

Aristotle's notion of proportional equality: A contribution to resolving socio-political discrepancies in Tanzania

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Abstract

Like other countries Tanzania makes effort to advocate and to enforce equality among citizens. Such effort is backed by the Constitution of the United Republic of Tanzania which states that all persons are equal before the law and that have a right to equal protection by law. Despite this Constitutional stipulation of equality Tanzanians in their socio-political lives experience instances of equality-discrepancy which are justified by culture, policies and law. It is against the background of such discrepancies that in this paper we seek to understand what kind of equality is cherished in the context of Tanzania. We bring onboard Aristotle's concept of Proportional Equality as a guide to understand what is meant by equality of all persons in the Tanzanian context. With the help of Aristotle's concept of Proportional Equality our discussion helps sort out such discrepancies by affirming that in its cultural frameworks, policies and legal systems Tanzania differentiates between mathematical equality and proportional equality, and between equality of the means and equality of the end. It is on such grounds, we maintain that in the Tanzanian context equality should be interpreted as equality of the end rather than confining it to the equality of the means, and that proportional equality takes preference over mathematical equality.

Keywords: Proportional equality, mathematical equality, equality of means, equality of end.

1. Overview of Aristotle's understanding of equality

We deem it appropriate to study Aristotle's notion of equality while associating it with his notion of *sameness*. In his Book *Topics VII, 103a6-103b15* Aristotle

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describes sameness as the state of two or more beings sharing either all or some aspects of their being (Smith 1997: 6–7). He categorizes it into numerical or mathematical sameness, specific sameness and generic sameness. Numerical sameness is applied to two or more words which are diverse in spelling but signifying one reality (Smith 1997: 69). Specific sameness refers to two or more realities which belong to one species. Such realities share the same essence in the sense that they share both the genus and the specific difference (*differentia*). Examples of specific sameness are such as two human beings in so far as they share the same genus and the same *differentia*. Generic sameness refers to two or more realities belonging to one genus. Such realities share only the genus. Examples of generic sameness may be men and cows both taken as animals.

Equality is the sameness of quantifiable features of two or more realities (Suárez 2004: 194). For the interest of this paper, the equality we are discussing is not associated with numerical sameness which is about two or more words or expressions carrying the same meaning in the sense of representing one reality. It is also not associated with generic sameness which is about partial sharing of some aspects of the essence while leaving out some other aspects. Our discussion focuses on equality which is associated with specific sameness. This encompasses all aspects of the essence of two or more realities described as equal.

In our discussion we will define and differentiate mathematical equality from proportional equality. Our interest here will be to show that in equating human beings proportional equality is preferable to, and more realistic than mathematical equality. Our discussion will also include equality of the means as compared to the equality of ends. In this discussion our aim is to establish in the light of Aristotle's doctrine of Teleology that so long as the end surpasses the means in perfection, equality of the end is superior to the equality of the means.

1.1 Mathematical equality vis-à-vis proportional equality

As expressed in *Politics, Book V*, 1301b12 Aristotle takes Mathematical Equality as an exactly equal consideration in according, in distributing, or in denying something of two or more realities both in qualities and in quantities. It is a qualitative and quantitative equal treatment of two realities without considering whether such realities are equal or not equal in some aspects. It is like giving one glass of drinking water to each of two thirsty persons without

considering whether the degree of severity of the thirst of the two persons is equal or not equal.

In the thinking of Aristotle such Mathematical Equality is based on the principle of distributive justice which maintains that it is just and fair to treat the equals equally. Conversely put, it is unjust and unfair to treat the equals unequally and to treat the non-equals equally. Bringing this concept into the socio-political thinking and practice in Tanzania Mathematical Equality could mean treating men and women, different political parties, people of different age groups, people of diverse earnings and standards of living, etc. with exactly the same norms and standards without considering the advantageous or the disadvantageous peculiarity of each compared to its counterpart.

