realises that women have a great potential in the development of the country because of their higher number compared to men - in 2023, Tanzania's female population amounted to approximately 34.1 million, while the male population amounted to approximately 33.34 million inhabitants (O'Neill, 2024).

Despite the constitutional foundations and commitments to international instruments to promote women's participation to governance, the continued social, legal, and cultural impediments affect full engagement of women in governance, rendering their participation relatively low. Although women make up 51% of Tanzania's population, numerous studies reveal that just 30% of women have held positions of authority in the political, governmental, legislative, judicial, or other decision-making domains (Mwakasungula et al., 2010). Only 36.7% occupied parliamentary seats in 2020 and 27.5% are employed in senior and middle management (UN Women, 2023). Without a doubt, Tanzania is undergoing change, with a particular emphasis on decentralisation to guarantee efficient local governance and broad involvement.

However, because of the patriarchal attitudes that permeate many Tanzanian societies, women's contributions are invisible despite the significant and valuable roles that they play, they are considered unable to take on significant roles in society (Mwakasungula & Msabila, 2007). The patriarchal system makes women more occupied with household activities such as cooking, cleanliness, farming and the like to the extent that they are neglected in political affairs such as leadership in local and national governance. Women are usually ignored in making decisions on important matters that concern the development and resource allocation. They are

usually the implementers of decisions that are made by men and their ideas, though important, are usually ignored or sometimes are not given chance to contribute. According to Stacey and Price (1981), if at all they are given a chance, they are more likely to be found in less important and in less influential positions.

The patriarchal attitudes that permeate many Tanzanian societies have rendered women's valuable contributions largely invisible (Mwakasangula & Msabila, 2007). Within this patriarchal framework, women are often considered incapable of assuming significant roles in society to the extent that they are marginalised from political affairs, including leadership positions in local and national governance.

Women are typically relegated to the role of implementers; their ideas and perspectives frequently ignored or dismissed, despite their importance. Even when provided the opportunity to contribute, they are more likely to be relegated to less influential and consequential positions (Stacey & Price, 1981). This systemic marginalisation reflects the deeply entrenched gender biases that continue to hinder women's full and equitable participation in the decision-making processes that shape the development and resource allocation within Tanzanian communities. The persistent patriarchal norms and attitudes that pervade these societal structures effectively diminish and obscure the valuable roles and contributions of women, denying them the recognition and agency they deserve.

This chapter analyses the extent to which Tanzanian women participate in governance at the local and national levels. The legal and practical challenges hindering women's full participation in governance are discussed and the ways forward towards achievement and full participation in governance are recommended.

Governance, transformative governance and Network Governance Theory

Scholars have defined the word governance in different ways. However, most of them agree on the aspect that governance, as opposed to government, involves interaction between the state and other stakeholders, including civil society and the private sector, in attaining the common goal. It is a transformation from the hierarchical government to stakeholders' involvement in governing which takes into account an interdependence between actors, both governmental and non-governmental (Christin, 2017). It entails "a system of government concentrating on the effective and accountable institutions, democratic principles and electoral process, representation and responsible structures of government to ensure the

open legitimate relationship between the civil society and the state” (Asaduzzaman & Virtanen, 2018). As such, very important aspects of governance including accountability, democratisation, free and fair elections, representation, as well as the involvement of stakeholders in governance, are covered. Further, the World Bank points out that ‘people’s participation in the affairs of the state and access to the administration’ is amongst the elements of governance. This commends that people’s participation is vital in governance.

In this chapter, therefore, the term ‘governance’ is defined to mean a sharing regime where the state works together with other stakeholders including civil society, the private sector, citizens including women and men, to achieve a common goal for the public good. Good governance encompasses amongst other things, participation, transparency, accountability and the rule of law. It ensures that political, social and economic priorities are based on broad consensus in society and that the voices of the poorest and the most vulnerable are heard in decision-making over the allocation of development resources. As such, governance has three legs: economic, political and administrative aspects, whereas economic governance includes decision-making processes that affect a country’s economic activities and its relationships with other economies. This clearly has major implications for equity, poverty and quality of life. Political governance is the process of decision-making to formulate policy. Lastly is administrative governance, which is the system of policy implementation. Encompassing all three, good governance defines the processes and structures that guide political and socio-economic relationships. This chapter is centred in all three legs of governance, political economic and administrative.

Transformative governance is referred to as fundamental reforms or restructuring of the basic structures of governance. It refers to “a mandate for a radical structural and fundamental arrangement and reordering of the building blocks of the nation with the purpose of changing the status quo” (Osisioma, 2011). It is not a mere change of the wording of the provisions of the law but a change that goes to the fundamental structures of the state. It is therefore a substantial change in society. Transformative governance therefore entails sharing of the responsibilities between governmental and non-governmental organisations, the private sector and other stakeholders.

Network Governance Theory encompasses interdependencies between public and private actors. It emphasises collaboration amongst stakeholders, both public and private, in addressing ‘complex problems’ affecting society which cannot be addressed by the government alone. It focuses on ensuring collaboration between public and private actors in achieving development. The theory engages non-state stakeholders both in decision-making and

action (Kapuku & Quian, 2020). This theory calls for a transition from government to governance where there will be engaging of non-government stakeholders in the governing process. Amongst the basic elements of this theory include: interdependence between actors; the complex interaction and negotiation patterns; the institutionalisation of the relationship between actors which results in the emergence of rules to regulate actors and manage their interactions (Klijn & Koppenjan, 2012).

