

Plea Bargain's Money Missing Reveals a Real Issue is Personal Benefit Not Justice

News:

Earlier this February 2023, the President of the United Republic of Tanzania Samia Suluhu Hassan said that her government is investigating offshore bank account in China where money collected from plea bargain stashed away. She confirmed that much of that money which was collected by the Director of Public Prosecution's office has no trace. ([The Citizen](#))

Comment:

In 2019, Tanzania amended its criminal laws and introduced the plea bargain agreement following high number of falsely economic sabotage cases under the late President John Magufuli's regime.

It is very unfortunate that a process of introducing this agreement was full of lies and misconducts, and furthermore its implementation actually started two years before the amendments were passed by the Parliament. However, even after Parliamentary endorsement its implementation continued without any regulations until February 2021 where regulations were introduced.

All these misconducts were not done by chance, since arrangement of the said process was under the Ministry for Justice and Constitutional affairs, it is clear that they were purposefully designed to create a loophole for corruption and embezzlement. Different stakeholders such as opposition politicians and activists even termed the plea bargain's account an "individual" account.

Some of the cases involved in plea bargaining deals including that of the owner of Independent Power Tanzania Limited (IPTL) Harbinder Seth Singh who agreed to pay Sh26 billion, former president of the Pangea Mine, North Mara Mr Deogratius Mwanyika, and six other fellow accused agreed to pay Sh1.5 billion each, the director of Mr Kuku Farmer Ltd, Tariq Machibya, who agreed to pay Sh5.4 billion, journalist Eric Kabendera who paid Sh172 million, former Vodacom Tanzania's managing director Hisham Hendi and other executives at the telecom firm who paid Sh6 billion, etc. According to the report by the Controller and Auditor General (CAG), there was a total of Sh51 billion collected from plea bargaining arrangement as of April, 2021.

If we look closely at above cases, you would find out that the plea bargain agreement was meant to be state forcefully stealing and exploit individuals' money after its failure to bring about any evidence against the accused. The weak citizens whom can not confront the state agreed to pay it in return of their freedom.

These illegal deals with deliberate misconducts and corruptions have been done under the government which was boasted itself as "defender of the weak", 'advocate of patriotism' and 'staunch fighter against imperialists'. This is expected under innate of secular capitalist ideology whereby her politicians always pretend that are working to serve their people, but in the real sense they are running only for their personal interest. Thus, under this painful reality the issue of oppression, perverting of justice and misconducts are not of their concern when it comes issue of benefit.

Unlike ideology of Islam under its Khilafah (Caliphate) State fairly serves all its people, weak and strong by abiding with justice, benevolence and spiritual value. It is high time for world to get rid of Capitalism and embrace the Islamic system to save humanity.

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