In this thinking Aristotle was historically influenced by the political setup of his time and society. He lived at the time when democracy and oligarchy as forms of governments were prevalent. Democracy held as a principle of justice that because of equal free birth all human beings are equal in all aspects, and thus should get strictly equal treatment strictly in all aspects (Von Leyden 1985: 3). This was in contrast to the Oligarch Principle of justice which held that superiority in one aspect of life such as nobility, wealth, etc. implied superior treatment in all aspects of life (Von Leyden 1985: 324). This means, a class with superiority in one aspect deserved superior treatment in all other aspects.

For Aristotle the two principles formed extremes as regards dispensing justice. Basing on his principle of establishing justice by using the mean between two extremes, he came up with the Principle of Proportional Equality as a mean between an extreme of democracy on one hand and that of oligarchy on the other.

Proportional equality is the treatment of two or more realities by basing not on the equality of quantity or of quality of what is given or denied. It is rather basing on the equality of proportions of what is given or denied in relation to one reality as compared to what is given or denied in relation to another reality. Using the same example of giving drinking water to two thirsty persons, proportional equality would mean considering the equality of proportions between the amount and the quality of water given to the first person depending on the nature of his/her thirst, and the amount and the quality of water given to the second person depending on the nature of his/her thirst.

This means, two persons are considered as being thirsty and as both needing water to satiate their thirsts. For instance, the first person as per nature and

magnitude of his/her thirst needs two liters of Kilimanjaro Drinking Water for a full quenching of his/her thirst. The second person on the other hand as per nature and magnitude of his/her thirst needs one liter of Kitulo Drinking Water for fully quenching his/her thirst. The example shows the equality of proportions in the sense that two liters of Kilimanjaro Drinking Water to the first person is equal to one liter of Kitulo Drinking Water to the second person. Comparing both cases the ratio is the same, hence the notion of proportional equality (Von Leyden 1985: 3–4).

Applying the notion of Proportional Equality to the socio-political and economic setting in the Tanzanian context the social, economic and political differences among citizens should be considered. Such differences among others include gender disparities as men and women, the marginalized and the non-marginalized, socio-economic and ideological differences among political parties, differences between public service employees vis-à-vis employees in the private sector, differences between citizens in the urban setting vis-à-vis those in the rural setting, etc.

Such contrasting groups and many others, in the eyes of Proportional Equality would be treated justly and fairly by bringing on board the proportions which tell who they are as compared to their counterparts, the nature of the consideration they get in comparison to what their counterparts get, etc. An approach to justice of equality by considering proportions would sort out or help give convincing answers to the challenges and queries for instance of the practice of mathematical inequality in terms of budgets given to different political parties, uniform time allocated for political campaigns, representative seats and decision-making roles given to men and women, equality discrepancies in the treatment of public sector as compared to the private sector, etc.

1.2 Equality of means vis-à-vis equality of ends

As we read from *Nicomachean Ethics*, I, 4, 1095a15-18 Aristotle conceived every act and all purposes of acting as aiming at some good. The highest degree of goodness is in the purpose (*telos*) as compared to the means used to realize that purpose. It is on such grounds on the Aristotelian tone we maintain that the end is superior in being to the means used to attain it. We give a caution that the difference of goodness between the end and the means which we maintain here

is not a difference of nature but a difference of degree. This means therefore, both the means and end are presumed to share the same nature of goodness but only differ in the degree in the sense that the end carries that goodness in a fuller degree.

Taking the end as superior to the means of attaining it gives us a base to maintain that a higher degree of focus when carrying out an action should be directed to the end rather than to means. It is on such grounds we maintain that in matters of equality the equality of end is superior to the equality of the means to attain it. In acting, however, all factors being equal the wish would be using exactly equal means to attain exactly an equal end, but reality does not warrant this wish. Human beings as the key players in acting are under the predicaments of fundamental differences in gender, in social cognition, in economic power, in socio-political influence, etc. Such differences necessitate subjecting people to the use of different means in order to make them attain the same end. Again, the difference of means in this case is not a difference of bad vis-à-vis good means. All the means are presumed to be good but different in the degree of goodness and in the modes of realizing the same end.

2. Examples of equality discrepancies from the Tanzanian context

Like other African communities Tanzania at different levels has socio-political and economic equality disparities. While some of such discrepancies are backed by ethnic customs and cultural practices, others are constitutional and legal.² We deem this paper to be instrumental in giving a philosophical explanation or justification or exposition or a criticism of such discrepancies – be it cultural, constitutional or legal.

