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Dissent as cybercrime: social media, security and development in Tanzania

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ABSTRACT
In the context of increasing interest in the relationship between digital communications and authoritarian politics, this paper considers the criminalisation of online dissent in Tanzania. Based on interviews with police officers, local government officials and mobile phone users, the paper explores contested framings and understandings of “cybercrime”. It argues that contemporary repression of online freedoms can be understood within longer histories of social and political ordering, whereby understandings and experiences of “security” and “development”, and the relationships they imply between government and citizens, are implicated in the delegitimisation of dissent. However, it also finds that social media use enables and amplifies articulation of opposition to repressive measures and may destabilise the politics of security and development that inform the policing of online spaces and politics more broadly. The paper thus contributes, firstly, to understanding the ambiguous and contingent relationships between information and communication technologies and politics in particular places. Secondly, by analysing debates about internet freedom it offers insights into broader negotiations over politics, security and development, which are in turn rendered more urgent by the disruptive impact of new modes of communication.

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Cybercrime; development; security; social media; policing; Tanzania

Africa’s “mobile revolution” has excited much interest in the potential for mobile phone and internet use to enhance democratic politics in the region. However, increased digital connectivity has also enabled new authoritarian practices or their extension into online spaces, including internet shutdowns, digital surveillance, repressive legislation and online censorship. Although such practices are widely documented in eastern Africa and elsewhere, there is little research at present that illuminates how they are framed, understood and contested in different contexts, and their relationship with longer histories of social and political ordering. This is important, firstly, in understanding the often ambiguous and contingent relationships between information and communication technologies (ICTs) and politics in particular places. Secondly, analysis of debates about
internet freedom and appropriate use of new technologies offers insights into broader negotiations over politically important ideas and relationships, which are in turn rendered more urgent by the disruptive impact of new modes of communication.

In Tanzania, increasing social media use has had an important influence on political participation and communication, however, online dissent has been criminalised as “cybercrime” as part of an intensification of restrictions on political freedoms since 2015. Existing studies of internet controls in Tanzania have outlined their impact for online content creation as part of conceptualisation of a ‘slow shutdown’, or have considered the operational opportunities and challenges increased social media use entails for police in repressing political dissent. In contrast, this paper explores how the criminalisation of dissent as cybercrime is justified and understood by police, politicians and social media and mobile phone users. While the literature on internet controls in Africa has considered the justifications for shutdowns or other restrictions advanced by governments and explored the national and international legal frameworks enabling and constraining such actions, it is important to recognise that debates about the appropriate use of mobile phones are taking place at multiple scales as police, local government officials and locally organised community police grapple with the impact of ICTs on social and political relationships. This paper thus extends this emerging body of literature through exploring the perspectives of those enforcing, interpreting and responding to restrictions, and locating them within the everyday politics of security and development. In doing so it aims to respond to calls go beyond reductive binary analysis of the relationship between ICTs and politics in Africa as either pro- or anti-democratic, as well as contributing to analysis of how the intensification of authoritarian practices since 2015 in Tanzania has been legitimised.

The paper identifies continuities in the way in which appeals to and understandings of security and development, and the relationships they imply between citizens and government, are implicated in the delegitimisation of dissent and even of politics itself. Online content that threatens to undermine the authority of the president or the ruling party is framed by the government and police as a threat to peace and security, which requires police intervention. Security here is largely conceptualised in terms of order and unity, entailing deference to the authority of government and the police, rather than in terms of citizens’ safety. Within this framing, cybercrime is often discussed as something citizens must be taught to avoid committing, rather than something from which they should be protected. Citizens are instead urged to use ICTs for development, constructed as an apolitical national goal, from which online criticism of the ruling party, the government or the police is an anti-developmental distraction. The paternalistic way in which the pursuit of development is experienced by many means ICTs are often discussed by police, local government officials and others as something that Tanzanians should be taught to use correctly in the interests of national development as directed from above. Such narratives, however, have long been opposed and subverted by the political opposition, civil society, and other Tanzanian citizens. Today contestation of the relationships between security, development and politics is amplified by social media and animates the debates about cybercrime outlined here.

This paper is based on research conducted between 2016 and 2019, that explored, firstly, how mobile phone and internet users experience and understand security in relation to ICTs, and, secondly, how security providers construct and act upon narratives
of cyber security and cybercrime. Research was conducted in Dar es Salaam, where the national headquarters of the police and communications regulator are located, and in Tanzania’s second largest city, Mwanza. Mwanza was selected, firstly, in order to explore the influence of increased mobile phone and social media use on local policing practices since the author’s previous research there in 2011. Secondly, urban governance in mid-sized cities such as Mwanza is understudied in contrast to larger settlements like Dar es Salaam. Mwanza’s two parliamentary constituencies were held by the opposition prior to 2015 when ruling party candidates were elected. Late President Magufuli was from the region and has favoured it to some extent in infrastructure allocation and political appointments. However, this research took place in sub-wards with elected committees representing both the ruling party and opposition. It is not claimed that the findings are representative of Tanzania as a whole, or even of Mwanza. However, their broader relevance to understanding ICTs, policing and politics in Tanzania is supported through reference to media analysis, survey data and historical literature.