This chapter is based on Network Governance Theory and focuses on women as actors in governance. The authors centre the discussion on the role that women play in governance and hindrances to their participation in governance as key stakeholders.

Women's participation in governance and its history in Tanzania.

Political space and women's political participation

The history of women's participation in governance in Tanzania can be traced far back, even before independence. One of the most renowned women who fought for independence was Bibi Titi Mohammed, who was a politician and a freedom fighter. She was a leader of the women's wing in Tanganyika's African National Union; a chairperson of "*Umoja wa Wanawake Tanzania*" (UWT) in 1955. She was also appointed a top political leadership position of a Minister in the early independence government. However, since independence all parliamentary women including Bibi Titi, entered that position through special seats. Therefore, it was not until 1982 when the first woman, by the name of Martha Wejja, entered parliament through election. The fight to winning that position included petitioning from the court, as her opponent wanted to use her identity of being a woman to rob her of her influence. Studies reveal that from 1985 to 2000, 95% of women entered parliament through special seats. In the 2005 constitutional amendments the percentage of special seats had to be increased from 15% to 30 % but even with that amendment in the 2010 election, there was an increase of only 6% of women parliamentarians from the 30% which existed in 2005 (IRI, 2015).

Currently, notable women have succeeded to hold top administrative and political positions at the international and national levels. For example, Dr Asha Rose Migiro held the position of Deputy Secretary-General of the United Nations from 2007 to 2012, Honourable Samia Suluhu became the first female President of the United Republic of Tanzania after holding the position of Vice President in the 2015 and 2020 general election, Dr Tulia Akson holding a position of a Speaker of the National Assembly of Tanzania,

just to mention a few. This shows that there is a huge step that Tanzania has taken in transforming women into leadership.

Women in the legislative branch

We cannot deny the truth that with time the number of women in parliamentary seats from the constituencies increased from 1 in 1982 to 21 in 2010. More significant evidence of the increase of women's participation in governance is uncovered in the Tanzania COG (Commonwealth Observer Group) report where it shows that more than 1,000 women contested various political positions and for the first time a woman who won a parliamentary seat against her opponent who was a man in a typical patriarchal society (Mara) (The Commonwealth, 2015). Admittedly, that is a great step. However, it cannot blind us from seeing the truth that despite the fact that women are more than 50% of the total population in Tanzania, they occupied only 36.7% seats in parliament in the 2020 general election (UN Women, 2023).

Women in the executive branch

So far in Tanzania, few women hold positions in the executive branch. After about sixty years since independence, Tanzania has succeeded in having the first woman to hold the topmost position in the country. Although, since 2015, Tanzania started to take a new dimension on an aspect of women holding higher executive positions by electing the first woman to the position of the Vice President, having Her Excellency Samia Suluhu Hassan as the First Female President in Tanzania in 2021 is landmark progress. Apart from that, there are also other women holding positions in the executive branch who are appointed to the position of Ministers, including: Honourable Ummu Mwalimu, Minister of Health; Angellah Kairuki, the Minister of Local Government; Joyce Ndalichako, Minister of Labour; Honourable Dorothy Gwajima, Minister of Health, Community Development, Gender, Elderly and Children; as well as Jenista Mhagama, Minister of State, Prime Minister's Office (Policy, Parliamentary Affairs, Labour, Youth, Employment and Persons With Disabilities). Considering that trend, the authors are of the view that, despite the above success story of Tanzania having women in the topmost political positions in the executive branch, still the number is very minimal in the context of attaining gender parity.

Women in the judicial branch

It is established that the number of women face formidable difficulties in terms of qualifying as candidates and being elected as judges to the court of appeal and the high courts in Tanzania. It is further observed that traditional gender roles impact the equal participation of women in the judiciary in

Tanzania (JICA, 2016). Despite the incursion of women into the practice of law and law schools of Tanzania, many women are yet to make it because of discriminatory stereotypes of women that impair them from participating in these professions or pursuing judicial careers. According to the Tanzania Women Judges Association's (TAWJA) report of 2019, there are only seven women judges in the Court of Appeal, twenty-seven women in the high court of Tanzania and 17 women deputy registrars, as opposed to men (TAWJA, 2019). The report went further, stating that in the law arena at the academic institutions in Tanzania, even in the admission process the number of women and men differs. A noticeable existence of pronounced differences in the academic and professional disciplines between men and women, is that law schools are primarily male-dominated, which poses hurdles for women's access to judicial bodies (TAWJA, 2019).

Local Government and the transforming power of women in governance

The democratisation of local governments has opened channels for the participation of women at this level. The increased political legitimacy of elected positions, as well as the growth in skills and resources available to municipal governments, made local governments more accessible to women's political participation. This is because local government is closely tied to the spaces of everyday community life. It is further established that women in their communities in Tanzania, work as community leaders, managers, activists, and powerful promoters of social change at the municipal level (UN, 2005). Recently, the Women's Network of Human Rights Defenders announced Flora Masoy, coordinator of Morogoro Paralegal Centre, as a hero and a front activist and human rights defender (IPP Media, 2021).

