



# **The Legality of Censorship in the Arts and Its Impacts in Tanzania**

## **LEGAL POSITION PAPER**

 **Norway**

This position paper examines the legality of censorship in the Tanzania arts and cultural sector and its implication in the deprivation of cultural rights

## TABLE OF CONTENTS

<b>1.0 EXECUTIVE SUMMARY</b>	<b>3</b>
<b>2.0 INTRODUCTION</b>	<b>4</b>
2.1 Occurrence of Censorship in Tanzania	4
2.2 Perception of Censorship in the Arts between the Government and Stakeholders	4
<b>3.0 THE LEGALITY OF CENSORSHIP IN THE ARTS AND ITS IMPACT IN TANZANIA</b>	<b>5</b>
<b>A. Legality of Censorship in Tanzania's Arts Sector</b>	<b>5</b>
i. <i>Legal Status of Censorship</i>	5
Nationally:	5
Internationally:	6
ii. Regulatory Bodies for Censorship in the Arts	7
a. The National Arts Council (BASATA):	7
b. Tanzania Film Board (TFB):	8
c. Tanzania Communications Regulatory Authority (TCRA):	9
d. Police under the Cybercrime Act:	10
iii. Reasons behind Artistic Censorship	11
a. Political Reasons	11
b. Ethics and Customs Reasons	11
<b>B. The impacts of Censorship in the Arts Industry</b>	<b>12</b>
i. Economic Impact	12
ii. Political Impact	13
iii. Social Impact	14
iv. Cultural Impact	14
<b>C. The Strategic engagements to minimize the impact of Censorship in the Arts</b>	<b>15</b>
i. Legal Reforms	15
ii. Institutional Reforms	15
iii. Capacity Building	16
iv. Advocacy and Policy Dialogue	16
<b>4.0 CONCLUSION</b>	<b>16</b>



## 1.0 EXECUTIVE SUMMARY

**Tanzania Artists Rights Organization (TARO)** is a non-governmental organization that champions Artistic Freedom in Tanzania. We advocate for the rights and interests of artists and their works. TARO serves as both a human rights and cultural rights defender for artists. We are committed to contributing to the development of the Tanzanian arts and cultural sector by focusing on enhancing Cultural rights in the area of promotion of **Freedom of Artistic expression, artists' rights and interests, professionalism, and gender equality in the arts**. The organization achieves this through advocacy, awareness campaigns, research, monitoring, and reporting on artistic freedom in Tanzania. It was registered in 2021 under "Non-Governmental Organizations Act. No.24. of 2002"

In May 2023, TARO was invited to participate in **the 9<sup>th</sup> World Summit on Arts and Culture** which took place in Stockholm, Sweden. The aim of the summit was **"SAFEGUARDING ARTISTIC FREEDOM"**. The summit was coordinated by the Swedish Arts Council and the International Federation on Arts and Cultural Agencies (IFFCA). TARO was appointed as a delegate and expert to present on **"Building the Case from Action to Law"** from Tanzania. In February 2024, TARO presented on the status of Artistic Freedom in Tanzania, at the **Pan African Summit on Artistic Freedom in Zanzibar**, which was coordinated by SELAM. Therefore, TARO is among the dedicated organizations in Africa to champion Artistic Freedom.

The preparation and publication of this legal position paper is a part of **SANAA RIGHTS PROGRAM**.

**Sanaarights/ArtistsRights** is a project that aims to enhance the policy and legislative landscape for the Tanzania arts scene. The initiative has invested its resources to develop innovative recommendations for improving the policy and legal framework that govern Tanzania's arts and cultural sector. It is a three-year program (2022-2025). **Tanzania Artists Rights Organization (TARO)** is a cooperating partner of **Culture and Development East Africa (CDEA)** to implement the legal component of the Sanaa rights project, which is funded by the **Norwegian Embassy in Tanzania**. Its implementation includes roundtable meetings with various strategic stakeholders in the arts and cultural sector, "drafting legal position papers", parliamentary advocacy on artists' human rights, meetings with arts authorities, public dialogues on the status of artists, media coverage, Meeting with the members of Tanganyika Law Society (Bar association of lawyers) and drafting of policy briefs.