I conducted interviews with police at national, regional and district headquarters, officers commanding four ward police stations in Mwanza, elected chairpeople, councillors, and community policing leaders in eight sub-wards of Mwanza, and two officials from the communications regulator. These interviews explored the impact of increased mobile phone use on participants’ work and on local and national security, and understandings of and approaches to addressing cybercrime. In addition, I conducted five focus group discussions in Mwanza and structured interviews with 38 other residents of Mwanza, selected through convenience sampling in four different areas of the city (the city centre, an inner-city informal settlement, a peri-urban settlement, and a university campus), regarding understandings of cybercrime and opinions of government action to address it. Multiple interviews with some key participants over several years enabled discussion of emerging findings and changes in policy or other key events. The paper also draws on thematic analysis of public statements and social media posts made by police, politicians and appointed officials, in addition to published materials such as annual reports and press releases. This material was purposively selected to include discussion of and responses to cybercrime legislation, arrests, and court proceedings, specific cybercrime-related offences, such as sharing “false information”, and reporting of awareness-raising and similar events.

The following section introduces literature considering the democratic and authoritarian potentiality of ICTs in Africa, noting the often ambiguous influence of digital technologies on politics and the importance of understanding this within particular political and social contexts. The remainder of the paper explores the criminalisation of online dissent in Tanzania, and how such forms of “cybercrime” are discussed by police, politicians, local officials and residents of Mwanza with reference to security and development. These contemporary processes are understood here in relation to the historical policing of politics, which has been central to the ability of the ruling party to maintain power since Tanzania’s independence in 1961. However, Tanzania’s partisan policing and the appeals to security and development that inform and legitimise it are subject to contestation that is given new visibility by social media and this is explored in the fourth section. The paper concludes by arguing that it is important to understand how political and social context shapes debates about the appropriate use of ICTs and
cybercrime, but also that such debates offer an important arena in which to consider broader dynamics of political change.

**ICTs, democracy and authoritarianism in Africa**

The expansion of mobile phone use, and consequently internet connectivity, across Africa has prompted much debate about the extent to which ICTs constitute ‘liberation technology’, that can ‘expand, political, social and economic freedom’. ICTs (ICT for development) explores their potential to strengthen civil society, to enhance accountability and transparency of governance, and to catalyse political change by enabling collective action, providing new opportunities for political participation, and enhancing access to information. While some more optimistic appraisals of the democratizing potential of mobile phones have been criticised for techno-determinist assumptions, a growing body of rich empirical literature nevertheless illustrates the ways in which, under certain circumstances, ICTs can create further space for political debate, advocacy and mobilisation in the context of offline restrictions. As Nyabola notes,

> in many societies where analogue or offline spaces have been compromised by power and are impossible to penetrate if one is not of the right social, economic or political affiliation, digital spaces – with those inherent characteristics that make it hard to control or censor – become incredibly politically significant.

Accounts of digital media use in diverse African contexts illustrate its potential to threaten government control over knowledge production and dissemination, to mobilise and coordinate protest and other offline political activities, and to enable network-building to render political and social issues more visible and sometimes provoke remedial action from government institutions.

Governments have also, however, instrumentalised ICTs within authoritarian practices, which sabotage accountability within political systems by enabling secrecy and disinformation or restricting freedom of expression. Some 22 African governments ordered disruption to mobile phone or internet networks at politically sensitive times between 2014 and 2018. Some governments have sought to discourage social media use through taxation. Elsewhere, in countries including Ethiopia and Sudan, online content is manipulated through censorship, filtering and misinformation campaigns. Growth of internet and mobile use has enabled the expansion of surveillance, facilitated by introduction of sim registration and the absence or lack of enforcement of data privacy protection regulation in many contexts. Of most relevance to the Tanzanian case discussed in this paper, some African governments have instrumentalised new or pre-existing legislation to criminalise political dissent expressed online.

The proliferation of such practices worldwide led Freedom House to proclaim the ‘rise of digital authoritarianism’ in 2018. Common technical and strategic approaches are evident as regimes look to each other for ‘best practice’ in internet control. In some African countries, Chinese provision of training and equipment, as well as commercial technology produced by Israeli, Italian and UK companies, has been linked to restriction of online freedoms and surveillance. Broad trends are also evident in the ways in which such measures are justified with reference to security. In Africa this rhetoric has been
aimed at domestic audiences, but also an international one as a means of leveraging support for, or at least tolerance of, repressive measures from the United States as part of the “war on terror”.21

While noting these evident technical, strategic and rhetorical commonalities between countries, however, it is important to go beyond lamenting a ‘global decline’ in internet freedom,22 to understand more about how attempts to control cyber space are framed, understood and contested in different contexts. Indeed, survey data from 34 African countries indicates acceptance of security as a justification for infringement of privacy of communications varies considerably between African countries, in ways that cannot be easily explained by reference to recent experiences of violence.23 Thus, it is important to both understand contemporary attempts to restrict online freedoms within histories of social and political ordering and to interrogate the relationship between debates about internet freedom and broader negotiations around politically important ideas which shape how ideas about appropriate use and regulation of mobile phones are understood, enforced and contested. In Tanzania, as the following sections outline, both security and development have emerged as significant referents in debates about internet freedom.

Criminalisation of online dissent in Tanzania

Cyber security is a growing concern in Tanzania and elsewhere in the region. Vulnerability to cyber-attacks has increased in East Africa since 2009 when high-speed fibre optic cables enabled faster broadband connections,24 and cybercrime has a significant economic cost for Tanzanian businesses, estimated at US$99.5 million in 2017.25 Prevalence of cybercrime victimisation amongst individual citizens is difficult to ascertain as the majority of cybercrime, and indeed crime in general, is not reported to the police.26 However, reported incidents of cybercrime in Tanzania have increased considerably since 2015 when specific cybercrimes legislation was introduced. Indeed, the Tanzania Police Force (TPF) crime statistics report for 2016 notes that the ‘number of cyber criminal offences appears to increase day after day’.27 The challenge is considerable, because as senior officers explained, ‘almost all crime – 80% – involves some element of cyber’ as criminals use phones to communicate with victims and each other to facilitate their endeavours. Thus, ‘cybercrime touches almost every area of life’,29 as long existing challenges have ‘gone from being hard copy to being online’.30