² Several laws of the United Republic of Tanzania promote equality among citizens by pronouncing a preference of proportional equality to mathematical equality. Examples of such laws include The Income Tax Act of 2006 according to which income earners make mathematically unequal but proportionally equal payments to the government. In return, all citizens get mathematically equal returns of services from the government notwithstanding how much each citizen contributes to the national treasury. Another example is that of The Higher Education Students' Loans Board Act of 2004 according to which beneficiaries of the loans from the Loans Board get mathematically unequal but proportionally equal amounts aiming at facilitating all beneficiaries to attain mathematically equal ends, that is, of accessing mathematically equal higher education.

2.1 Equality discrepancies in the social setting

2.1.1 Equality discrepancies in the social hierarchy

From a number of ethnic groups in Tanzania not in all circles women and men are taken equally on the social ladder. It is a cultural phenomenon that the majority of the ethnic groups in Tanzania are patriarchal (Mutarubukwa and Mazana 2017: 3–4). In the patriarchal communities it is culturally pronounced and taken as a cultural norm and value that on the social hierarchical order men are held higher as compared to women (Mutarubukwa and Mazana 2017: 3–4).

This social hierarchy features in various cultural groups such as in families, in clans, in tribes, etc. As it will be discussed in the subsequent subsections the hierarchy affects social perception and self perception of people. This means, there is a tendency of people not only being categorized by others as higher or lower but also being so perceived by themselves (Clare, 2019: 19, 21). Cases are there of men perceiving themselves as senior to women while women perceiving themselves as junior to men. This hierarchy in some cases however, does not end with the senior-junior or higher-lower matrixes. It entails also superior-inferior, better-worse, or strong-weak matrixes. This means, women at the lower levels of the social ladder are perceived not only positively as lower than, and junior to men but also negatively as inferior, less worth, weaker and worse members of society (Mutarubukwa and Mazana 2017: 2-5).

However, studies show that such perceptions in Tanzania call for a profound overhaul. Women's behaviour, way of life and performance in various circles of life prove the truth of the contrary to what has been a perception over ages. For instance, in matters of better-worse matrix before the law and order, men outnumber women by far in terms of criminality (Crime and Traffic 2017: 42). A number of times female students in schools have proved to perform better than male students (Ministry of Education 2018: 64). Study reports show that good performance in workplaces is not a monopoly of male workers (Ongunleye and Osekita 2019: 237). All these scenarios help show that the equality discrepancy in the social hierarchy is questionable and thus calls for a rethinking.

2.1.2 Equality discrepancies in gender roles

Like other African countries Tanzania distributes and cherishes some socio-economic roles on gender lines (UNESCO 2003: 122). In some cases such roles differ not only in nature but also in how they are socially perceived. This means, some roles accorded women no matter how important they are, still are taken as base or as of a second-class category compared to those perceived as male roles. Our exposition in this subsection therefore, is not only for showing differences among roles but also inequality in such roles.

Both men and women play their roles by having a share in the labour force but with some scenarios of equality discrepancies. For instance, unpaid labour such as care for the households, rearing children, cooking, fetching water, chopping firewood, caring for the sick and for the elderly, etc. across many ethnic communities in Tanzania are perceived as inferior and as a lot for women (Mutarubukwa and Mazana 2017: 2).

2.1.3 Equality discrepancies in social services

Social services in discussion include, but not limited to the provision of education, health services, security and safety, work, availability of shelter and food, getting information, etc. In the Tanzanian context such services are recognized as dimensions of human rights. This is backed both by the international agreements ratified by Tanzania³ and by the Constitution of the United Republic of Tanzania of 1977 nos. 11(1), 18(b), 22(1), and 29(1). The named Constitution nos. 9(h), 13(1), 22(2) and laws of Tanzania speak of equality of opportunities to access such services and thus rule out discrimination as regards access to them.

