UNDERSTANDING PATTERNS OF ACCOUNTABILITY IN TANZANIA

Revised Inception Report

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Acknowledgements and Disclaimer

Executive Summary

This Inception Report is the first of three components for the DFID funded project "Understanding Patterns of Accountability in Tanzania" for the multi-donor Tanzania Governance Working Group (GWG) of the Development Partners to Tanzania. It is presented here in its revised form taking account of comments received from DFID and from other commentators, as well as the recent refinements made to the study design. The objective of the study is to gain more in-depth knowledge on how structures of accountability actually operate in Tanzania and how they influence the quality and effectiveness of decisions on public policy and public spending..

The task for this Inception Report has been to map the organisations, institutions and processes that mark different accountability relationships in Tanzania. We have done this along the dimensions of **horizontal, electoral, societal** and **external accountability**. We have distinguished between these four dimensions of accountability in order to understand how accountability might work differently at different levels of governance.

The table below summarises the findings of the mapping exercise against the background of the three common criteria of accountability relationships – *transparency*, *answerability* and *controllability*. We also apply a distinction between formal and informal accountability processes.

Horizontal Accountability across the political and administrative system	• The Executive headed by a directly elected President is the most powerful institution of the political regime. The President appoints a wide range of key actors who are accountable to him.
	• The institutional framework provides for some checks and balances, but the formal ability of the Legislature and of special institutions of restraint to actually call the Executive to account is in practice rather limited.
	• From a formal perspective the institutional framework of horizontal accountability is weak. The strong presidential Executive can override in important ways the Legislature's mandate to exercise control and oversight.
	• The political system mixes elements of presidential and parliamentary democracy and thus does not provide the democratic checks and balances that each system would normally require.
	• Control is still exercised in an informal way through consensus building within the Executive or through strategic alliances among majority party MPs. This however undermines transparency and perhaps answerability.
	• Executive powers at the local level are unclear and appear either to be overlapping, or there are executive elements at the district level without meaningful legislative oversight and control.
	• At the district level, horizontal accountability appears to be entangled with informal societal accountability where party structures overlap with the exercise of executive and legislative powers.
Vertical Accountability through the electoral channel	• The electorate chooses its representatives for the National Assembly and for District Councils. It also directly elects the President who in turn appoints all key civil servants at both the national and local government level, as well as some members of the Legislature.
	• From a formal perspective, both the Legislature and the head of the Executive are accountable to the Electorate. However, apart from a cumbersome Presidential impeachment procedure, there appear to

	be few effective constitutional provisions for the Executive to be accountable to the Legislature.
	• Thus, the system concentrates power in the hands of the Executive, which despite having been elected democratically faces virtually no constraints by the Legislature.
	• Thus vertical accountability relationships are weak. Legislative representatives in the National Assembly are limited in their control of the Executive and thus in their answerability for government policy decisions to the Electorate.
	• Answerability and controllability of Executive power holders may be exercised in an informal manner, through links between politicians, civil servants and economically or otherwise dominant figures in society. This runs counter to transparency. This becomes awkward as the one and only form of vertical accountability through the electoral channel is to vote a bad government out of office – how informality hinders this from happening is relevant.
	• A myriad of informal relations - particularly at lower levels of government - compromise the transparency of the electoral process (at least for the outside observer).
	• At the district level it is also not clear how the legislative body (Councillors) relate to the executive branch of central government (Regional & District Commissioners)
	• Controls through party machinery continue to be very important, and have partly been reinstated. But parties must also cater for grassroots interests and needs. There is a lack of knowledge on how this works.
Vertical accountability through societal associations	• Little is known about how informal societal accountability may or may not be exercised.
	• Informal channels of voice of organised interests groups, and mass party organisations are not transparent, at least for the outside observer. Their affiliates may be able to exercise control and demand answerability internally.
	• From the external perspective it is not clear what means of controllability and answerability the constituents of informal social organisation have and to whom these bodies are ultimately accountable. Neither are links to the formal political and administrative system and its resources well understood.
	• If informal organisations receive popular support their social legitimacy could be greater than that of formal institutions or they can rely on formal institutions for access to economic and political power.
	• There may be positive or negative overlaps between formal horizontal and vertical accountability and informal societal accountability.
External Accountability	• External accountability may support or override domestic accountability.
	• Three important questions emerge: a) Have those institutional features that have enabled the Tanzanian government to be accountable to its development partners and implement successful economic and structural reforms undermined horizontal and vertical accountability?