While designed in part to address these significant concerns, legislation introduced since 2015, alongside older media legislation, has also been used to criminalise online criticism of the president, government and the police. The Cybercrimes Act (2015) contains broad clauses prohibiting dissemination of ‘false, deceptive, misleading or inaccurate information’ or content ‘intended to defame, threaten, abuse, insult’ and gives police wide powers to seize electronic equipment.31 Since 2018 additional regulations have required bloggers to pay large fees to register and internet cafés to install closed circuit television cameras to monitor customers.32 The 2015 Statistics Act and subsequent amendments criminalised publication of statistical information ‘intended to invalidate, distort or discredit official statistics’ and required authorisation from the National Bureau of Statistics prior to dissemination of statistical information.33 Sedition provisions contained in other media legislation have also been used to arrest and charge
social media users and politicians or others whose words are recorded and shared on social media.

Between 2015 and May 2020, at least 19 people were arrested for “insulting” the President on Facebook or within WhatsApp groups. Numerous others have faced arrest or interrogation for incitement over statements that were critical of the government or for encouraging participation in demonstrations. False information clauses in the Cybercrimes and Statistics Acts have been used to prevent independent collection, dissemination and interpretation of data that might contradict government narratives or threaten the ruling party, Chama Cha Mapinduzi’s (CCM), electoral success. During the 2015 elections, for example, 191 volunteers for opposition party, Chadema, were arrested on suspicion of sharing “inaccurate” results over WhatsApp and eight Chadema officials were subsequently charged with cybercrime. The founders of Tanzania’s largest online forum, Jamii Forums, were also prosecuted for refusing to compromise the anonymity of subscribers who had leaked documents exposing grand corruption. Administrators of WhatsApp groups who do not report “criminal” activity, those who discuss matters deemed sensitive in relation to security, those who mock or criticise the police, and those who “besmirch” the government have been threatened with arrest. During elections in October 2020 the government was accused of blocking major social media platforms, including Twitter and WhatsApp, and filtering text messages containing the name of the major opposition presidential candidate and other key phrases. These restrictions have attracted significant criticism from international non-governmental organisations, bilateral and multilateral donors, Tanzanian civil society organisations, opposition politicians, and activists.

The policing of social media described above can be understood in terms of the extension into online spaces of partisan policing practices that have underpinned the electoral dominance of CCM since the 1960s. Such practices have intensified since general elections in 2015, which Magufuli won with the smallest majority of any CCM presidential candidate to date. In June 2016 Magufuli announced a ban on political meetings until the 2020 general election period. Police selectively enforced his decree, preventing opposition party meetings and arresting opposition members of parliament (MPs) deemed to have inappropriately engaged in “politics”. Opposition politicians, journalists and activists who have criticised CCM or reported on issues considered sensitive by the government have been arrested, violently attacked, or have disappeared. Survey data suggests a striking decline in perceived freedom of speech under Magufuli. Whereas in 2014, 71% of Tanzanians felt completely free to share their views, only 47% felt the same in 2017.

Few cybercrime cases against high profile individuals have been successfully prosecuted. However, police actions can be punitive in themselves or deter political dissent or collective mobilisation. Chadema MP Godbless Lema, for example, spent four months in prison after being denied bail while awaiting trial on charges including sharing seditious statements on social media. Police also seize opportunities to confiscate electronic equipment, including phones, laptops and USB sticks, before charges are brought, including items that were not used to perpetrate any alleged offence. Indeed, in December 2018 opposition MP Zitto Kabwe reported police were still in possession of his phone 14 months after it was seized for investigation in relation to an alleged breach of the Cybercrimes and Statistics Acts.
The following sections explore how restrictions on online speech outlined above have been justified by the government and police and are understood and debated by mobile phone users, police and local officials in Mwanza. Political dissent is often framed as jeopardising security and development, both of which have an enduring importance within Tanzanian political culture. Expectations that security and development imply hierarchical and paternalistic relationships between government and citizens lead to cybercrime being framed as something that people must be taught to avoid committing, rather than something from which they should be protected.

**Securing social media**

As noted above, appeals to security are a common way in which governments in Africa and elsewhere have justified restrictions of online freedom. In Tanzania, maintaining security is often used by police as justification for political repression. Meetings or other events planned by the political opposition, for example, are frequently prevented on grounds that unspecified “intelligence” points to security risks, and opposition parties are more broadly constructed as constituting a threat to peace. Here, security is very much conceptualised from the ‘supply side’, as establishment and protection of an authoritative social and political order, rather than from the ‘demand side’ as an entitlement of citizens. Social media content that is critical of the government is thus presented by CCM politicians, government officials and police as threatening security, which is dependent upon respect for the authority of the government. Consequently, the focus of cybercrime education is ensuring people do not undermine security by perpetrating cybercrime, rather than protecting them from victimisation.

Neighbored by countries that have experienced protracted civil wars and political violence, the claim to be a peaceful nation has an enduring importance in Tanzania’s political culture. Tanzania’s first president, Julius Nyerere, is widely credited with laying the foundations for lasting peace. CCM politicians often seek to position themselves as successors to Nyerere, invoking the importance of protecting his legacy to delegitimise criticism of the government and the party that could ostensibly jeopardise national unity. Opposition parties are framed as threatening division and even violence in contrast to the peaceful stability provided by Nyerere’s CCM. As Hydén noted in 1999, despite increasing support for a democratic multiparty system in principle, in practice ‘liberal democratic values may be compromised if they are seen to threaten social harmony or civic peace’. Thus, Tanzania has long exhibited characteristics of ‘peacocracy’, whereby ‘the fear of conflict is used to prioritise stability and order to the detriment of democracy’. Indeed, the idea that ensuring security justifies infringement of rights appears to have some resonance with Tanzanian citizens. In a nationwide survey conducted by Afrobarometer in 2017, 64% agreed that the government should be able to monitor private communications in order to ensure people were not plotting violence. Of the 34 African countries surveyed, only in Mali, which has experienced frequent armed violence in recent years, did a larger proportion (75%) value security over privacy.