But is the equality spoken about in these International Conventions and in the Constitution a mathematical one or rather a proportional one? This question is provoked by what reality and experience tell us. For instance, in Tanzania the legal framework gives a political space exclusively to women through special seats to be members of parliament. Again, the Constitution and the legal framework single out women, children and people with special needs and accord

³ Tanzania is one of the states which ratified The International Convention on Economic, Social and Cultural Rights of 1966, and The African Charter on Human and Peoples' Rights of 27th June, 1981.

them special consideration in a number of issues. Our burden here is to show philosophically that such special considerations are not against the principle of equality. They rather show and confirm the preference of proportional equality to mathematical equality. In this sense proportional equality in the language of Affirmative Action bridges the gap of inequality (Mutarubukwa and Mazana 2017: 9).

2.2 Equality discrepancies in the economic framework

The economic framework on discussion encompassing economic productivity, income earning, division of labour, distribution of income and other economic resources, etc.

Studies show that in Tanzania women outnumber men in the labour force (Idris 2018: 4). However, men outnumber women when it comes to employed labour force. Again, women outnumber men in lowly paid employed labour force (Idris, 2018: 4). There is a big gender gap in the decision making and managerial posts in which men outnumber women by far (Idris 2018: 9).

2.3 Equality discrepancies in the legal framework

In this section our discussion first, is on seeing how equal or non-equal men and women are before the laws of Tanzania. Secondly, we aim at seeing how and why the Tanzanian legal framework defines equality discrepancies in the socio-political and economic setting of the Tanzanian society.

2.3.1 Equality discrepancy in dispensing justice

The Constitution of The United Republic of Tanzania in its section number 12(1) stipulates equality of all the citizens. The constitution however, does not specify whether citizens are mathematically equal or rather proportionally equal while taking onboard the natural and manmade differences that citizens have.

In the process of dispensing justice there are scenarios which portray equality discrepancies among citizens. The Penal Code of the Law of Tanzania for instance has areas of equality discrepancy on gender lines. In its sections 158 and 160 the Code stipulates different scopes of transgression and different

punishments for males and females involved in incest.⁴ The Code sets a punishment which is severer for women than it is for men.⁵

Again, according to The Penal Code in its section 130 men and women by definitions of the key terms of the law are not equal in offences of rape. As per this law, it is only a man who can rape, and it is only the woman who can fall victim of the criminality associated with the law in question. In case of gang rape the law recognizes the possibility of different roles in such an offence and stipulates abetting as extension of the same offence. Still the law is silent as regards the possibility of females playing an active role or abetting towards the commission of such an offence. Experience and science show that even men fall victims of rape while still keeping the same definitions of terms of the current law in force. Although the law does not deny all these possibilities it does not define them as crimes. It is here that the equality discrepancy arises.

Other examples of equality discrepancy in the Penal Code include the definitions of ages for the offence of kidnapping from lawful guardianship. As per Tanzanian Penal Code number 245 these ages are fourteen years for a boy and sixteen years for a girl.

The Marriage Act of 1971 before its amendment in 2016 did not state the same age for males and females to legally contract marriage. A male was permitted by law to marry at the age of 18 while a female was permitted by law to marry at the age of 15 with the consent of parents. As per this law both male and female were considered to have equal right to enter marital life but did not enjoy this right with equal ages. No matter what reasons are behind this act, and no matter how strongly convincing such reasons were, such ages were not mathematically equal, hence a discrepancy. However, in 2016 through the judgment of the High Court of Tanzania, Miscellaneous Civil Cause Number 5 of 2016 both male and female were mathematically equalized to marry at the minimum age of 18 years.

The Employment and Labour Relations Act of Tanzania of 2004 in its sections 33 and 34 stipulates equality of workers but still defines some favourable spaces for women which men do not have a right to enjoy. Such

⁴ As per this law it is a crime of incest in case a man has an affair with his granddaughter. The same law is silent as regards the status of an affair between a woman and her grandson.