Women in higher learning institutions

Women working in higher learning institutions (HLIs) find their profession quite challenging (Morley, 2014). The main issue of women in HLIs is being unacceptably under-represented, especially in senior administrative positions (Forest & Altbach, 2010). Studies show that female academics are disproportionately represented in male-dominated institutions (Mwaipopo, 2015). In general, the holding back of women from leadership, initially described as the glass ceiling, is the symbolic wall that women hit at mid-management levels, blocking women to advance (AAUW, 2020). Additionally, the perception and gender stereotype that women are inferior to men, because of their lack of masculinity, is a challenge. However, society views women as performing multiple roles as a working woman, daughter, wife and

mother, in addition to the expectation of being humble, respectful, attentive, understanding and discreet.

The situation is similar in Tanzania. It is indisputable that women's leadership in higher learning institutions has remained in the shadow of male domination. There is a little transformation of women's leadership in higher learning institutions in Tanzania. This chapter established that from five public institutions in Tanzania, just to mention, the University of Dar-es Salaam, the University of Dodoma, Mzumbe University, the Open University of Tanzania and Sokoine University of Tanzania, there is only one woman in the top management, that is to say, Chancellors, Vice-Chancellors and Deputy Vice-Chancellors. In all the five public universities, only one university has a woman holding the top position. It is only the University of Dodoma that has recently received an appointment of the first woman in the post of the University Chancellor, which is Dr Stergomena Tax. It is therefore unfortunate that women have been left behind in this aspect. Likewise, in academic ranks, few women are holding higher academic ranks in the public higher learning institutions, for example in the University of Dodoma there are only two women holding the rank of Professor or Associate Professor.

While women have moved towards gender equality at home and in the workplace, it is still not an easy task to be appreciated, and their work is acknowledged in higher learning institutions. With more flexible gender roles, more awareness and global changes, women can navigate life more easily and freely. Despite the positive changes, women working in the male-dominated environment have few people to collaborate with hindering collegiality and collaboration within the workplace. Hence, much still needs to be done to increase women's leadership and participation.

International, regional and national scholarship on gender equality and equal participation of women and men in governance

Equality and equal participation of women and men is a current global trend. The international community, regional groups, as well as individual states have considered it as an issue of priority. Gender refers to the social meaning given to being a woman or a man. The idea reflects social characteristics rather than biological differences in defining a woman or a man. The definition has three effects: firstly, it defines the boundaries of what women and men can and should be and do; secondly, it shapes and determines the behaviour, roles, expectations and entitlements of women and men; and thirdly, it provides rules, norms, customs and practices. Gender equality is an essential expression of human rights, a precondition for sustainable,

people-centred development. Women's rights are human rights (UNESCO, 2014). It means that women and men enjoy the same status and have equal opportunities to realise their full human rights and potential to contribute to political, economic, social and cultural development and to benefit from the results. It indicates that society values equally both the similarities and the differences between women and men and the different roles that they play.

There is no doubt that promoting the rights of women and girls will not only help achieve the United Nations Millennium Development Goals (MDG) (UN, 2000) but also will bring about equality in the leadership arena. Women play active roles in reducing poverty and hunger. Therefore, there is a need to strengthen commitments to empower women at all levels of decision-making. Although progress has been made in empowering women, such as mainstreaming gender equality in national policies addressing gender disparities and social injustices against women and girls, it remains unbalanced and uneven. Still, education, access to resources, employment opportunities, and representation in decision-making levels are key areas that can transform the lives of women in Tanzania and globally to contribute to the achievement of the MDGs. As such, Tanzania should accelerate the advancement of women's rights and gender equality, underscoring that these achievements will positively contribute to the fulfilment of the other MDGs. It is imperative to point out that women's participation in governance is an important aspect in contemporary discourse just as it has been for about a while (O'Connor & Yanus, 2014).

Women's participation in governance derives its legal bases from international, regional and national laws and policies. At the international and regional level, there are various conventions and soft laws which call for gender equality and women's participation in governance. These have also influenced the frameworks to entrench gender equality in the Constitution and other national laws. The discussion in this part covers international, regional as well as national laws relevant to women's participation in governance in Tanzania. The Universal Declaration of Human Rights (UN, 1948) recognises equal rights of men and women and provides for equality before law and non-discrimination.

The Convention on the Political Rights of Women (UN, 1953) is a short treaty of eleven articles. It provides for the rights of women to be elected to all publicly elected bodies established by national law, based on equality of men and women, without discrimination (Article II). Furthermore, this Convention provides for the right of women to "hold office and to exercise all public functions, established by national law, on equal terms men, without discrimination" (Article III). On its part, the Convention on the Elimination of all forms of Discrimination Against Women (CEDAW) (UN, 1979), provides,

about public affairs, that states' parties should take measures to eliminate discrimination against women in the political and public life of the country, and ensure on equal terms with men, inter alia, the right of women "to vote in all elections and public referenda and be eligible for election to publicly elected bodies", and "to participate in the formulation of government policy and the implementation thereof and to hold public office and perform all public functions at all levels of government" (Article 7(a) and (b)). Moreover, the Convention enjoins states' parties to give women, based on equality of men and women and without any discrimination, "the opportunity to represent their governments at the international level and to participate in the work of international organizations" (Article 8). It should be mentioned that to achieve de facto equality, Article 4 permits positive discrimination in favour of women - the adoption of temporary special measures aimed at accelerating de facto equality between men and women. The measures must be discontinued when the objective of discrimination has been achieved.