Social media is often positioned by CCM politicians and police as potentially dangerous. In Zanzibar, for example, the Annual Law Day for 2016 was on the theme, ‘Bad use of social media can lead to breach of law and peace’. At the event, then Zanzibari
President Ali Mohamed Shein advised that ‘an irresponsible social media could potentially ruin your country’. Citing Libya, Yemen and Syria as examples of the destructive power of unfettered social media use, he continued, ‘it is a pity that some of the users and editors of social media living in Tanzania and Zanzibar are misusing the freedom by driving people into unnecessary conflicts, and hatred against the government’. Neighbouring countries’ recent political histories also provide points of reference for police keen to restrict “problematic” social media content. As one senior police officer noted when explaining why it was necessary to arrest those who insulted the president, ‘at the time of elections we don’t want these kind of problems [violence] that are happening in Kenya’.

Framing perceived insults as a security threat is enabled by reference to sedition clauses in Tanzanian media legislation, which criminalise the intent to ‘bring into hatred or contempt or to excite disaffection against the lawful authority of the Government’ or ‘raise discontent or disaffection amongst people’. These broad provisions give police and elected and appointed officials considerable discretion to determine what is seditious and, as outlined above, social media users, including several opposition MPs, have been arrested and sometimes charged with sedition over criticism of the president shared online or publicising proposed opposition-led demonstrations on social media. Although English-language definitions of sedition in Tanzanian legislation do not explicitly mention undermining peace, in legal and other settings sedition is usually translated into Swahili as *uchachezi*, which refers to actions or words intended to incite violence or disagreements. This definition is reflected both in how many Tanzanians understand the term, and in how it is used by politicians and police when alleging misuse of social media or threatening social media users. The Minister for Home Affairs in July 2019, for example, ordered police to cooperate with the TCRA in arresting those who posted insulting statements about the president, urging Tanzanians to “use social media wisely, don’t use it to damage peace in the country, don’t trick yourself that if you commit sedition you won’t be arrested”. Failing to respect the authority of the president is thus equated with inciting violence and threatening national peace. When asked why police arrested people accused of insulting the president online, one senior police officer simply explained, ‘if you insult the President it is a matter of security’. In explaining why it was important to prevent incitement, another officer insisted ‘peace is everything’. He described social media as ‘a weapon’, noting, ‘I can be sitting here [typing on my phone] writing anything and then you sent it and – bam! It moves so quickly.’ Indeed, security and stability have been evoked as justification for attempts to stop some vocally critical opposition MPs from using social media entirely.

In addition to “insulting” and undermining the authority of leaders, “fake news” has also become a focal point in policing of social media commentary, with information that challenges narratives about government competence or suggests wrongdoing often positioned as a threat to security. As outlined above, cybercrimes and other legislation criminalise “false” social media content. Those who have been accused of sedition for sharing allegedly false information online include a journalist reporting police brutality on Facebook, Twitter, and YouTube and a lawyer who was filmed contradicting government information about the prevalence of Covid-19.

This can be seen as part of a broader trend whereby under Magufuli the securitisation of politics intensified. Even internal opposition party meetings were prevented on
security grounds, and since 2015 ministers used powers to sanction the publication of ‘any content that jeopardises national security or public safety’ to suspend newspapers over a range of stories that implied criticism of the government or of CCM’s record. Of the (at least) 23 opposition MPs who were arrested between 2016 and 2018, many faced charges of sedition over statements critical of the government. Many such cases are never prosecuted or result in acquittal when the prosecution does not provide sufficient evidence of an offence, although one Chadema MP was sentenced to five months in prison for insulting the President in a manner likely to cause ‘breach of peace’, contrary to Tanzania’s penal code. Arrests and interrogation also have a punitive effect in themselves, particularly when, as is often the case, suspects incur large legal fees or are denied bail and spend long periods in remand prison. The leader of the largest opposition party, Chadema, and another MP, for example, were incarcerated for over three months while awaiting trial on charges including incitement and sedition after their bail was revoked. Claims that political opposition constitutes a security risk are also used pre-emptively or retrospectively to justify violent policing of elections and demonstrations.

The construction of security as stability and unity under government authority also informs how police communicate with the public about cybercrime. Police engagement with communities around crime prevention typically entails police “sensitising” citizens about their responsibilities within government policies such as community policing, or instructing people what not to do. Media outreach through a local radio phone in, for example, was gratefully described by one police officer as enabling him to tell people to act peacefully: ‘do not break things, don’t fight people, don’t kill somebody’. Police approaches to cybercrime are similarly premised on the idea that people need to be educated as to how to use mobile phones and the internet in the right way. As one senior officer explained, people post ‘unnecessary’ or ‘bad’ information on the internet ‘for jokes’, and police ‘need to give them education so that they don’t’. Thus when asked about his awareness of cybercrime, one sub-ward chairperson recounted, ‘the other day we had a meeting and officers came to give instructions [about cybercrime]’.