⁵ The biggest punishment that a man committing incest can get is thirty years of imprisonment. A woman on the other hand can be punished to life imprisonment for the same offence.

stances include a paid three months maternity leave vis-à-vis three days of paternity leave, hours for breastfeeding implying shorter time for work. Such differences however are based on the female nature and female natural roles as compared to those of men. Again, the same law in its section 7(6) is against discrimination but qualifies it and creates room for affirmative action in order to promote equality. All in all, these are scenarios of equality discrepancy as they are not in unison with mathematical equality, hence a need for appealing to proportional equality as a base for explanation and justification of the law and practice.

2.3.2 Equality discrepancy in legislation

The legal framework of Tanzania has some scenarios of not mathematically equating some public institutions and their counterpart private institutions even if the two offer services which are mathematically equal.

As per law, for instance, it is mandatory that employers have to remit a monthly contribution to the Workers' Compensation Fund. According to the Tanzanian Government Notice No. 212A of 30th June, 2016 while employers from the private institutions remit 1% of the gross amount of the monthly payroll, the public sector remits 0.5% of the gross amount of the monthly payroll. Another example of the same, while colleges and schools of private owners – not registered as business entities remit an annual payment as business fee, public counterparts operate without such remittances.

3. Aristotle's proportional equality vis-à-vis equality discrepancies in Tanzania

In his Book *Nicomachean Ethics*, V, 3, 1131a10-b15 Aristotle associates his concept of equality with his understanding of the virtue of justice. For him, a deliberate lack of equality is *ipso facto* injustice and a deliberate pursuit of equality is a practice of justice. He also associated the objects of equality with the objects of justice as having a relationship of proportionality. In this association, he maintained that just as justice as a virtue involves two persons and two objects through which it is manifested, so also equality involves two persons and two objects which express equality. Basing on this understanding he maintained that it is unjust for the non-equals to be given equal shares and the

equals to be given non-equal shares. This may be interpreted that, first, in order to act in justice the like should get exactly the like treatment both in the means and in the end. Secondly, in order to act in justice the non-like should get non-like treatment.

Basing ourselves on the fact that the socio-cultural-political settings in a number of African communities do take citizens to be equal in all circles of being, living and doing. It is also a fact that the political machineries in Africa such as constitutions, political parties, etc. are yet to be conceived as equal in all aspects. It is on such grounds that in the subsequent subtopics our discussion will be in favour of the second interpretation that in order to act in justice the non-equal should get a mathematically non-equal treatment in the means aiming at realizing an equal end.

3.1 Preference of equality of ends to equality of means

As hinted upon earlier an end as a purpose of being or of doing something is superior to the means of accomplishing it. As expressed in his work *Physics*, II, 195a1 Aristotle understood the end as the relatively ultimate cause while the means of achieving it as its intermediate causes. The superiority of the former is based on two facts: first, the ultimate end is prior in being as the purpose. Secondly, the ultimate end is superior in perfection as it contains and determines the means to realize it (Collins 1990: 67–68). It is on such grounds, for the purpose of the central argument of this paper we maintain that equality of the end as the ultimate cause is superior to equality of the means as intermediate causes.

Taking the end as superior to the means of achieving it we advance three arguments. First, we maintain that it is a utopia in the Tanzanian socio-political context to strive at realizing equal socio-political ends by using equal means. This is because the citizens who are the key players of the socio-political life are by their nature diverse. Again, the socio-political machineries such as the cultural perspectives, political parties, etc. which keep the socio-political life rolling are diverse as well. Secondly, we argue that it is morally unjust and unfair to deliberately apply equal means in order to realize unequal socio-political ends because this is a deliberate establishment of inequality as the ultimate end. Finally, we argue that it is morally just and fair to deliberately use

proportionally unequal means in order to achieve equal ends as long as the end-in-view is to establish equality.

3.2 The utopia of equal means to equal ends

Our discussion in this subtopic is based on Aristotle's distinction between mathematical equality and proportional equality. With this distinction we aim at showing that equal means do not necessarily lead to equal ends, and that equal ends are not necessarily a result of equal means. In this discussion we have some assumptions. Our first assumption is that human beings as the subjects of equality in this discussion are naturally diverse in a number of aspects. These may range from gender, education, social power, intellectual endowments, self perception, social cognition, etc. Our second assumption is that the weaker are likely to be victims of inequality in achieving the end if they are exposed to the means which are equal to those used by the strong ones.