**This publication is made possible with a sub-grant from Culture and Development East Africa (CDEA), with funding support from the Norwegian Embassy in Tanzania**



## **2.0 INTRODUCTION**

Censorship in the arts involves the suppression or alteration of artistic expression due to various factors, including moral, social, political, religious, or cultural pressures<sup>1</sup>. Censorship in the arts often arises when artworks challenge social norms, criticize authorities, or depict controversial themes.

In Tanzania, censorship in the arts is enforced through various laws and regulatory bodies, which affect artistic expression. While some argue that censorship protects public morals and national interests, others contend that it stifles creativity, limits economic growth, suppresses political dissent and infringe cultural rights. It is still a question on how to ascertain the limitations of censorship, to guarantee fair and just applicability.

This position paper examines the legality of censorship in the Tanzania arts and cultural sector and its implication in the deprivation of cultural rights. Censorship affects negatively on the growth and sustainability of the arts industry and the right to enjoy cultural life. Therefore, the position paper reflects the ongoing reality in the realization of cultural rights under the implication of censorship centering on the arts.

### **2.1 Occurrence of Censorship in Tanzania**

There is a tangible and well-structured system of censorship based on license control, denial of performance permit and punitive measures in the post-release of artistic works. In summary, censorship in Tanzania's arts industry occurs through licensing bans, the removal of content, refusal of permit and legal penalties. Before artists can release their artistic works, they often required authorities' content approval in advance. This includes mandatory registration and permits for conducting artistic works.

The prevailing environment creates a climate of fear, where artists adopt self-censorship to avoid trouble, which lead for stifling creativity and limiting the growth of Tanzania's arts industry. As a result, many emerging talented artists water down their expression to avoid controversial and critical opinions altogether, which deprives the society meaningful debates and diversely thoughts. The chilling effect of these restrictions harms not just individual artists but the entire nation's cultural and economic development.

### **2.2 Perception of Censorship in the Arts between the Government and Stakeholders**

Stakeholders engage in the arts for various purposes include financial gain as a common attraction. However, it is undisputed to say art is part of culture which influences a large number of populations to engage as enjoyment of their cultural life. When censorship in the arts is implemented, its implications not only suffocate consumers of culture economically but also humanly as part of their lives. Therefore, stakeholders like individual artists and companies tends to perceive censorship in arts as manifesting bureaucratic colonial influence since most of its restrictions were adopted in laws enacted during colonialism. The

---

<sup>1</sup> <https://www.ebsco.com/research-starters/arts-and-entertainment/art-censorship#:~:text=Art%20censorship%20refers%20to%20the,%2C%20political%2C%20or%20cultural%20pressures>



victims of the censorship laws were not engaged in the process of legislating. Therefore, the laws do not have public consensus. They don't align with government policies and international human right treaties signed by the government. Most of the limitations accommodated in the laws are not reasonable, just and fair. They aim at achieving a complete control of artistic expressions without balancing its enthusiastic with human rights (enjoyment of cultural rights). These laws are perceived as oppressive ones.

On the other side, the government believes the laws were put in place to protect the public against harmful artistic contents, but in reality they are used as a retaliation tool against controversial and critical artistic expressions for political purposes. It has been witnessed that most of the artistic works which are critical and controversial have been targeted by the implementation of these laws. The common response of the government is that, the laws are purposely for protection of public interests, morals, and ethics. In fact, if they are intended for that purpose there is a need for legal review and reforms to mitigate other implications which were not intended. The great news is that even the government is now realizing the negativity of these laws after being simultaneously confronted by our organization. Through parliamentary speeches, they have disclosed the intentions of improving them, but continuously advocacy is still needed.

### **3.0 THE LEGALITY OF CENSORSHIP IN THE ARTS AND ITS IMPACT IN TANZANIA**

This part examines critically the complex issues of censorship in Tanzania's arts sector. It explores the following;

- (A) The legality of censorship in the Tanzanian arts sector;**
- (B) The impacts of censorship in the arts industry; and**
- (C) The strategic engagements to minimize the impact of Censorship in the Arts**

#### **A. Legality of Censorship in Tanzania's Art Sector**

##### **i. Legal Status of Censorship**

###### **Nationally:**

The Constitution of the United Republic of Tanzania (1977) as amended from time to time, guarantees the right to freedom of expression and opinion<sup>2</sup>. However, this right is subject to limitations such as, national defense, public safety, public peace, public morality, and national interests in general.<sup>3</sup> The term “**censorship**” in arts was perceived negative and hence removed by Written Laws (Miscellaneous Amendments) Act No. 3 of 2019.<sup>4</sup> However, there are other legislations uphold censorship implied through regulatory mechanisms and prohibitive clauses.