The major focus of public education about cyber security is to stop people from committing cybercrime, rather than supporting them to stay safe online. This is exemplified by the Futa Delete Kabisa campaign, organised by the Tanzania Communications Regulatory Authority (TCRA) in collaboration with police, which focuses on telling people not to disseminate illegal messages. The rationale was described by police as ‘going to leaders and communities to educate them, so that people will be thinking before they share something about whether it is for the good of the community’. Another campaign in 2016 aimed to assess not vulnerability to cybercrime victimisation, but rather the number of people vulnerable to committing an offence. The Director of TCRA noted at its launch that outreach efforts had been introduced ‘at a time when the Cybercrimes Act 2015 is operational yet many people are still unaware of how to avoid getting into the trap’. One sub-ward chairperson outlined how this approach informs local anti-cybercrime efforts:

It’s our responsibility, starting from the sub-ward government, to ensure that we educate people ... that if you insult somebody in a message or in a phone call ... people need to know that there’s a place where all messages, phone calls are being recorded. Now people not knowing that is a problem. The government and TCRA have to educate people and not wait until people commit an offence.
Citizens’ encounters with police in Tanzania are often unpredictable and anxiety-inducing due to widespread experience and perceptions of police corruption, violence, and of unequal application of the law.\(^{71}\) Mass arrests of “suspects” based on minimal evidence are a regular part of police operations and those who are arrested often face prolonged detention before their cases are heard. The combined effect of such experiences of policing in Tanzania and the narratives about misuse of social media discussed above, is that much concern about cybercrime in urban Tanzania relates to inadvertently becoming a perpetrator, rather than being victimised. As one focus group participant explained when asked about whether he had ever been affected by cybercrime, “Those who should be afraid [of cybercrime] are those who use their phones badly. If you’re just a normal user, what should you be afraid of?”\(^{72}\) Many of those interviewed in Mwanza expressed a demand for education regarding the contents of cybercrimes legislation, ‘so that everybody knows if they have done this or that it is an offence …. At the moment we don’t know if we are doing something wrong’.\(^{73}\) When asked about how they protected themselves from cybercrime, many referred to ways in which they mitigated the risk of being arrested. For example, participants noted they practiced *matumizi mazuri* (good use) of ICTs, and that they did not share things such as swear words or criticism of the government.

### Cybercrime as anti-developmental

Like peace, development (*maendeleo*) occupies a privileged position in Tanzanian political discourse. Indeed, Green notes the idea of development ‘as national project … is integral to the imagination of the Tanzanian nation’;\(^{74}\) Development is often constructed as a non-partisan universal goal which does not admit policy debate. What might constitute desirable development for Tanzanian citizens is rarely treated as a subject that admits multiple opinions, and indeed official development strategies ‘are represented as route maps to national development rather than the products of political interests’.\(^{75}\) Engaging in politics is conversely cast as an anti-developmental distraction from CCM’s important work to realise national goals. While rhetorical appeals to development to delegitimise opposition have been observed in earlier periods of Tanzanian history,\(^{76}\) such rhetoric intensified under Magufuli who justified authoritarian measures as necessary to protect his pursuit of national development from external and internal enemies.\(^{77}\) His prohibition of political meetings until 2020 was justified in these terms and critics of the government, such as NGOs, lawyers, churches, and opposition MPs, were warned away from “politics” and urged to focus on development instead.\(^{78}\) Although development is positioned as apolitical by CCM, claims to have brought about development are central to attempts to cement CCM’s legitimacy and delegitimise opposition parties and voices.

ICTs are recognised in Tanzanian national policy documents as important in the pursuit of development. Indeed, the National Information and Communications Technology Policy states that ICTs are ‘increasingly becoming the key drivers for socio-economic development worldwide’.\(^{79}\) However, the positive contribution of ICTs to development is typically envisaged as purely economic, rather than in terms of enabling social and political change. Political debate or discussion online is in contrast framed by the president and other government figures as an obstacle to achieving development
because it distracts users from working to contribute to national objectives. In a widely reported speech in 2016, for example, Magufuli talked of wishing an angel would descend from heaven to switch off social media for a year so as to show the developmental milestones Tanzania could reach in its absence. Online criticism of the government or individuals within CCM is dismissed on these grounds as partisan debate, it is argued, has no place within the pursuit of development.

Discussion of development itself on social media is a central concern in the policing of online content as CCM seeks to maintain control of narratives about the party’s record. ‘False information’ provisions in the Cybercrimes Act and Statistics Law were, for example, cited in the arrest of opposition party leader Zitto Kabwe, who had posted an alternative analysis of Tanzania’s economic statistics, which diverged sharply from optimistic government growth estimates. The following month, President Magufuli urged Tanzanians to ignore statements on social media that the economy was struggling and to instead use official statistics. He warned those that produced statistics ‘from their pockets’ that the law would take its course, adding, ‘When you wrongly use statistics, you are besmirching the nation.’

According to the TCRA and the police, social media should instead be used to contribute towards development, both in terms of personal progress and that of the nation as a whole. As is typically the case when appeals to work towards development are made to delegitimise political debate, what development might entail is not deliberated upon, but is rather assumed to emanate from government policy. Thus, the potential contribution that social media can make to development is not always made explicit, but is often defined in opposition to things that users should not do, such as encourage disturbance of the peace, spread false information about the police, or perpetrate fraud.

Paternalistic and hierarchical assumptions about how development should be achieved, based on citizens contributing their labour or resources to meet government objectives, encourage deference towards leaders and reinforce ideas discussed above that ICTs are something Tanzanians need to be taught how to use “correctly” for development. Development is often experienced by Tanzanian citizens, as a process led by the state or the ruling party, to which they should contribute resources or labour in accordance with directives from above. Histories of socialist Tanzania illuminate the paternalistic approach of government officials to organising local development, whereby the state and its agents assumed the mantle of modernising actors, bringing development to the wider population. Since the return to multiparty politics in the 1990s, the rhetoric of community participation and democracy has infused local development activities. However, there are considerable continuities in terms of how development is organised, the power relations that it implies, and the roles citizens are expected to play. Government officials often see themselves as responsible for telling the population how to achieve development, whilst citizens are expected to recognise their responsibilities in accordance with development policy they have little opportunity to shape, and participation in development projects may be better characterised as being subject to mobilisation by local government.