In Tanzania it is part of the plan of the ruling party of making it constitutional and legal that there must be half-by-half representation of men and women in all decision-making organs including the parliament (*Ilani*, 2020: 267-282). We take this scenario as an example of mathematical equality which is an end of the whole electoral process. In this case the electoral process encompasses all the political machineries taken as the means to achieve the half-by-half end of political representation. The task before us here, is to show the difficulty or rather the utopia of achieving such a mathematical equality by applying mathematically equal means in a society where men and women are diverse in a number of aspects. Again, as we hinted upon earlier the political machineries especially political parties out of which political representatives are obtained are diverse as well. In most cases as we will show such diversity is not a mere lack of sameness but a diversity of superiority vis-à-vis inferiority, of strength vis-à-vis weakness, etc.

The general perception that cuts across among communities in the current African societies is that men are superior to women (Morrell 1998: 610). Men are conceived to be stronger than women not only physically but also morally, intellectually, economically, etc. Such perceived superiority and strength of men as compared to women are translated into the process of entrusting or denying entrusting responsibilities to people of different genders. It remains a question as

to whether women do not still suffer such an inferior perception even within the parliament which is a reflection of the society.

It is also a fact in the African political context that political parties are not equal in a number of aspects. These include the economic power, experience of their members and their leaders, number of members, influence on people and on the state organs, etc. Exposing political parties with such diversities to the same means expecting to achieve a fair and equal end is utopia.

It is on such grounds we maintain that in order to attain an end which portrays mathematical equality in political representation it is rather unfair to put mathematically equal means at the disposal of both men and women expecting to compete equally for the same end. A deliberate disposal of mathematically equal means to unequal competitor aiming at achieving an equal end is a utopia.

3.3 The injustice of equal means to unequal ends

As our discussion goes with the inspiration of Aristotle which maintains that all human acts aim at some good as he put it in his work *Nicomachean Ethics*, I, 4, 1095a15-18. As we hinted upon above such good *per excellence* is in the end rather than in the means. The means used to achieve it play a contributory role to the realization of that good. But, is it just and fair to equalize the means knowingly that such equal means do not lead to equal ends? Viewing it from a morality perspective, is it not against justice to deliberately aim at unequal ends even if the means used are equal in all senses? These questions lead us into a discussion on whether the equality of means makes sense and is morally tenable if such equality does not lead to the equality of ends.

We base our proceeding discussion on the principle that equality of the ends surpasses equality of the means. This being the case, subjecting people to equal means with the aim of making them achieve unequal ends is morally untenable. This would sound like deliberately equalizing the means in order to ‘unequalize’ the ends. It is like a deliberate limiting of some people in order to give chance to their competitors to excel. In such a case those with a better end would take advantage of the equality of means while those with a worse end would fall victims of, or suffer the equality of the means.

But what if mathematically equal means are used in order to realize ends which are mathematically not equal but proportionally equal? In other words, is it morally defensible if people are subjected to the means which are

mathematically equal with an aim of making them reach ends which are mathematically unequal but proportionally equal? In response to this question we need to qualify 'equality'. This means, we need once again to reiterate the difference between mathematical equality and proportional equality both of the means and of the ends.

With concrete cases from the Tanzanian context there are scenarios of subjecting people to mathematically equal means which, knowingly result into mathematically unequal ends which however are proportionally equal. An example of such scenarios is levying the same amount for college tuitions for two different programmes with the same amount of academic credits, lasting for the same duration of study but its graduates being put into different salary scales while being employees of the same employer.⁶ In this case, if the means happen to be mathematically equal resulting into mathematically unequal ends it will be morally sound if such mathematically unequal ends are proportionally equal. In such cases the proportionality of equality lies in the duties carried out by the graduates of the two programmes, proportionality of their productivity, proportionality of their retention, proportionality of their cost of living, etc.

3.4 The justice of unequal but proportional means to equal ends

In our discussion earlier, we have shown the socio-cultural diversity between men on one hand and women on the other in the Tanzanian context. A number of ethnic communities in Tanzania have been having cultural norms and practices which do not equate men and women in the pursuit of some fundamentals of human life. We take this as our base to commend and support the practice that women should be given means which are proportionally more favorable when competing with men to achieve equal ends.