The ICCPR (International Covenant on Civil and Political Rights) (UN, 1966) deals with civil and political rights of all, without distinction on grounds of sex. Of particular interest to us presently, Article 25 provides for the right of every citizen, without distinction as to sex, to participate in the public life of their country, to vote or be voted for, and, generally, to have access to the public service of his/her country.

The Beijing Declaration and Platform for Action of the Fourth World Conference on Women (adopted in Beijing, China on 15 September 1995) (UN, 1995) is another important women's rights-related instrument and one of the most recent global-level instruments touching on women's rights to public participation. Amongst others, this document notes that the empowerment and autonomy of women and the improvement of women's political status are essential for the achievement of both transparent and accountable government and administration. It points out that achieving the goal of equal participation of women and men in decision-making will provide a balance that more accurately reflects the composition of society and is needed to strengthen democracy and promote its proper functioning. It adds that "women's equal participation in decision-making is not only a demand for simple justice or democracy but can also be seen as a necessary condition for women's interests to be taken into account". Importantly, this document further notes that "despite widespread movement towards democratization in most countries, women under-represented at most levels of government, especially in ministerial and five bodies, and have made little progress in attaining political power in legislative or achieving the target endorsed by the Economic and Social Council of having women in positions

of decision-making levels by 1995". To promote women's participation in public life, the Beijing Platform enjoins governments to, inter alia:

1. Commit themselves to establish the goal of gender balance in governmental bodies and committees, as well as in public administrative entities, and in the including, inter alia, of setting specific targets and implementing measures to substantially increase the number of women to achieve equal representation and men, if necessary, through positive action, in all governmental and public station positions.
2. Take measures, including where appropriate, in electoral systems that of political parties to integrate women in elective and non-elective public positions in the same proportion and levels as men.
3. Protect and promote the equal rights of women and men to engage in activities and to freedom of association, including membership in political trade unions; and
4. Aim at gender balance in the lists of national candidates nominated for appointment to United Nations bodies, specialised agencies and other autonomous organisations of the United Nations system, particularly for posts at the senior.

Furthermore, the Platform for Action enjoins political parties to take the following to achieve gender equality and non-discrimination:

- a. Consider examining party and procedures to remove all barriers that directly or indirectly discriminate participation of women,
- b. Consider developing initiatives that allow women to fully participate in all internal policymaking structures and appointive and electoral nominating processes; and
- c. Consider incorporating gender issues in their political agenda: measures to ensure that women can participate in the leadership of political parties on an equal basis with men.

As if the above is not enough, the 2030 Agenda for Sustainable Development (SD) (UN, 2015), calls for gender equality and women's participation in governance. According to SD Goal 5, women should have full participation in leadership and decision-making. That is, states should ensure women's effective participation and equal opportunities for leadership at all levels of decision-making. It calls for states to adopt and strengthen policies and enforceable legislation for promoting gender equality and empowerment of women as well as ending all forms of discrimination in all spheres of life including in governance. It requires the states not just to have laws in place, but such laws should include the mechanisms for enforcement.

At the regional level, Article 4(2) of the Protocol to the Treaty Establishing Economic Community Relating to the Pan-African Parliament

2001 (AU, 2001) provides that “each Member State shall be represented in the Pan-African Parliament by five members, at least one of whom must be a woman”. On its part, Article 9 of the recently adopted Protocol to the African Charter on Human and Peoples’ Rights on the Rights of Women (AU, 2023) provides for women’s rights to participate in political and decision-making processes of their various countries. To ensure this, states’ parties are obliged to take positive action to promote participative governance and equal participation of women in the political life of their countries through affirmative action, enabling legislation and other measures. Specifically, women should be enabled to participate without discrimination in all elections; they should be represented equally at all levels with men in all electoral processes, and they should be treated as equal partners with men at all levels of development and implementation of state policies and development programmes (Article 9(1)). Moreover, states’ parties are required to ensure increased and effective representation and participation of women at all levels of decision-making (Article 9(2)).

In addition to treaty provisions, there are political commitments from several international-regional forums by African countries to involve women in governance. There have been several such commitments over the years. Importantly, these commitments are not merely moral codes; they partake of legal commitments in character, being the outcome of conferences or international-regional meetings and may be regarded as evidence of state practice - a major requirement in the formation of customary international law.

Keeping with the above statement, the Nairobi Forward-Looking Strategies for the Advancement of Women at the Third World Conference on Women held at Nairobi, Kenya, 15-26 July 1985) (UN WomenWatch, 1985) contains extensive commitments by the participating nations to promote women’s passion in public affairs and governance of their countries as well as in international regional communities. Amongst others, this instrument provides that governments take all appropriate measures to ensure that women are on equal terms with men, the opportunity to represent their government at all levels on sub-regional, regional and international meetings. Moreover, it calls for more women to be appointed as diplomats and to decision-making posts within the United Nations including posts in fields relating to peace and development activities.