---

<sup>2</sup> Article 18

<sup>3</sup> Article 30 (1)

<sup>4</sup> Section 19. The section amended the Films and Stage Plays Act No 4 of 1976. The principal Act is generally amended by deleting the words “Central Censorship Board” and “Regional Censorship Board” wherever they appear in the Act and substituting for them the words “Tanzania Film Board” and “Regional Film Board” respectively

- Regulation 4, 6 and 16 of The Electronic and Postal Communications (Online Content) Regulations, 2020
- Section 16 and 31 of the Cybercrimes Act, 2015
- Section 50 of The Media Services Act, 2016
- Section 25 of The Newspaper Act, 1976 (Cap. 229)
- Section 11 of Electronic and Postal Communications (Radio and Television Broadcasting Content) 2018 by The Electronic And Postal Communications (Radio and Television Broadcasting Content) (Amendment) Regulations, 2020

For more details on the above mentioned laws please visit:  
[https://www.tanzaniaartistsrightsorganization.com/files/ugd/f0b6bb\\_7a8e0a9a20204480b0146af387e44d11.pdf](https://www.tanzaniaartistsrightsorganization.com/files/ugd/f0b6bb_7a8e0a9a20204480b0146af387e44d11.pdf)

**Internationally:**

Tanzania is a signatory to several human rights instruments that protect Cultural rights which includes Freedom of Artistic Expression, as elaborated below.

- **Universal Declaration of Human Rights (UDHR), 1948** - Refer to Article 19, which forms a foundational principle against censorship, including artistic expression, although the UDHR is not legally binding.
- **International Covenant on Civil and Political Rights (ICCPR), 1966** – Refer to Article 19(2) and 19(3), whereas It explicitly protects freedom of artistic expression and only justifies censorship under strict, proportionate, and lawful conditions.
- **African Charter on Human and Peoples' Rights, 1981** – Refer to Article 9(2) and 17(2) whereby the implication is that, while it allows limitations with the law. it implicitly protects creative and cultural expression from arbitrary censorship. It does not provide for the conditions to justify censorship.
- **International Covenant on Economic, Social and Cultural Rights (ICESCR), 1966** – Refer 15(1)(a) and Article 15(3), promote freedom of creativity in arts and enjoyment of cultural life against Censorship.
- **UNESCO Convention on the Protection and Promotion of the Diversity of Cultural Expressions, 2005** – Refer to Article 1(d) and Article 2.1, whereby the implication of this treaty directly condemns censorship that threatens cultural diversity and freedom of expression.
- **The Windhoek Declaration 1991** – The declaration, consistent with Article 19 of the Universal Declaration of Human Rights, recognizes freedom of expression as a fundamental human right. The Windhoek Declaration doesn't explicitly mention "artistic censorship." However, it emphasizes the importance of freedom of expression and a free press, which are principles that indirectly



oppose censorship of any kind, including systematic suppression of artistic expression. The declaration is not binding to Africa states despite of being adopted by Africa Commission on Human and People's rights.

- **Declaration of Principles on Freedom of Expression in Africa 2002 –** While the Declaration protects freedom of expression, it also acknowledges that this freedom is not absolute and can be subject to certain restrictions. However, these restrictions must be clearly defined within the law, necessary for a specific legitimate purpose, such as protecting others' rights or national security, and also, must be essential in a democratic society. It has been adopted by Africa Commission on Human and People's rights, however it is not binding to African States.

All these instruments emphasize that limitations on freedom of expression must be lawful, necessary, and proportionate. However, critics argue that Tanzania's censorship exceeds reasonable limits.