In the Tanzanian context we suggest some ways of applying the Principle of Proportionally Equal Means to attain mathematically equal ends. Such ways are to help explain that such practices are not unjust but are meant to strike a balance in the means while aiming at mathematically equal ends. In the political arena for instance, we suggest that it is unfair and unjust to equate men and women vying for the same posts. We suggest proportional differences in

⁶ As per *Tanzania Public Service Pay and Incentive Policy* Section 4.2 of 2010 payments for public servants are based on the principle of 'equal pay for equal value of work' rather than equal pay for equal qualifications of servants.

qualifications, time for campaigning, number of sponsors, etc. In this regard it would be justifiable that female candidates vying for political posts should be given time for campaigns proportionally longer than that given to their male competitors; being required to have a proportionally smaller number of nominators as compared to male political candidates, etc. In our view this would help address the equality discrepancies featured in the Tanzania's National Election Act of 2015 Section 32. What we suggest here is the mathematical equality of the end reached through mathematically unequal but proportionally equal means.

What has been suggested above may be applied to the policies which guide the access to some social services such as health, education, security, etc. Tanzania like other African countries has some social groups which may justifiably be branded as disadvantaged, marginalized, vulnerable, less powerful, etc (EAC Secretariat, 2018: 18, 19, 23, 25, 27, 36). Such groups include children as compared to adults, girls as compared to boys, the elderly as compared to people of young ages, women as compared to men, the disabled, people living in rural areas, the poor, employees vis-à-vis employers, the private sector as compared to the public sector, etc. All these groups call for a treatment which accommodates provision of proportionally equal means in order to make them achieve mathematically equal ends as compared to their counterparts.

Currently in Tanzania there are scenarios which are backed by laws and regulations of giving a proportional favour to women, children, the elderly and to people with disabilities in matters pertaining to the provision of some social services. Such scenarios are defensible as just and fair with the appeal to the principle of Proportional Equality of the means which ultimately lead to mathematical equality of the ends. As per policy for instance, children get a cheaper medical insurance coverage while adults make higher payments for the same.⁷ Still in the health sector there is space for some vulnerable groups to enjoy waivers and exemptions in the medical coverage, a favour which is not enjoyed by some other groups of citizens considered as non-vulnerable (Mujinja and Kida 2014: 2, 7). Such scenarios do not violate the general constitutional

⁷ Children, that is, citizens under 18 years of age and registered students of all levels make an annual contribution to the National Health Insurance Fund only TZS 50,400/= for a medical cover mathematically equal to what adults get while contributing annual bigger amounts ranging from TZS 192,000= to TZS 984,000= depending on the age and type of package.

principle of equality. They rather confirm that Tanzania is for the proportional equality of the means which lead to mathematical equality of the ends.

Again, The National Health Insurance Fund in Tanzania has a variety of benefit packages which proportionally differ in the amount of contributions depending on the ages and cluster numbers of the beneficiaries.⁸ As per Tanzania's National Health Insurance Fund Act of 1999 section 9, an employee from both his/he salary and his/her employer makes a monthly total contribution of 6% of his/her salary. This amount is mathematically not equal for all employees. However, it leads to a mathematically equal access to health services irrespective of how much one contributes to the fund. In this health sector the end-in-view is having equality in having health, that is equality of ends achieved through mathematically unequal but proportionally equal means.