Furthermore, paragraph 86 states that governments and political parties should make efforts to stimulate and ensure equality of participation by women in all national legislative bodies and to achieve equity in the appointment, election and promotion of women to high posts in executive, legislative and judicial branches of government. Local level strategies to

ensure equality of women in political participation are pragmatic, and should bear a close relationship to issues of concern to women and should take into account the suitability of the proposed measures to local values.

Moreover, at the Fifth African Regional Conference on Women held from 16 to 23 November 1994 (UN Economic Commission for Africa, 1994), the Ministers and the representatives who participated adopted an African Platform for Action. There can be no equality and development without peace and that peace with the full involvement of women as equal partners with men at the making, amongst others. They also expressed a determination to support women fully so that they can contribute to and participate more effectively in all the political and economic changes now taking place in Africa. More importantly, they declared their commitment to forging a new ethic for sustainable development based on the equal and active participation of women as agents of change at the family, community, national and international levels.

Furthermore, the AU Agenda 2063 aspires for good governance, democracy and respect of Human Rights. In its Aspiration Six, it calls for people-driven development. It requires recognition of the critical role of women in Africa's transformation. It emphasises women's empowerment to attain equal access and opportunity inter alia to managerial positions in the government and private sector. It further looks forward to breaking hindrances to women's progress. On good governance, the AU Agenda 2063 calls for transformative governance at all levels entrenching universal principles of human rights and gender equality in governance. Above all, undeniable progress has been made on the continent of Africa. The continent is undergoing a period of remarkable economic growth. As such, women have been economically and socially empowered, equal access to opportunities and resources, more safety, greater prevention and efficiency of the justice system against gender violence, as well as more guarantees to achieve the realisation of women are promoted. These factors have brought a greater impact on women's participation in governance.

Thus, it is indisputable that seventy-two years after the Universal Declaration of Human Rights (UN, 1948) and twenty-five years after the Beijing Declaration and plan of action (UN, 1995) that are enshrined in the African Charter on Human and Peoples' Rights on the Rights of Women in Africa (Maputo Protocol) (AU, 2023), there is much progress on women's rights to be celebrated.

At this point, it is important to acknowledge the African Union's efforts in pushing the agenda of women's leadership. It is imperative to point out that the AU has maintained gender parity at its highest decision-making

level. In keeping with the above, this chapter commends such an effort, and it is established that currently, there are five female commissioners and five male commissioners - including Chairperson and Deputy Chairperson. Moreover, efforts are made for the gender parity principle to percolate other AU organs and institutions.

To illuminate more is that the AU's vision to silence guns by 2020 (AU, 2021), has paid precise attention to women's voices not only as victims but as partners and active contributors to all stages of the management, prevention and resolution of conflicts in Africa in the process of peacebuilding, democracy-building and nation-building.

To enhance that, the AU Department of Political Affairs, in collaboration with UNDP, is leading the development and implementation of an action plan to promote women's equal representation and participation in governance through facilitating the effective implementation of related global regional and national relevant policy and legal frameworks. It has been found that women's leadership in the response to the coronavirus disease 2019 (COVID-19) pandemic is also of importance as the impact of COVID-19 disproportionately affects women. Young women and girls are particularly those in vulnerable conditions including those living in crises and conflict-affected areas. The objectives were to address the ecosystems, institutions and structures that hold women in leadership back. It will shape the progress that African countries have made so far, and the positive attitudes towards women's leadership in some countries to boost women's role in leadership and political participation including in the relief and recovery decision-making process concerning COVID-19.

To this end, it is important to state that the proposed initiative on women in governance and political participation contributes to the governance pillar of the joint AU-UN African Women Leaders Network (AWLN). This initiative of African women leaders from across sectors is aimed at enhancing African women's leadership in transforming the continent in the context of Agenda 2063 (AU, 2013) and the 2030 Agenda for Sustainable Development (AU, n.d.). The AWLN supports the advancement of African women in leadership through flagship projects, peer learning, and experience sharing as well as cross-generational dialogue in six thematic areas: (a) governance; (b) peace and security; (c) finance; (d) youth; (e) agriculture; and (f) social mobilisation. Since it was established in June 2017, the network's achievements range from multiplying the voices of African women leaders to enhancing their representation, participation and leadership in key decision-making processes.

Moreover, the evaluation of the MDGs has shown that there is progress in promoting women in leadership positions. However, according to the MDGs, despite the progress, there is a lack of female representation in local governance that is an overarching concern across the African continent. This is due in part to institutionalised gender roles in many societies which discourage and inhibit female participation in governance. As one of Africa's underutilised resources, increasing females in governance is a key to achieving many of the developmental goals set for Africa.

Being a part of the SADC (Southern African Development Community), Tanzania has also experienced a shift of paradigm. This has been through the adoption of the Protocol on Gender and Development providing for equal representation and participation in governance and aimed at attaining parity 50/50 in 2015 (SADC, 2023). Even though 50/50 parity has not yet been reached, studies show that there is significant progress in women's representation and participation in governance when it comes to SADC member states in general and Tanzania in particular.