## ii. **Regulatory Bodies for Censorship in the Arts**

Censorship does not automatically implicate freedom of expression in artistic works; it is being implemented through various institutions established by the laws. These institutions can be identified as regulatory bodies for censorship in arts. They can be illustrated below:

### a. **The National Arts Council/Baraza la Sanaa la Taifa (BASATA):**

The Council, as a statutory body, plays a crucial role in shaping Tanzania's arts industry, which includes music, dance, theater, film, visual arts, and other forms of cultural expression. Governed by the **National Arts Act No. 23 of 1984**, BASATA's mandate includes the registration of all who engage in artistic activities in Tanzania, to ensure that they are formally recognized and accountable.

Beyond registration, The Council is responsible for monitoring, assessing, and regulating artistic content and performances. It actively governs artistic productions to ensure they align with national values and cultural norms. This includes the enforcement of ethical standards in artistic expression, such as the prohibition of content considered indecent, vulgar, or contrary to public morals.

Furthermore, the above mentioned law mandated the Council to exercise disciplinary power over artists and stakeholders. The Council has the authority to penalize artists and stakeholders, seize, destroy or alter artistic works, ban artist or his work or both, and suspend artists to engage in artistic works for a while. This has led to criticisms from some local and international stakeholders who view these powers endorsed by the law as violations of cultural rights including restrictions on freedom of expression.

In enforcing its mandate, the Council can also impose **administrative sanctions**, such as *fin*es, revocation of licenses, or denial of performances permit. The Council collaborates with other government entities, including the **Tanzania Communications Regulatory Authority (TCRA)** and law enforcement agencies, to ensure compliance with national laws related to media and culture.

In response to various criticisms, it has been witnessed that since the appointment of the new Executive Secretary of the Council (Dr. Kedmon Mapana) on 2022, the Council implemented various strategic engagement to reform itself to align with the needs and demands of stakeholders. It took immediate measures to eliminate unreasonable fees and lower compliances costs for artists and stakeholders engage in the arts. Furthermore, during Dr. Kedmon Mapana time, it is historically experienced for the Council to agree and take actions for its transformation from being like police force for artists to enhancing the arts sector. We have also experienced the rate of censorship to decrease and classification of artistic works to be applied. The Council also initiated the draft of its strategic plan in a very inclusive way to stakeholders for the purpose of reforming itself to improve services to the arts and cultural sector. Currently, the Council continues to be very friendly and corporative to civil societies advocating for changes in the sector.

**b. Tanzania Film Board (TFB):**

The Tanzania Film Board (TFB) is a statutory body established and governed by the **Films and Stage Plays Act No. 4 of 1976**. The Act vests the Board with regulatory authority over the production, distribution, and exhibition of films and stage plays within the United Republic of Tanzania. All film content must be submitted to the Board for classification and approval prior to public release. This mandatory pre-screening process places the Board at the center of state control over motion picture.

According to its legal mandate, the Board is empowered to alter film content or prohibit any film that it determines to be inconsistent with the interests of national security, public morality, peace and order, or Tanzanian customs and values. Practically, prohibition or alteration in film works may be inflicted due to depictions of nudity, graphic violence, controversial political opinions, and critical films are not encouraged<sup>5</sup>.

While the Film and Stage Plays Act establishes a legal basis for content regulation in the interest of public welfare, its broad and

---

<sup>5</sup> Read regulation 16 of the Films and Stage Play Regulations (Kanuni za Filamu na Michezo ya Kuigiza za mwaka 2020)



discretionary provisions raise critical constitutional and human rights concerns. In practice, the decisions influenced by the law established Tanzania Film Board have been subject to criticism for infringing the right to freedom of expression, as protected under Article 18<sup>6</sup> of the Constitution and international human rights instruments such as the International Covenant on Civil and Political Rights (ICCPR). Stakeholders and civil society actors have argued that the films and Stage plays regulations lack adequate procedure for justifying legitimacy in the limitation of freedom of expression, thereby heightening the risk of arbitrary and politically motivated decisions.

Consequently, there is a growing legal discourse surrounding the need to reform the Film and Stage Plays Act to strike a more balanced approach between exercise of control over film contents and human rights (cultural rights).