	• b) Have prevailing systems of informal societal accountability helped the Tanzanian government to pursue and sustain its reform efforts?
	• c) Are the existing formal and informal institutions underlying current horizontal, vertical and societal accountability sufficient and appropriate to ensure that the benefits arising from economic reform do not only reach a minority of privileged citizens, but translate into broader based socio-economic development?

We draw the following conclusions for the design of Components 2 and 3 of this project:

Component 2: Citizens' relations to power holders

The focus of Component 2 lies on achieving a better *bottom-up* understanding of citizens' expectations of power holders, their perspectives on entitlements and the responses they face when acquiring public goods and services. Citizens may have a very different understanding of and experience with the accountability relationship from those to whom they delegate power.

To explore accountability processes on the ground in rural areas we propose to conduct a micro survey and a set of inter-linked ethnographic studies focusing on various aspects of public service delivery – particularly in situations of conflict or crisis. The rationale for this is investigate to whom do people turn if they need enforcement of rights and public service entitlements. We want to use the experience of ordinary people to understand more generally **what are citizens' expectations of government officials and which are the agents or agencies of accountability, to which they turn in trying to protect their entitlements.**

The preliminary analysis conducted in this Inception Report suggests that informal accountability through social organisations is more important and perhaps even more legitimate for ordinary citizens than formal accountability through the electoral channel. It is not clear whether this is because vertical is weak, or because alternative accountability channels, for example through party organisations or District Development Trusts, have remained strong and valid. The preliminary analysis also suggests that the checks and balances normally provided through the mechanisms of horizontal accountability are also weak. Does this remain true at the district and village levels or indeed are such structures still weaker at those levels? How do mechanisms of horizontal accountability interact with the apparently stronger informal structures and what does this mean for the ordinary citizen seeking public services or attempting to protect her rights?

Component 3: Values, incentives and power relations in the budget allocation process

The focus of Component 3 lies on the accountability relationships between political and administrative power holders and the citizens whom they serve. In particular, it seeks to examine the question, **"What do Tanzania's elected leaders believe they are accountable for and to whom?"**

By addressing this question, the component seeks to provide a top-down perspective on how accountability is perceived within the Tanzanian state structure. It thus complements the bottom-up view provided by Component 2 on the perceptions of ordinary people regarding their rights and entitlements and the avenues of accountability they pursue to protect them.

Component 3 thus explores the values and incentives of politicians and the structure of power relations within which they sit. It examines these questions in particular with respect to the budget allocation process. Public finances lie at the heart of the political contest over power and influence. Studies elsewhere have shown that incompatibilities between formal and informal institutions, and between power holders' interests and the collective interest are likely to feature in this area. Thus, we use this as a "lens" which might in a sense magnify the underlying power relations and institutional controls to which nationally elected leaders are subject.

The approach will combine semi-structured interviews with national Members of Parliament and detailed research on a number of "landmark" budget decisions. These "landmark" decisions have been chosen to illustrate the relative importance of the different interests underlying resource allocation decisions and the relative strength of the accountability controls to which these decisions should be subject. Research will seek to confirm the facts behind these decisions, the extent to which the decision-making process fulfilled the requirements for transparency, controllability and answerability by which accountability should be judged, and will also investigate the forces of accountability which appeared to be most influential. Research will include analysis of budgetary and other documentation and interviews with relevant civil servants, researchers and donor officials. This will be complemented by the feedback from interviews with national MPs, which will include both questions specific to these landmark decisions and general questions on accountability within the budget process.