The idea that mobile phone users should be told how to use their devices correctly to bring about development was apparent in discussions with local government officials, police and other residents of Mwanza, reflecting the paternalism embedded in the way development is experienced by many and ideas about the importance of respecting
leaders within Tanzanian political culture, in addition to understandings and experiences of security discussed above. Both local cybercrime concerns and high-profile cases involving insulting political leaders, were frequently described by research participants as being a result of people not knowing ‘the correct way to use phones’. In order to prevent such behavior residents of Mwanza often cited the need for further education from the government in order for people to ‘learn how to use social media wisely, and not to use it for silly things’, as ‘many don’t know the way to use social media in order to build the nation… They are just using it to insult people’. A TCRA official thus described the Futa Delete Kabisa campaign as entailing instructing people regarding ‘correct usage’ of mobile phones.

Paternal metaphors are frequently evoked by CCM politicians in electoral campaigns, marking themselves as descendants of Nyerere, popularly known as the ‘father of the nation’ (baba wa taifa). Paternalistic idioms serve to delegitimise dissent, as leaders, like fathers, deserve filial deference and respect, and inequality between citizens and leaders, and even CCM and other parties, is naturalised as a product of cultural familial norms, rather than a political issue. “Insulting” the president or other political figures is thus not only a threat to public order, as discussed above, but an affront to Tanzanian values.

The importance of paternalistic idioms in framing the relationship between leaders and the electorate also shapes ideas about the “proper” way to use mobile phones and the internet. As offline, the importance of showing respect to leaders and avoiding insulting language can militate against expressing dissent or questioning official narratives. In 2017, when asked about the Cybercrimes Act in a nationwide survey conducted by Afrobarometer, 53% of Tanzanians agreed those who criticised the president should be arrested, in comparison to 34% who disagreed. Indeed, the founder of Jamii Forums, Maxence Melo, has explained that one of his motivations in establishing the site was to enable anonymous posts, due to widespread reluctance to publicly criticise leaders, describing fear of confronting leaders as a major impediment to accountability in Tanzania. Many of those interviewed in Mwanza agreed with police that insulting the president online merited punishment, citing reasons such as the importance of not undermining ‘an important person’ (mtu mkubwa) or comparing the president to a father who must be respected.

Although some Chadema members were highly critical of the partisan application of cybercrimes legislation, support for prosecution of those who insult leaders is not confined to CCM stalwarts. As one young female Chadema member explained:

> It’s completely correct [that a woman was sentenced to a year’s imprisonment for insulting President Magufuli in a WhatsApp group]. Even if it is coming from the heart, abusive language is not good. It’s OK to criticise what he does, but not to insult him personally. People need to contribute ideas, not just insults.

She was one of many who differentiated between insulting (kutukana) or using abusive language (kutoa matusi) on the one hand, and criticising (kukosoa) and sharing views and ideas (kutoa mawazo), which could potentially be constructive. As one young man explained, the Cybercrimes Act, ‘should not prevent people from sharing their view, as long as it is not done spitefully or with the use of swear words’. This understanding echoes that of a senior police officer working on cybercrime, who insisted Tanzanians did have freedom of speech, however ‘you just have to express yourself in the
The idea that freedom of expression has limitations, which preclude use of insults, was a recurring theme in focus group discussions and interviews. As one 73 year-old man explained:

If you insulted me here, people would be saying, ‘why are you insulting that old man?’ The president is the head of the whole country. Even if he has his problems you can’t insult him. It’s not just about freedom – it’s about conflict now. Just because we have freedom doesn’t mean we can insult people.98

One sub-ward chairperson, an opposition party member and avid user of Jamii Forums, articulated the complexities of determining appropriate use of online platforms as follows:

I believe that the main work of the internet is to criticise the government and that’s a good thing. What I don’t like about the internet though is people being insulted, and the other thing I don’t like is people with the authority to decide that everything said to them is an insult.99

Insulting leaders or others was described by some as an affront to Tanzanian or African values, as ‘to insult any leader at all or the police is not good. In terms of African morality it’s not good … We believe that to insult a leader isn’t good, because they are the father of the family’.100 Police also referred to culture in explaining cybercrime arrests. A senior police officer, for example, explained differing attitudes towards online dissent in the United Kingdom and Tanzania by arguing understandings of free speech were culturally determined: ‘You can’t express yourself freely by insulting somebody. It depends on your culture. I think there is a different culture.’101 Another officer explained, ‘we have our democracy, but you also have to take into account culture. You can’t insult people like the president. They deserve to be respected’.102

The relationship between culture and ‘correct’ use of communications devices is also articulated in official crime statistics, in which globalisation, alongside urbanisation, is noted as a contributing factor to increased incidence of cybercrime. The report notes one strategy to counter these trends is to ‘sensitise the public and other stakeholders to encourage the youth to be involved in proper cultural and social activities’.103 Thus police and the TCRA have held workshops for religious leaders to encourage them to combat the decline in morality that fuels cybercrime and to play a role in ensuring, in the words of the deputy head of Tanzania’s national Cyber Crime Unit, that believers ‘use the internet for development’.104

Echoing Paget’s description of the reinstatement of Nyererean virtues as part of Magufuli’s ‘restorationist developmental nationalism’,105 the understandings of cybercrime articulated by many research participants reflected a feeling that Tanzanians, and particularly children, should be protected from the corrupting influence of foreign immorality. Several celebrity users of platforms such as Instagram and YouTube were threatened with arrest and other punishments after sharing photographs deemed indecent by police and regulators. One sub-ward chairperson referred to this in voicing his concerns about social media:

There’s an issue of globalisation. Somebody sends something on WhatsApp that isn’t good and our children see it, so it harms young children, things coming in that aren’t within African culture … If we look at President John Pombe Magufuli he talks about clothes
that are worn these days by young people that are a big problem in the community... I thank our president a lot because he has seen that [celebrities sharing nude photos on social media] is a big problem now if you compare to the past... Musicians really are reducing respect for the country in one way or another, and also when phones are used badly in this way it reduces children’s morality. Phones are good, but if they are used badly they bring big side effects in the community... The internet has shown our young people this way of feeling at ease with speaking out and insulting.\textsuperscript{106}

\textbf{Contesting cybercrime}

Despite evident continuities in the use of security and development to delegitimise dissent, discursive relationships between politics, security and development and their articulation in policing strategies have always been hotly contested in Tanzania and continue to be so today, even as threats of legal or extra-legal punishment have intensified. Social media amplifies activist and opposition voices, and repression of online dissent is not necessarily a sign of CCM’s strength, but might instead be interpreted as demonstrating the disruptive potential of social media to which the party is forced to react. Indeed, the way in which legislation has been developed, interpreted and enforced suggests the government and TPF have to some extent been obliged to improvise in response to emerging challenges. The Cybercrimes Act and Statistics Act, for example, were expedited through parliament prior to elections in 2015. Also notable is the scale of legislative and police energy directed specifically at Jamii Forums, which has revealed grand corruption implicating key figures in CCM and was blamed by the ruling party for contributing to a significant drop in its vote share in 2010.\textsuperscript{107}

Social media is used by the political opposition, civil society organisations and activists to expose partisan policing and highlight the use of unsubstantiated claims of threats to security to justify breaches of police procedure. Opposition politicians, for example, frequently share photographs of letters from police preventing party meetings due to unspecified intelligence suggesting a likely threat to order and photographs and videos documenting police violence, and have sometimes “live-tweeted” arrests. The use of experiences of repression as a form of ‘political theatre’ by opposition parties is not new in Tanzania,\textsuperscript{108} but social media enables these performances to reach a wider audience more quickly, within Tanzania and beyond.

Social media use has also amplified longstanding contestation of the politics of development that shape the policing of politics in Tanzania. The delegitimisation of political dissent in the interests of development depends to some extent on the government’s ability to deliver the developmental gains it promises. Notably, in the 1980s, amidst economic crisis, attempts to dismiss political opposition as an obstacle to the pursuit of development were undermined.\textsuperscript{109} While CCM politicians present themselves as heirs to Nyerere, memories of Nyerere can also be evoked by opposition candidates and citizens to highlight the contrasting moral failings of today’s politicians or in recollections of suffering sustained under his rule.\textsuperscript{110} Mobilisation for development can precipitate local resistance, and withholding labour from projects can leverage concessions from the government.\textsuperscript{111} Despite government protestations that development should not be “political”, as multiparty competition within local government has intensified, partisan conflict sometimes disrupts the coercive models of local development discussed above,
as opposition-run local government authorities deny they have an obligation to implement ruling party policies.¹¹²

Importantly, social media enables the political opposition to challenge the framing of development as apolitical discussed throughout this paper and to seek to repoliticise discussion of development online. Social media is frequently used to highlight and debate weaknesses in government development strategy. Humorous hashtags, such as #koroshow, a portmanteau of korosho (cashew) and show, that lampooned the government’s intervention in the cashew industry, juxtapose government claims to be achieving development and people’s everyday experiences of hardship or incompetence. In addition to highlighting government failings, opposition politicians can display the ways in which they, and not the government, are bringing maendeleo to their constituents, and identify government attempts to monopolise development resources and the credit for initiating projects. For example, Zitto Kabwe posted on Facebook a photograph of a letter received by a councillor colleague from police advising that the MP could not visit development projects in the area because development projects ‘are the property of the government and are implemented in accordance with CCM’s manifesto’.¹¹³

Social media also enables opposition engagement with external actors from which the government seeks to obtain resources to support its claims to be achieving development. When newspapers are suspended or people disappear or are arrested on politically motivated charges, critics of the government can use Twitter to demand responses from donor embassies, international NGOs or international organisations, destabilising external projections of Tanzania as a peaceful and democratic nation that is deserving of foreign aid, which are propagated by the government. Social media users also publicise critical international commentary that undermines CCM’s development record, as in the case, for example, of leaked International Monetary Fund analysis that the government sought to embargo. In contrast, the transnational nature of social media represents a constraint rather than an opportunity for police, who face difficulties in obtaining information about alleged offenders from social media platforms, such as Facebook.¹¹⁴

In highlighting the ways in which policing of social media is resisted and noting the vulnerabilities within narratives used to justify repression of online freedoms, it is not intended to minimise the severe consequences of arrests or prosecution on individuals affected or the broader chilling effect such measures have on freedom of expression in Tanzania. It is important, however, to note the dynamic and contested nature of the politics of cybercrime, which precludes drawing easy conclusions about the democratic or authoritarian implications of increased use of social media and mobile phones.