In Tanzania's political arena experience shows mathematical discrepancies among various variables. The incumbent political party for instance is not mathematically equal with the opposition parties. Such differences include experience in political leadership, the number of members, financial and human resources, the number of parliamentary representatives, the nature and magnitude of socio-political power of influence on people at large and on the government and its machineries in particular, etc. The end-in-view pursued by all political powers is political representation in the parliament and acquisition of executive political power concretized in the government. Immense differences in the parties do not permit the legitimacy of mathematically equal parameters as the means to achieve the desired goals. Weaker parties are likely to be vulnerable in the political races for political positions. With less experience, meager human and financial resources as the means to the political ends less powerful parties run a risk of losing if subjected to wholesale mathematically equal means when competing with experienced parties, rich in human and financial resources. Our argument is that proportional equality in the process of vying for political leadership is more defensible against mathematical equality of the means. For instance, less powerful parties need longer periods of time for campaigns than more powerful and more influential parties. Likewise, during the campaigns an incumbent party justifiably needs proportionally bigger

⁸ Such packages range from *Najali Afya*, *Wekeza Afya*, and *Timiza Afya*. They still categorize beneficiaries according to their age ranging from 18-35; 36-59; 60-plus years of age. Again all these packages have some differences as regards services received.

budgetary provisions for security as its candidates are more vulnerable to security risks than candidates who are not in incumbent leadership.

Another area which deserves application of The Principle of Proportional Equality is the women's participation in political leadership. In many ethnic communities in Tanzania women have been marginalized in a number of issues, vulnerable, and even being perceived as weak when compared to men (Mutarubukwa and Mazana 2017: 2). In order to strike a fair and just balance women have to be equated with men not mathematically but proportionally. This treatment has to rule out mathematical equality of the means in favour of proportional equality of the means leading to mathematical equality of the end. As stipulated by the Constitution of the United Republic of Tanzania number 78 subsection 1, female candidates in the races to political posts therefore, justifiably need extra and exclusive avenues to political leadership – all being backed by the Principle of Proportional Equality.⁹

In Tanzania people in the rural areas in many cases may be justifiably classified as more disadvantaged in comparison to people living in towns and cities.¹⁰ However, it is a practice that some rural areas enjoy favours which cities and towns do not get. The Principle of Proportional Equality may be used to give a philosophical explanation and defense of such favours. In some issues, people in rural areas lead relatively decent life just like those living in the urban setting but incurring proportionally lower costs of realizing such standard of life. Examples of this include proportionally lower tariffs for the basic utilities such as installing electric and water infrastructure, lower rates of payments for such utilities as compared to the costs of payment for the same in towns and cities (TANESCO 2016: 20). In such cases, the end-in-view for which equality is sought is decent life. This equal end is achieved through means which are mathematically unequal but proportionally equal.

⁹ By Constitution and by law women in Tanzania enjoy a provision of the parliamentary special seats which is an extra avenue to the parliament exclusively provided for women.

¹⁰ Scenarios of such advantages include relatively better communication infrastructure in towns, availability of relatively better health facilities in towns and in cities as compared to rural areas, easy accessibility to socio-political facilities such as district and regional offices of various governmental departments, etc.

Conclusion

In conclusion it is our assertion that the equality referred to a number of times in Tanzania ranges from mathematical equality to proportional equality. A fair and just treatment of people as human persons rather than as objects requires a keen approach when equating them in what they are, in their needs, in the way of responding to their needs, etc. In our preceding discussion, being inspired by Aristotle's doctrine on teleology we have exposed the relationship between an end and its corresponding means leading to its realization.

Our focus in the discussion has been on equality as applied to the Tanzanian context. The phenomenon of equality features in the Constitution, in the legal framework, in a number of policies, etc. However, the Tanzanian citizens like people of other nations have differences with specificities. Such specificities range from age, gender, economic statuses, physical disabilities, etc. With the application of the Principle of Proportional Equality as contextualized in Tanzania we make a two-faceted conclusion: First, taking the end as more perfect in being and having primacy of being over the means, we maintain that equality of the ends surpasses equality of the means. Secondly, taking human persons as the *per excellence* subjects of equality we deem proportional equality to be preferable to mathematical equality whenever equality of human persons is referred to. All forms socio-political equality discrepancies in Tanzania which seem to contradict the equality stated in the Constitution of the United Republic of Tanzania are to be sorted out by interpreting such equality in the light of proportional equality rather than in the light of mathematical equality.

In the spirit of proportional equality rather than of mathematical equality the Tanzanian society and other societies, from a moral point of view will always succeed to strike a fair and just balance when dispensing services and care while proportionally favouring groups or individuals who proportionally need more attention and care than others.

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