Further information on the structure of components 2 and 3 are presented in Appendices 1 & 2.

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1. Introduction and Summary of Objectives

This Inception Report has been prepared as the first of three components of the DFID funded study *Understanding Patterns of Accountability in Tanzania.* The study is being conducted by a consortium led by Oxford Policy Management, UK[1] on behalf of the Governance Working Group (GWG) of the Development Partners of Tanzania.

The purpose of the Inception Report is to present a preliminary mapping of the agents and institutions of accountability in Tanzania, to develop some preliminary hypotheses regarding the nature of accountability in Tanzania and, on this basis, to outline the proposed focus and approach for each of the pieces of field work to be undertaken within the study.

The report has been developed on the basis of an initial "brainstorming meeting" organised at CMI in Bergen, with drafting undertaken immediately afterwards by the participants at that meeting. Due to budgetary constraints, participants were limited to the European-based members of the study team – namely, Tim Kelsall from the University of Newcastle, Lise Rakner, Siri Lange and Vibeke Wang from the Christian Michelsen Institute, and Andrew Lawson and Evelyn Dietsche from Oxford Policy Management[2]. Comments were subsequently received from three fellow team members - Dr. Max Mmuya, Dr. Donald Mmari and Dr. Geir Sundet and have been incorporated into the final text. Revisions have also been made in the light of comments received from DFID, Tanzania.

The Inception Report has been drafted predominantly on the basis of the existing knowledge of the study team and by drawing on readily available research literature. It presents hypotheses to be tested, rather than any firm conclusions. As such, further comments are strongly welcomed so as to ensure that subsequent work is suitably focused and contributes to the overall understanding of accountability processes in Tanzania.

1.1   Study Objectives

The Governance Working Group has recognised that there are limits to narrow technical approaches for bringing about sustainable policy reform and institutional change. Hence, the group has decided to undertake a comprehensive study on accountability to gain more in-depth knowledge about actual accountability processes between government officials, state institutions and ordinary citizens. The overall objective of the study, of which this inception report forms one of three components, is to assist the GWG in understanding the formal and informal political processes that guide policymaking and priority setting in Tanzania.

Research has suggested that the effectiveness of development assistance is compromised if technical reform initiatives do not sufficiently take into account domestic policy processes and the incentives which condition relevant stakeholders' actions. The donor community recognises a) that country specific policy environments have been important in explaining differences in aid effectiveness and b) that donor-induced reform initiatives that are inconsistent with domestic policy objectives are unlikely to succeed.

Furthermore, many observers have argued that attempts to enhance domestic policy processes with mainstreamed tools such as PRSPs or MTEFs have suffered from a lack of accountability between governments and the domestic population. This has been true even when emphasis has been placed on the participation of civil society organisations. This points to the fact that

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[1] The consortium also includes the Christian Michelsen Institute, Bergen (CMI) and REPOA, Tanzania as well as Dr. Max Mmuya and Simeon Mesaki of the Department of Political Science & Public Administration of the University of Dar es Salaam and Dr, Tim Kelsall of Newcastle University.
[2] Sabine Weinzierl (OPM) has provided research assistance.

interactions between different stakeholders in domestic policy processes (governments, donors, society and elite groups) are complex: external lobbying for inclusion of civil society organisations in the policy dialogue may not be sufficient to address the gaps and discontinuities in the structures of accountability.

This conclusion confronts donor agencies with a number of problems:

- First, blue-prints and best practices focusing on formal processes and institutions no longer appear sufficient reference points to engage with the reality of development processes and the complexity of accountability and incentive structures.

- Second, donors therefore need to acquire more detailed knowledge about the dynamics of domestic politics and underlying social structures and conflicts. At the very least, there should be greater efforts to analyse how donor engagement affects governments' relationship with the electorate and with political and economic elites at different levels.