**c. Tanzania Communications Regulatory Authority (TCRA):**

Through the Electronic and Postal Communications Act, TCRA monitors online and broadcast content. It enforces compliance with broadcasting ethics and can suspend or revoke licenses for broadcasting due to inappropriate content.

But also, TCRA can operate under the Media Services Act No.12 of 2016. In essence, while the Act does not explicitly use the word censorship, the combination of broad and strict regulations on content, vague language of the law, and discretionary powers of the Minister creates an environment in which censorship practices may occur in media especially for artistic works, commonly in music and films. Example: Offences under section 50<sup>7</sup>. Refer to **Seditious matters** stipulated under Sections 52, and 53.<sup>8</sup> Another offence is **Publication likely to cause fear and alarm**.

Media Services Act has imposed strictly punitive measure to any journalist who operates contrary to it, including suspend or expunge journalists from the roll of accredited journalists or prosecution. When those powers are enforced, they result to indirect self-censorship to artists, so that they can align with media's governance. Since media platforms are the primary means of distributing artistic content and they are operated by journalists, then journalists are forced to undermine freedom of artistic expression in critical and controversial expressions in order to comply with the above mentioned law. Media outlets avoid broadcasting artistic content deemed controversial to avoid complications with the government.

<sup>6</sup> Constitution of United Republic of Tanzania (1977) as amended from time to time

<sup>7</sup> Media Services Act. No. 12 of 2016

<sup>8</sup> Ibid 7

**A notable example** is the case of Emmanuel Elibariki Munisi, known by his stage name **Ney Wa Mitego**, whose many of his songs were reportedly excluded from airplay in most of Tanzania's media sessions due to journalists' fear for the consequences of the law.

**d. Police under the Cybercrime Act:**

Under the **Cybercrimes Act, No. 14 of 2015**, Tanzanian law enforcement authorities, particularly the Police, are granted broad investigatory and enforcement powers to address unlawful use of online platforms, including the publication and distribution of prohibited digital content.

Tanzanian police are authorized to arrest individuals, particularly artists, for publishing or distributing online content deemed **false, offensive, seditious, or threatening to public order**. The Act grants broad enforcement powers, allowing arrests without a warrant in certain cases, and criminalizes a wide range of **digital artistic expressions**, often used to suppress critical or controversial artistic content.

In coordination with the **Tanzania Communications Regulatory Authority (TCRA)**, police monitor online platforms to enforce the **Electronic and Postal Communications (Online Content) Regulations, 2020**. Convicted faces heavy fines and imprisonment, whereas artists are frequently targeted for content deemed **Publication of false information**, raising concerns over freedom of expression.

**Notable case:** 22<sup>nd</sup> June 2024, the portrait artist **Shadrack Chaula** recorded himself burning a portrait of President Samia Suluhu and verbally insulting her. He was arrested under Section 16 of the Cybercrime Act for defamation and offensive communication. On July 4, 2024, he was sentenced to two years in prison or fined TZS 5 million after being found guilty of cybercrimes.

A traditional musician called Juma Dawa was arrested by the police on 3<sup>rd</sup> April 2023, after he released his song called MAMA SAMIA on YouTube. Immediately after his arrest, the office of the Director of Public Prosecution instituted criminal charges against him for the offense of Publication of false information contrary to Section 16 of the Cybercrime Act, No. 14 of 2015. He was prosecuted at Chato District Court. On 5<sup>th</sup> May 2023, Dawa was sentenced to 6 years imprisonment or payment of a fine equivalent to 4500 USD. The court found the song to be defamatory towards the president of the United Republic of Tanzania



### iii. Reasons behind Artistic Censorship

#### a. Political Reasons

In Tanzania, political position often influences censorship in the arts under the guise of national security, public order, or morality, effectively silencing dissent. Laws such as the National Arts Act, the Films and Stage Plays Act, the Cybercrimes Act, and the Media Services Act grant authorities broad powers to suppress artistic works carrying critical or controversial expressions toward politics of the ruling party or the government in general. Artists aligned with the ruling party often receive leniency, while critical-leaning artists face harsh responses.