Conclusion

This paper has argued that the criminalisation of online dissent in Tanzania should be understood within a longer history of the policing of politics, whereby dissent, and even politics itself, is delegitimised as threatening Tanzania’s peace and security and undermining development. However, partisan policing and the narratives that underpin it are not uncontested. Growing mobile phone and social media use enables exposure and critique of repression and provides a platform for attempts to reframe the relationship between politics, security and development, and for individuals and collectives to ‘interrogate the social and political system they live in’.¹¹⁵
In exploring how local government officials, police, politicians and mobile phone users understand appropriate use of new technologies and, conversely, cybercrime, this paper seeks to contribute to literature that draws on empirically informed analysis of how technologies are used and debated, rather than attempting to measure their “impact” in relation to pre-determined objectives of democracy or development.116 As concern grows about the intersections between digital communication and authoritarian practices, it will be important to understand more about the localised political and social contexts that inform strategies of governments and other actors and influence the extent to which they are deemed acceptable by populations, as well as the most effective ways in which they can be contested. This is important, firstly, in understanding the complex and contingent implications of increased use of ICTs for politics in particular places, whether party politics, or the politics of gender and generation.117 Furthermore, contested ideas about how mobile phones and the internet should be used and policed are themselves implicated in politics, and exploring them offers important insights into wider political negotiations, such as those over security and development. Indeed, as numbers with access to the internet grow and social media is increasingly implicated in elections as well as more everyday practices of politics, debates about internet freedom and control, may offer a useful lens for exploring struggles around more fundamental questions about how power is exercised, legitimised and contested, on- and offline.

Notes

1. Parks and Thompson, “The Slow Shutdown.”
2. Cross, “Cybercrime.”
5. Pedersen and Jacob, Political Settlement; Jenkins, “The Politics”; Paget, “Again, Making.”
9. Gukurume, “#ThisFlag”; Lamoureux and Sureau, “Knowledge and Legitimacy”; Mare, “Social Media”; Moyo, “Citizen Journalism.”
11. ICT Policy Centre for East and Southern Africa, Despots and Disruptions.
17. Shahbaz, Freedom on the Net, 2.
18. Kalathil and Boas, Open Networks.
20. Gukurume, “#ThisFlag”; ICT Policy Centre for East and Southern Africa, Despots and Disruptions; Marchant and Stremlau, “A Spectrum”; Privacy International, Track, Capture.
23. Logan and Penar, Are Africans’.
24. Ksherti, “Diffusion and Effects.”
25. Serianu, Demystifying Africa’s.
28. Interview, Senior police officer 1, 8 September 2017.
29. Interview, Senior police officer 2, 13 September 2017.
30. Focus group discussion (FGD), Interview, District Police Headquarters, 21 September 2017.
32. United Republic of Tanzania, The Electronic and Postal Communications Act (Online Content Regulations), 2018.
33. United Republic of Tanzania, The Statistics Act, 2015; United Republic of Tanzania, The Written Laws (Miscellaneous Amendments) (No. 3) Act, 2018. The Statistics Act was amended again in 2019 to decriminalise dissemination of statistics that contradict official data, however, a government-appointed committee was empowered to arbitrate on what is “true” in the case of discrepancy between “official” and independent statistics.
34. The Citizen, “Chadema volunteers charged with publishing wrong results,” 28 October 2015
35. e.g. Mwananchi, “Viongozi wa makundi ya What’s App waonywa,” 23 October 2017; Daily News, “Minister Lugola warns against inflammatory statements,” 23 September 2018
36. Paget, “Tanzania”; Pedersen and Jacob, Political Settlement.
37. This prohibition initially applied to all party meetings, including internal meetings, but was subsequently relaxed to allow MPs to conduct activities within their own constituencies only.
38. Human Rights Watch, “As Long”.
41. Jenkins, “The Politics.”
42. Luckham and Kirk, Security.
44. Becker, “Remembering Nyerere.”
47. Lynch, Cheeseman and Willis, “From Peace.”
48. Logan and Penar, Are Africans’.
50. Interview, Senior police officer 1, 8 January 2018.
52. Twaweza, Speaking truth.
53. Ibid.
56. Interview, Senior police officer 1, 23 January 2018.


60. Human Rights Watch, “As Long”.


62. The Citizen, “Chadema politicians finally freed on bail,” 8 March 2019

63. E.g. *The Guardian*, “Chadema leaders, 8 others face sedition charges,” 22 October 2019; Bunge la Tanzania, “Majadiliano ya Bunge.”

64. Cross, “Community Policing.”

65. Interview, Senior police officer 3, 8 January 2018.

66. Interview, Senior police officer 1, 28 September 2017.

67. Interview, Sub-ward chairperson 2, 17 January 2018.

68. Interview, Senior police officer 1, 9 September 2018.


70. Interview, Sub-ward chairperson 3, 11 January 2018.


72. Focus group discussion (FGD), Senior men, 29 August 2016.

73. Interview, Mwanza resident 36, January 2018.


75. Ibid., 33–4.


77. Paget, “Again, Making.”


81. E.g. The Citizen, “Makonda going nowhere: JPM,” 21 March 2017


85. Schneider, “High on Modernity?”

86. Green, “After Ujamaa?”.


88. Interview, Sub-ward chairperson 1, 9 January 2018.

89. FGD, Women’s group 2, 29 August 2016.

90. Interview, Sub-ward meeting participant 1, 12 January 2018.

91. Interview, TCRA official, 19 January 2018.


95. Interview, Mwanza resident 25, January 2018.
96. Interview, Sub-ward meeting participant 2, 12 January 2018.
97. Interview, Senior police officer 1, 9 September 2018.
98. Interview, Mwanza resident 4, January 2018.
100. Interview, Market chairperson, 17 January 2018.
101. Interview, Senior police officer 3, 28 September 2017.
102. Interview, Senior police officer 1, 21 January 2018.
105. Paget, “Again, Making.”
106. Interview, Sub-ward chairperson 4, 13 January 2018.
112. Cross, “Community Policing.”
114. Cross, “Cybercrime.”

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