- Third, there is little general knowledge on the political economy of domestic policy reforms and the motives and incentives conditioning domestic policy makers' decisions and actions. Whilst there are a number of neat theoretical models that attempt to predict relevant stakeholders' interests and incentives, their practical application is contentious.

The specific objective of this inception report is to present the background framework for analysing the values and incentives of political and administrative power holders vis-à-vis ordinary Tanzanians at different levels of government. It is aimed at providing a preliminary assessment of where conflicting interests and institutions may impinge on the quality of policy makers' decisions and on the extent to which these are effectively implemented.

The primary audience is the Governance Working Group but the study could potentially be of considerable value to the Tanzanian Government, non-donors and non-government actors as well.

1.2   The organisation and structure of the study

The study is divided into three components. Together they are designed to throw light on how structures of accountability operate in Tanzania and how they influence the quality and effectiveness of decisions on public policy and public spending. The sequencing of these components and the linkages between them are illustrated in Figure 1 below.

- Component One (this Inception Report) comprises a mapping of the principal accountability actors in Tanzania and their place within the institutional context. It presents an analysis of the different dimensions of accountability – vertical and horizontal, formal and informal - and a preliminary assessment of how effectively they operate. It provides an overview for the study as a whole and lays out hypotheses to be tested and refined through field work.

- Component Two provides a "bottom-up" perspective on the question of accountability. It seeks to improve understanding of the expectations which Tanzanian citizens have with respect to power-holders, of citizens' perspectives on their entitlements and of the channels they use and responses they typically face from different types of power-holders in trying to protect their entitlements. It includes three elements:

    o A micro-survey covering 90 people in three regions of Tanzania – Lindi, Dar es Salaam and Mwanza, which will assemble quantitative and qualitative data on citizens' perceptions with regard to accountability and entitlements.

    o Two ethnographic surveys to be undertaken in Arumeru, examining the interactions between users and providers of government services.

    o A series of focus group interviews designed to throw light on the observations emerging out of the micro survey and the ethnographic surveys.

- Component Three provides a "top-down" perspective, based on a set of semi-structured interviews with elected representatives at the national government level. It seeks to understand how Members of Parliament perceive their responsibilities and how they balance out the potentially contradictory allegiances and accountability relationships with which they are faced. Amongst other things, it will seek to examine some recent land-mark political decisions such as the elimination of the UPE level and other primary school fees, the abolition of the Development Levy for Local Governments, the re-introduction of fertiliser subsidies and the decentralisation of financial and staff management decisions to local governments. For each of these, it will attempt to create a picture of the balance of interests which drove these political changes and influenced their particular form and timing.