**The notable case** is **Ney Wa Mitego** (Emmanuel Elibariki), who faced multiple arrests and song Bans. He has been arrested by the police for songs perceived as critical of the government. As per his Lawyer (Advocate Jebra Kambole) ,On 27<sup>th</sup> September 2024, **Ney's** song "**Nitasema**" ("I Shall Speak") addressing abductions and enforced disappearances led to four charges from the National Arts Council, which are **incitement, misleading the public, releasing without approval**, and **insulting other countries**.

#### b. Ethics and Customs Reasons

Artistic works deemed to be controversial or critical on Tanzanian values, religion, or decency are often unaccepted, affecting the freedom of creativity on content related to gender, sexuality, and modern lifestyles. The regulatory authorities have surpassed reasonable boundaries in the limitations to freedom of artistic expression, extending their reach to the private lives of artists.

**A notable incident** occurred on May 19, 2025, when a prominent Tanzanian actress **Wema Sepetu** was summoned to the offices of the **Tanzania Film Board (TFB)**, after a video that went viral on social media showed her wearing clothing considered indecent outfit.

Despite censorship in art has been inflicted to artists on the above mentioned grounds, in some cases double standard was observed. Double standards in artistic regulation function as a form of indirect censorship, particularly when foreign artistic content is rarely subjected to the same scrutiny or censorship as local ones, leading to claims of inequality and downgrade of domestic creativity. This disparity forces local artists to self-censorship, avoiding bold or controversial themes to evade penalties and other consequences, while international creators enjoy unchecked access to the same audience. The result is the suppression of homegrown creativity.

On 28th February 2018, the Tanzania Communications Regulatory Authority (TCRA) banned Diamond Platnumz's song "Waka" from airing on TV and radio stations. The regulator claimed the song violated Tanzania's content laws by promoting "indecent" due to its dance moves and lyrics, while similar foreign music videos are enjoying the airplay.

Diamond Platnumz, one of Africa's biggest artists, lost potential earnings from streaming, airplay royalties, and performances due to the ban. The music video, which had already gained millions of views, faced restricted monetization in Tanzania. This case illustrates how censorship policies can discourage investors, limiting job opportunities, and decreasing Tanzania's competitiveness in Africa's thriving entertainment economy.

## **B. The impacts of Censorship in the Arts Industry**

Artistic censorship in Tanzania has severely impacted the arts industry, stifling creativity, limiting economic growth, and suppressing cultural expression. By restricting content deemed critical of the government, authorities have forced artists into self-censorship, discouraging bold storytelling and social commentary. Artists face financial losses due to banned works, denial of performance permits, suspended from practicing art, and legal penalties, undermining their livelihoods. The fear of punishments has also led some artists to flee the country, resulting in a brain drain of creative talent.

**A notable case** is that of **Roma Mkatoliki**, who fled the country and immigrated to the United States of America (USA). On 5 April 2017, Mkatoliki and three of his colleagues were reportedly kidnapped from Tongwe Studios in Dar es Salaam. They were released on the shores of the Indian Ocean two days later. Mkatoliki told a local newspaper that the kidnappers had questioned and tortured the musicians before setting them free.

**Mkatoliki's** abduction came 11 days after the arrest of Tanzanian rapper **Nay wa Mitego** for the release of '**Wapo**', which criticized several Tanzanian leaders and celebrities. Fearing imprisonment or worse, Roma sought asylum in the **USA**, joining other Tanzanian artists and activists who have gone into exile due to censorship.

The following are the impacts of censorship in the arts;

### **i. Economic Impact**

Censorship suppresses local content creation and investment. Artists lose income due to banned projects, delayed approvals, or destroyed works. It also hinders market growth and reduces Tanzania's competitiveness in regional and global creative economies. Investors may withdraw from funding in marketable artistic projects which involve critical expressions. For instance, projects which involve films.

Currently, most of the TV shows in different TV channels contain contents which portray very soft topics (more social especially family



matters), while the nation is boiling with excessive hot topics which are directly affecting the welfare of the nation. Examples, human rights, democracy, rule of law, and good governance. It leads the film industry to lose attractions in the eyes of the audience. This limits development of film industry and job creation for contribution to Gross Domestic Product (**GDP**).