The Treaty Establishing the East African Community (EALA, 2000) also provides for gender equality and non-discrimination based on, inter alia, sex, which is the major cornerstone to development. It goes further to the inclusion of the special provision on the role of women which, amongst other things, calls for empowerment of women to enable them to effectively participate in social-economic development at all levels especially in decision-making.

The East African Community has also adopted a Gender Policy (EAC, 2018) that requires mainstreaming of gender issues in programmes and strategies in the community. The community has gone further to introducing the East Africa Community Gender Equality and Development Bill of 2017 (EAC, 2017). This Bill was intended to consolidate and harmonise regional and international commitments on gender equality in the context of the East African Community to ensure uniform promotion and protection of women's rights to equality and equal participation inter alia in governance.

Apart from the international and regional efforts, Tanzania as a country has taken various measures to increase the participation of women in governance in achieving equal participation of men and women in governance. Various legal and policy reforms have been undertaken to enhance gender equality and women's participation in Tanzania since independence. Below are a few examples:

First, the inclusion of the Bill of Rights in the Constitution of the United Republic of Tanzania in the year 1984 (United Republic of Tanzania, 1984) paved a way for equality between men and women, equal participation, non-

discrimination based on sex and freedom to participate in public affairs and decision-making. This was a very necessary step in ensuring gender equality as it offers room to enforce equality as a right, therefore, allowing women room to go to court in case of its violation. Despite the existence of claw-back clauses and other challenges to the enforcement of human rights in Tanzania, the inclusion of the Bill of Rights in the Constitution of the United Republic of Tanzania was a significant change as it opened up a state's commitment to the protection of human rights, including equality and non-discrimination, which are important elements to attaining inclusive governance. Therefore, if only other existing challenges in the enforcement of the Bill of Rights could be addressed, one cannot hesitate to say that the inclusion of the Bill of Rights in the Constitution was a crucial step to ensuring gender-inclusivity in governance in Tanzania.

Second, the introduction of the quotas system. This is one of the mechanisms introduced temporarily to ensure the increase of the number of women in parliament. It involves constitutional or legislative reserved seats for women (which regulates the number of women elected) or setting a minimum number of women. For example, the establishment of constitutional special parliamentary seats in Tanzania was the adoption of the quotas system. This was introduced in Tanzania in the 1980s, whereby the law required 15% of women to be afforded special parliamentary seats and the percentage increased to 20% in 2000. Finally, in 2005 the percentage was increased to 30%. This mechanism has increased the number of women in parliament from 16.5% in the 1995 election to 37% in 2015. Although this mechanism has produced positive results by drastically increasing the number of women parliamentarians, it is questioned on its effectiveness in empowering women and has generally received critics from various writers. On the other hand, reserved seats from the appointees of the President, whereby the Constitution requires the President to appoint ten members of parliament as his/ her appointees but five of them should be women. This increases the number of women in parliament.

Third, adopting gender policies, the Policy on Women in Development in Tanzania (1992) and the National Strategy for Gender Development (2000) which shows the commitment of Tanzania as a state to attain gender-inclusive governance. All these included efforts to increase the number of women in governance. In turn, they have enhanced the number of women participating in governance and influenced reforms in the legal regime advancing women's participation.

The National Development Vision 2025 (United Republic of Tanzania, 2023) includes the commitment of the state to empower women amongst other areas in the political arena. It calls for ensuring the participation

of women in decision-making by advancing gender issues economically, socially and politically.

As discussed above, Tanzania also ratified various international conventions and regional treaties which aim at attaining equal participation of women and men in all areas including governance. Apart from that, Tanzania has undergone a domestication process to ensure implementation of the ratified conventions at the state level. Most of the initiatives to enhance gender equality in governance have been influenced by these international treaties. The obligations within them have been the catalyst for change in Tanzania through mainstreaming gender issues in policies and laws of the land.

Other initiatives include the role of civil society; women have formed various non-governmental organisations aiming at, amongst other things, empowering women into governance including the Women Fund Tanzania Trust (WFTrust, 2024), which funds activities aiming at empowering women to political representation, others like Tanzania Media Women's Association (TAMWA, 2020), Tanzania Women Lawyers Association (TAWLA, 2024) and Women in Law and Development in Africa (WILDAF-AO, 2022) empower women to leadership and career development. They also play a part in raising consciousness and awareness to women and society in general on empowering women through advocacy.

Despite the undeniable gains in terms of legal and institutional progress towards more women in decision-making, pervasive structural factors still hinder or limit the full exercise of women's governance rights. In Tanzania, women's participation in governance is still minimal, led by cultural attitudes based on patriarchal models, gender stereotypes and traditional roles of men and women, deficiencies in women's political and economic empowerment, as well as the dramatic data available on gender violence.

Tanzania is experiencing a historical moment with a gradual increase in women's participation in governance and decision-making. However, the agenda is still unfinished, particularly concerning women's leadership participation because of some challenges in the economic, social and political arena. More commitment and strong substantive equality and parity are still needed and be observed at the national legal and policy level.

Legal and practical challenges in women's participation in governance in Tanzania

It is acknowledged that significant progress has been made concerning women's governance participation in Tanzania. These advances in some

point, though as little as it is, have helped to clear the way to an inclusive democracy, in which women's voices are increasingly heard in the crafting of governance, legislation and public policies with their interests and needs in mind.