Figure 1:   Overview of Study Components and Outputs
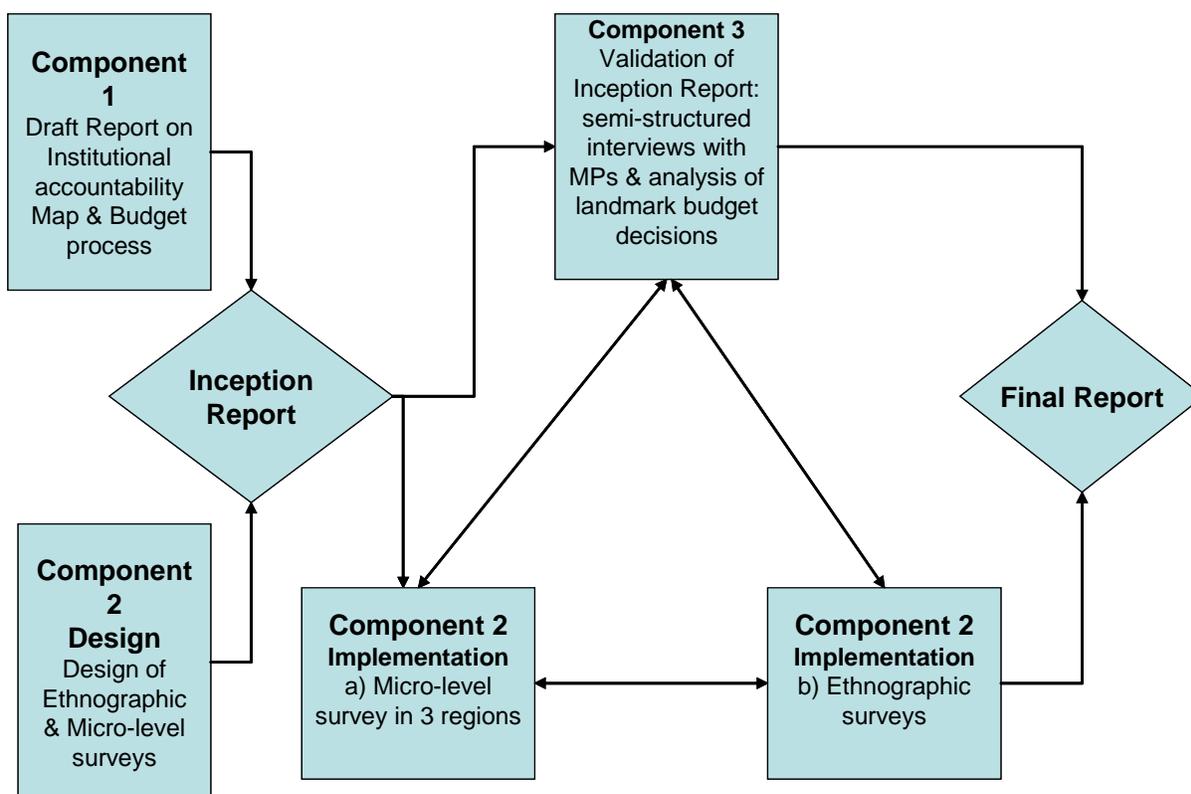
Further information on the structure of components 2 and 3 is presented in Appendices 1 and 2.

Each of the component outputs of the study will be written up and presented to the Governance Working Group and in other fora for feedback and comment. The study team is well aware of the inherent difficulties which surround qualitative work of this kind and it will be important to ensure that the study's observations are submitted to careful scrutiny before any conclusions are drawn.

The Final Report will synthesise the key conclusions and lessons emerging from the study components as a whole. It will draw out the implications for institutional and policy changes within the Tanzanian polity, as well for the design of supporting projects and programmes by Development Partners. It will make links with ongoing research work and, if appropriate, make recommendations for future research.

1.3   Linkages to related work

Despite its relatively ambitious objectives, this is in itself a relatively small study and could only be successful by making linkages to the wider body of work in this area. In preparation for the current study, DFID commissioned a literature review on accountability in Tanzania, which was compiled by Drs Tim Kelsall and Max Mmuya[3], who are of course members of the study team. The design of the study - in particular the inclusion of an ethnographic component - has been influenced in significant ways by that earlier work. The Governance Working Group are also overseeing two parallel pieces of work which should complement and inform the present study:

- Sida has commissioned Professor Goran Hyden to undertake a "Power Analysis of Tanzania".

- The World Bank have commissioned Professor Mushi to undertake a risk analysis for PRS2, based upon a mapping of power relations and an analysis in terms of the Loyalty-Voice-Exit model of Albert Hirschmann.

In addition, there is a parallel process of research being undertaken jointly by REPOA and CMI to examine attitudes to local government and to local service provision.

The bibliography in annex provides a more comprehensive summary of the references which have been utilised for the purpose of Component One. As other work matures and as the study proceeds, this bibliography will certainly be enlarged. It will be important to take in to account and, where appropriate, incorporate the arguments and insights of existing reports to make this study as comprehensive as possible.