**Example: On November 2023 Bando Mc (Hip Hop artist)** was remanded by the police; his music video was banned and later ordered to remove the same video of a song called "**Segerea**" out of **YOUTUBE**. He invested a lot of money as an upcoming artist but the authorities did not put that into consideration. He was forced to incur loss. The reason was, the song involved the publication of false information and the actors in the video were wearing uniforms resembled with prison officers' uniform.

On April 2024, A prominent comedian known Conrad Kennedy as "**COY Mzungu**" with his well-known standup comedy show (CHEKA TUU) was interviewed in the mainstream media (Clouds Tv) at the Tv session (SHAJARA). He told his story that on 2020, Tanzania Communication Regulatory Authority (TCRA) penalized him TZS 10,000,000/= (Ten million) for sharing controversial content in his YOUTUBE channel. As upcoming artist at that time, the fine was unexplainable financial burden to him.

## ii. **Political Impact**

Overregulation creates fear and self-censorship among artists, undermining their role in promoting transparency, political participation, and civic awareness. Censorship establishes authoritarian control by silencing dissent and eliminating art as a tool for civic engagement. By suppressing oppositional voices, the government weakens political accountability while reinforcing a one-sided narrative. This raises fear among citizens, reducing participation in democratic processes.

**The notable case** that illustrates the political impact of censorship in the arts is the case of gospel singer **Sifa Boniventure Bujune**. On 23<sup>rd</sup> September, 2023, Sifa Bujune was arrested and accused of singing a song known as "**Tanzania Inaelekea Wapi?**" ("Where is Tanzania Heading?") with provocative content against the government of the **United Republic of Tanzania** and distributing it to social media platforms, including YouTube.

**Bujune's** song addresses significant issues currently facing Tanzania, such as police brutality, the rising cost of living, the controversial agreement between Tanzania Ports Authority and Dubai's DP World company, and the ongoing conflict between Ngorongoro park officials and the Maasai people in the Maasai land.

iii. **Social Impact**

In Tanzania, art and culture bring people together through music concerts, traditional dances, and street art. Communities bond over shared stories, while youth debate critical issues online. Even with censorship, creative expression thrives in homes, streets, and secret gatherings, keeping cultural dialogue alive. When it comes to excessive censorship, communities are denied the opportunity to engage with diverse narratives. Censorship limits public discourse and perpetuates a one-sided view of morality and national identity. Restrictions on critical art erode public discourse, preventing open debates on corruption, inequality, and governance. Social cohesion suffers as art, a traditional unifier, becomes a divisive or silenced force.

**A significant case** of social impact related to arts censorship is the **suspension of Wasafi TV due to its coverage of Tumewasha**. In January 2021, **TCRA**, a broadcast regulator, issued the decision to suspend **Wasafi TV** for six months after it aired live performance of **Gigy Money (Female prominent musician)** wore indecent outfit at the **Tumewasha festival**. Before that, in September 2020, the authority suspended for seven days **Wasafi FM**, also owned by Diamond, for allegedly violating communication regulations and airing prohibited content. This decision silenced one of Tanzania's leading entertainment channels and set a precedent for wide-reaching media censorship.

iv. **Cultural Impact**

Censorship in the Arts stifles the evolution of Tanzanian culture by limiting the voices that challenge norms, promote innovation, or represent activist groups. Tanzania's cultural identity is diluted as artists avoid controversial themes, leading to regulated, state-approved content. Satire, protest music, and socially conscious storytelling decline, robbing future generations of a dynamic cultural legacy. Global perceptions of Tanzania towards artistic freedom also suffer, undermines international collaborations.

**A notable case** here is that of the video song **"Mtasubiri"** by Nasib Abdul, also known as **Diamond Platnumz**, featuring Zuhura Othman Soud, who goes by the stage name **Zuchu**. On May 6, 2022, the Tanzania Communications Regulatory Authority (**TCRA**) ordered the suspension of a music video due to a scene showing **Zuchu** in a church choir, who unpleasantly stopped singing to answer a phone call.

**TCRA** declared that the scene of the video had caused outrage among religious denominations and created the perception that it disrespected certain faiths. By that notice, **TCRA** directed all broadcasting stations and social media platforms in the country to



cease airing the video until the mentioned artist (**Diamond Platnumz**) modified the controversial scene.

