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Two out of three citizens think Tanzania needs a new constitution ***Half of citizens think the constitutional process should start again with a new commission***

19 October 2017, Dar es Salaam: A full 2 out of 3 Tanzanians (67%) think that it is important for the country to get a new constitution. Just over half of citizens (56%) think that the final draft Constitution should be voted on in a public referendum. Yet just under half of citizens (48%) think that this will not happen within the next three years.

Citizens also continue to be strongly supportive of a new constitution that emphasizes accountability. Eight out of ten want ministerial appointments to be confirmed by Parliament (79%), and six out of ten want to be able to remove MPs between elections (64%).

However citizens are more divided on some accountability measures including stopping foreign bank accounts for leaders and civil servants (54% in support), term limits for MPs (52% in support), and having transparency and accountability as part of the core set of national values (48% support). These are all aspects of the draft constitution that were dropped by the Constituent Assembly. And citizens do support the removal of certain checks and balances around the office of the President (55%) and the requirement for Ministers to come from outside Parliament (62%).

These findings were released by Twaweza in a research brief titled *Unfinished Business: Tanzanians' views on the stalled constitutional review process*. The brief is based on data from *Sauti za Wananchi*, Africa's first nationally representative high-frequency mobile phone survey. The findings are based on data collected from 1,745 respondents across Mainland Tanzania (excluding Zanzibar) in June-July 2017.

When it comes to one of the most contentious aspects of the previous constitutional process, the government structure, citizens are less divided. Just under half of citizens on the Mainland (42%) support the current two-government structure and this is the most popular structure for Mainland citizens. Less popular options include a single government (25%), three governments as proposed by the Constitutional Review Commission (16%), and something similar to the current structure but with more autonomy for Zanzibar (12%). Support for the current structure has grown from 25% in 2014 to 42% in 2017 and support for a three-government structure has declined slightly, from 22% to 16% during the same time.

Citizens on Zanzibar have very different views on this issue. When asked (in 2014), 46% supported a three-government structure and 45% supported the current two government structure with more autonomy for Zanzibar.

Alongside strong views on content, nine out of ten citizens (91%) agree that both the process of creating the constitution and the content itself are important. While 2 out of 10 citizens (18%) remember being part of the constitutional review process, 4 out of 10 (44%) feel that the process was about collecting views that were not necessarily then reflected in the constitution and 2 out of 10 (23%) feel that the process was just about sharing information not collecting citizens' views. This leaves 3 out of 10 (33%) who think the process was about actually listening to citizens' opinions and reflecting these in the drafts.

In addition, although 9 out of 10 citizens have heard of the constitution, only 3 out of 10 can explain what it is. And close to half of citizens (49%) think that the President is the one who is supposed to drive the constitutional review process. Overall women are less likely than men to know that a constitutional review process had been started (81% of men versus 61% of women) and to have given their inputs into the process (25% of men versus 10% of women).

One in four citizens (23%) were supportive of the boycott of the Constituent Assembly that was tied to the formation of the UKAWA (Umoja wa Katiba ya Wananchi – Union for the People’s Constitution). A significant minority of citizens (41%) think that the boycott invalidated the rest of the process, but 56% disagree. Interestingly when asked about this more generally (if a group decides not to participate, it makes the constitution less legitimate), the majority of citizens (56%) agree that this is the case.

In terms of moving forward, the largest group of citizens (48%) think the best way is to start from the beginning with a new constitutional review commission. The next most popular option, supported by 2 out of 10 citizens (18%) is to take the draft developed by the previous commission and amend that. More specifically, 4 out of 10 citizens (38%) want to start the process again with a blank page, while 3 out of 10 (31%) want to start with the draft from the former Constitutional Review Commission, less than 2 out of 10 (16%) want to use the current constitution as the starting point and only 1 out of 10 (11%) wish to make use of the draft that was developed by the Constituent Assembly.

Aidan Eyakuze, Executive Director of Twaweza, said: *“Citizens want a new constitution. Many want to start with a new Commission and a clean sheet of paper. But others are willing to go forward with the draft from the last commission. They also support the accountability orientation of the original draft constitution and they are clear that they want a new, more inclusive process to move forward with.”*

“But,” he continued, “this survey also highlights the complex role of politics in questions around the legitimacy and inclusiveness of the constitutional process. It is telling that direct mention of UKAWA causes citizens to judge the boycott more harshly than they do when asked about boycotts in general. When it comes to their politics, citizens’ passion often overwhelms their objectivity. However the constitutional process is restarted, those driving the process must recognise that the law of the land is too important to fall prey to party differences, we need a process that includes our entire country, in all its diversity and dissonance.”

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Notes to Editors

- This brief and the data contained can be accessed at www.twaweza.org/ www.twaweza.org/sauti
- Twaweza works on enabling children to learn, citizens to exercise agency and governments to be more open and responsive in Tanzania, Kenya and Uganda. We have programs, staff and offices across all three countries, and a globally respected practice of learning, monitoring and evaluation. Our flagship programs include *Uwezo*, Africa’s largest annual citizen assessment to assess children’s learning levels across hundreds of thousands of households, and *Sauti za Wananchi*, Africa’s first nationally representative mobile phone survey. We undertake effective public and policy engagement, through powerful media partnerships and global leadership of initiatives such as the Open Government Partnership. Follow us at Twaweza Tanzania (Facebook), @Twaweza_NiSisi (Twitter), Twaweza East Africa (Instagram)