However, cultural prejudice against women still exists (Msuya, 2017). Women are often viewed through the cultural lens. In Tanzania, the cultural expectations of women are generally childbearing and taking family responsibilities. Different research has shown that traditionally in Tanzania, women are expected to take on more family responsibilities than men. With changing times, more flexibility for women from such traditional roles has taken place, providing women with the freedom to work, in addition to family responsibilities. There is no doubt that despite efforts made to ensure that female representation is achieved at all levels of governance, women are still under-represented in many government and nongovernment organisations, particularly in positions of power and leadership in Tanzania. Therefore, this section discusses persisting challenges hindering women in attaining leadership positions in Tanzania

Legal status and framework

Although the Constitution of the United Republic of Tanzania of 1977 provides for gender equality, non-discrimination based on sex and equal participation of all persons including men and women in governance, special seats and reserved seats to increase the number of women in parliament, these provisions are inadequate to ensure equal and effective participation of women in governance. This is because there are no specific women's rights included in the current Constitution. Even on the special seats, although this helps in increasing the number of women in parliament, this has its shortfalls. This is because the issue of special seats for women in parliament is not a permanent intended objective but a temporary one while preparing women to be able to compete and be elected in their constituencies.

However, this (existence of special seats) has been used as a reason that sometimes-political parties do not give room to women to contest in constituencies because they can use special seats to be parliamentarians, something which defeats the intention of the provision. Lack of harmonised rules and regulations providing for the procedures to nominate women for special seats and lack of transparency has led to occasional appointment of women who are not competent enough to stand for that position or appointing women who are just favourites of the top party leaders.

Studies have revealed that women who reach parliament through special seats are considered as 'second-class' members of parliament. This,

therefore, makes them inferior compared to the members of parliament elected in their constituencies (Wang & Yoon). In an extreme case, apart from the Constitution, the rest of the laws governing elections in Tanzania including the Political Parties Act 2002 (United Republic of Tanzania, 2002), the Election Act cap 343 RE 2010 (United Republic of Tanzania, 2010a), and the Election Expenses Act, 2010 (United Republic of Tanzania, 2010b) have no gender-related provisions. Even in the composition of the National Electoral Commission, there is no mandatory requirement for the inclusion of women.

It is worthy to note that the legal framework offers room to enforcing the rights, if violated, therefore having an inadequate legal framework advancing inclusive governance and establishing effective mechanisms to advance women's participation in governance, creates a large stumbling block to attaining full democracy. The Constitution as a mother law expresses the state's vision and gives a roadmap to the future of the state, therefore the inclusion of adequate provisions which are clear, enforceable and effective in protecting women's rights shows the state's commitment to gender equality and achievement of full democracy. Therefore, although Tanzania has adopted policies that advance gender equality the legal and regulatory framework are yet to be aligned with these policies.

There are laws which foster inequality amongst men and women and through that, hinders women's empowerment and that affects their participation in governance. For example, the Law of Marriage Act (Parliament of Tanzania, 1971), which allows females to marry at 15 years old and males at 18 is discriminatory and fosters the tendency of violation of the right to education of female children (Section 13 Law of Marriage Act). It is obvious that education is the best tool to empower women into leadership since it increases exposure and gives access to information. Therefore, any law of this kind which is likely to infringe on the right to education of a female child reduces her chances of becoming involved in governance in her future. Another example is the laws relating to succession and inheritance applicable in Tanzania including the Indian Succession Act of 1865, the Islamic Laws as well of customary law which limit women in inheriting properties at the death of their spouse.

Frankly speaking, these laws subject women to acute poverty instead of empowering them economically to enable their participation in governance. It has to be remembered that amongst the main setbacks to women's participation for instance in political contests is lack of funds to support them in the process. Therefore, economic empowerment is one of the pillars in ensuring full participation of women in governance, especially in the political sphere. Thus, any law of this nature subjecting women to poverty and acute

need encumbers the advancement of women's participation in governance, and needs to be reformed.

Administrative positions require hard work, long hours

Administrative or leadership positions require hard work, long hours and are stressful. Insofar as women and governance is concerned in Tanzania, this burden is added on to their child-care, home, and family responsibilities, a phenomenon referred to as the 'double shift'. This is also true of women in higher education. In addition to issues of family responsibility that make it difficult for women to advance, cultural beliefs about the roles of men and women inhibit women's advancement to top leadership as much as it does in politics (Pandor, 2006). It is also noted that there is a common statement (often not taken seriously) that women at senior level positions are not always supportive of other women and tend to want to maintain the status quo. Of course, institutional culture and micro politics do act as barriers for women implicitly or explicitly influencing the research environment that ultimately breeds professors and executive leaders. For many women, the time demands of such positions conflict with the demands of the family, and this in itself is a barrier.