The **TCRA's** ban on "**Mtasubiri**" institutionalizes religious-based censorship in Tanzanian arts, causing artists to self-censor and avoid some religious themes. This situation has a significant cultural impact on artistic expression. This revealed clear double standards, as gospel music of foreign similar content face no such restrictions, eroding confidence in Tanzania's cultural regulators.

Overall, censorship cripples the arts' role as an **economic driver, a political watchdog, social mirror, and cultural preserver**.

### **C. The Strategic engagements to minimize the impact of Censorship in the Arts**

The following are key recommended measures to reduce censorship in arts while balancing state interests and cultural rights (Artists' Human rights):-

#### **i. Legal Reforms**

To advocate and campaign for legal reforms governing the arts and cultural sector. To reduce censorship and protect artistic freedom in Tanzania, legal reforms should focus on amending restrictive provisions in laws such as the National Arts Act, the Cybercrime Act, and the Films and Stage Plays Act and many others, which currently impose undue limitations on creative expression. The amendments are needed to ensure that laws align with national constitutional and International Human rights instruments which guarantee free speech while preventing arbitrary censorship.

Additionally, Limitations on freedom of artistic expression should be clearly defined and just provided in law to avoid vague interpretations that enable suppression on freedom of expression in artistic works.

#### **ii. Institutional Reforms**

Redesign the National Arts Council and the Tanzania Film Board's roles toward facilitation and guidance rather than restriction. However, censorship can be minimized by restructuring authorities' bodies to replace government-controlled censorship boards with inclusive multi-stakeholder groups that involve artists, lawyers, and civil society members.

Reformation of these institutions' functions and roles should focus on increasing transparency and accountability in decisions that affect artists.

The National Arts Council has started to implement this strategy by initiating the draft of a council strategic plan 2025-2030 through including stakeholders in the process. It is a very remarkable move towards improving its operation.

iii. **Capacity Building**

To effectively reduce censorship in arts, empowering the Civil Society Organizations (CSOs) like the Tanzania Artists Rights Organization (TARO) through capacity-building initiatives is crucial. Empowered Civil Societies can play a pivotal role in raising awareness to artists, stakeholders, regulators, law enforcers, policymakers, and the public in general on upholding cultural rights as part of human rights including artistic freedom. By enhancing *legal literacy within the arts community*, Civil Societies can equip the public in general with the knowledge to challenge unjust censorship, navigate regulatory barriers, and assert their constitutional rights.

iv. **Advocacy and Policy Dialogue**

Advocacy and policy dialogue can serve as powerful tools to reduce censorship in Tanzania's arts sector by fostering collaborative solutions between artists, stakeholders, regulators, and policymakers. By facilitating multi-stakeholder forums, it can influence legal review and reforms to ensure promotion and protection of cultural rights (Artists Human Rights), including artistic freedom.

Mediated discussions between artists, stakeholders, regulators, and policymakers can help negotiate clearer "**red lines**" on permissible content while establishing transparent dispute resolution mechanisms to prevent arbitrary censorship.

***Collective lobbying by artists, NGOs, art associations, and federations can amplify demands for legal reforms.***

Moreover, strategic dialogue with the government, particularly by highlighting the economic benefits of a thriving creative sector, as seen in Nigeria's Nollywood, can persuade economic-minded officials to view artistic freedom as an engine for tourism, job creation, and tax revenue, rather than a threat. Through sustained advocacy engagement, Tanzania can cultivate a more open and dynamic arts industry that balances creative expression with legitimate public interests.

#### **4.0 CONCLUSION**

While censorship in Tanzania aims to protect public interests, its broad application harms artistic freedom and economic growth. The existing censorship framework in Tanzania's arts industry raises significant legal, social, and economic concerns. While regulation is necessary to protect public interest, it must be balanced with constitutional and international human rights commitments to freedom of artistic expression. Legal and institutional reforms are essential for fostering a vibrant, diverse, and economically worthwhile arts sector in Tanzania.

We extend our sincere gratitude to the Royal Norwegian Embassy in Dar es Salaam for their generous support, which made this publication possible. Their funding has played a vital role in advancing Tanzania's arts and cultural sector, and we deeply appreciate their commitment to fostering creativity, development and cultural rights.