Structural challenges beyond culture and religion

Furthermore, is the organisational culture in management which has been referred to as the myths, values and practices accepting women's positions in the lower levels of the organisation and portrays managerial positions in the hierarchy as masculine. It is further found that masculinity pervades organisational processes and creating gender segregation by marginalising women (Moore, 2014). As a result of misconceptions of gender, it leads to the belief that women cannot be good leaders as they lack masculine leadership qualities, and perhaps lead to less chance of women being promoted to higher positions in the organisation. Insofar as political issues are concerned it has been noted that in all the political parties registered in Tanzania since independence, none has a woman as a chairperson of the party. This may have been influenced by the structure of their political manifesto. The political manifesto defines the vision of the political party and what the political party is committed to achieving. Except for the ACT (Alliance for Change and Transparency), all other political parties' manifestos have no provision on advancing women's participation in governance. They may have provisions of empowering women in other fields including economically but none focus on governance. Even for the ACT *Wazalendo* manifesto lacked such provision

previously but included it in its 2020 party manifesto. This shows a need for political parties to reform their manifesto if equality is to be fully achieved.

In Tanzania specifically, conversely, it is possible to change those same structural factors that exclude women precisely through the quantitative and qualitative increase in women's participation in governance and leadership in areas of political decision-making. Their involvement in decision-making is a precondition for the public agenda to incorporate new dimensions in public policies that contribute to putting an end to the vicious circle of discrimination and gender inequality.

Stereotyping leadership styles and gender discrimination

In this section, gender positioning is associated with marital status, presence of children and distribution of work at home. In the Tanzanian context, the work and family dichotomy are filled with many contradictions for women that provoke stress (Mlambo-Ngcuka, 2015). Tanzanian women have certain expected roles to play. They are expected to bear and nurture children, as well as manage the home. Cultural expectations binding women to family responsibilities are a huge challenge for academic women. While feeling deeply conflicted about leaving children behind to pursue their careers, women comply with policies that accurately do not value their sacrifices. The assumption that women with young children are not on a fast-track prevents women from reaching leadership positions. However, balancing family responsibilities and work is found to be one of the most challenging obstacles for women aspiring to become leaders. At the same time, today's Tanzanian woman is expected to earn a living and contribute to the running of society (Kamwaga, 2020).

However, if it happens that women win and access leadership positions, discrimination and stereotyping are inevitable. This is largely because of society's attitude towards appropriate male and female roles. For a long time, society has been considering men more as task-oriented leaders than women, who are perceived more as social leaders than men. Because of the demands of leadership positions, it became a socially accepted tendency for men to assume leadership because their task-oriented style was more accepted in Tanzania.

The deep-rooted gender inequalities and societies' attitudes towards implementation of equal rights have caused women to be less persecuted for seeking an executive position, therefore, compromise women's involvement in governance. For example, in the 2020 election, only thirteen women were able to become members of parliament through direct election from the constituencies. In order for women to obtain top jobs in politics they have to

come from a more privileged social background than men. In addition, the difference in career paths between male and female leaders, is that men are being recruited for a wider spectrum of jobs than women. Although on the one hand there is significant transformation of society's attitudes and currently most of the women have been able to come into power, most of them are using the quotas system rather than direct election from the constituencies. This is what it was referred by Mikell (1997) to contemporary African women as walking a political / gender tightrope, but it is also a leadership and gender tightrope (Mikell, 1997). This is to say that women face direct consequences on traditional and customary as are perpetuated as minors and inferior beings to men. Compared to men, women receive little or no encouragement to seek leadership positions.

Conclusion

In the governance sphere, access to high positions between men and women continues to be manifestly unequal. Remarkably, apart from being in Constitutions, laws and/or policies of Tanzania, there is still much room for discrimination. The powers are still based on a patriarchal model that originates and reproduces the subordination, oppression and/or exploitation of women by men. Women's voices are not heard equally, nor do they have the same opportunities to influence decision-making. More importantly, it has been seen that in recent years, women in Tanzania have recorded gains or have made progress in the field of participation in governance and public life. To be sure, an increasing number of women has been elected to electable bodies, and some have been appointed into high political and other managerial offices. In the present years, it will be incorrect that Tanzanian women have achieved equality with men in the field of participation in life and governance. The truth is that while women in Tanzania have made significant progress, the fact remains that most Tanzanian women are excluded from governance.

More importantly is an example from higher learning institutions in Tanzania; one will support the argument that women are excluded in a leadership position and this calls that something needs to be done to increase women's representation in the management and administration arena.

In summary, it can be concluded that although Tanzanian women have made some progress in recent years in education, the field of participation in public life and governance is not yet complete. As mentioned above, there are certainly still many miles to go before gender equality in governance can be achieved in Tanzania. As has been seen, there is an enormous international, regional instrument which Tanzania has ratified and some were domesticated

into a national law, which seems good on paper; however, all these have remained largely a paper tiger.

To realise the goal of gender parity in governance, it is suggested that the pertinent legal instruments should be implemented with greater fortitude and vigour. It is high time to discard the prejudices against women under the guise of culture. Thus, humanity, in general, should realise that gender is no more a valid reason for discrimination than race, creed or religion. There has been an increase of capacity-building to women to enable them to take part in governance but also laws and policies should recognise the role of women attaining transformative governance in Tanzania in particular and Africa in general and enhance their full participation. Mechanisms should be set to implement the policies and laws in place to advance women's participation. All the above discussed challenges have to be overcome if full and equal political and governance participation of men and women is to be achieved in Tanzania.

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