1.4   Report outline

Following this introductory chapter, the report is structured as follows:

- In **Chapter 2** we outline our understanding of accountability; we consider why donors have put increased emphasis on democratic accountability and we explain how we structure the analysis along four key dimensions of accountability; vertical accountability divided into the categories of electoral and societal accountability, horizontal, and external accountability.

- In **Chapter 3** we give a brief overview of recent political developments in Tanzania and summarise our understanding of the key challenges and questions arising in terms of democratic accountability in Tanzania.

- **Chapter 4** contains a comprehensive mapping of democratic accountability along the four different dimensions of accountability. We describe the relevant organisations, institutions and processes, how these interrelate and how roles and powers have evolved in recent years.

- Against the background of the mapping exercise, **the Executive Summary** has identified the gaps and apparent contradictions in existing knowledge, as well as the instances where formal and informal institutions and different dimensions of the four accountability relationships appear to conflict. On the basis of this preliminary analysis, we suggest the foci for the second and third components of this study.

- **The Appendices** outline the methodologies for components two and three and provide a bibliography.

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[3] Kelsall, Tim and Max Mmuya (2004): *Accountability in Tanzania: Historical, Political, Economic and Sociological Dimensions.* A literature review prepared for Drivers of Change Tanzania.

2. What do we mean by Accountability?

2.1 Why focus on accountability ?

'*The battle to reclaim democracy is going to be a difficult one. It is a battle that must range across continents and countries. It must not acknowledge national boundaries……*'

Arundhati Roy (2004), An Ordinary Person's Guide to Empire.

Ordinary citizens around the world are increasingly asking critical questions about the accountability, transparency and legitimacy of state institutions, government officials and policy processes. Non-governmental organisations and independent political commentators repeatedly emphasise the need to enhance the voice of citizens. The increasing focus on voice and accountability reflects both a higher level of expectations over what the democratic process should deliver and a greater public awareness of the shortcomings of governments and democratic systems around the world. In developing countries, this awareness has fuelled a growing discontentment with persistently poor economic performance and with the ineffectiveness of aid – a feeling expressed both by the citizens of these countries and by the development community. The resulting frustration with poor development outcomes has prompted a search for political explanations why decision makers choose seemingly sub-optimal policies and jeopardise national development prospects. A number of general recognitions have emerged:

- Politicians and the staff of public agencies operate under complex incentives. Even when guided by good intentions, these can result in poor policy decisions and negative economic and social consequences.

- Institutions and governance structures shape the incentives, interests and strategies of policy makers and condition the influence which competing stakeholders can exercise.

- Institutions and governance structures play an important role in shaping the prospects for economic growth and broad-based social welfare. Both are central to explaining differences in economic performance and often override all other explanatory variables[4]. But whilst there is ample evidence that they are key, little is known about how efficient institutions emerge and whether and how these can be built[5].

- Furthermore, little is known about the compatibility of formal and informal institutions and to what extent their incompatibility may constrain the quality of policy outcomes. Legislative changes and capacity building may have strengthened formal institutions; yet, policymaking processes may continue to be determined by informal practices that often undermine formal institutions.

- The search for answers to these paradoxes has led the development community to shift focus to issues of accountability within government and between government and society at large.

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[4] Rodrik, D. and A. Subramania (2003): *The Primacy of Institutions (and what this does and does not mean)*, Finance and Development, June 2003, IMF; Acemoglu, D. (2003): *Root Causes. A historical approach to assessing the role of institutions in economic development*, Finance and Development, June 2003, IMF.
[5] North, D. (2001): *Needed a theory of Change*, In: Meier, G.M and J. E. Stiglitz: *Frontiers of Development Economics*, The World Bank, Washington D.C.; North, D. (2004): *Local Knowledge and Institutional Reform*, Center for International Private Enterprise, USA.

2.2 How do we define accountability?

In general terms *accountability* denotes a relationship between a bearer of a right or a legitimate claim and the agents or agencies responsible for fulfilling or respecting that right by acting or desisting from particular actions. The most basic accountability relationship is that between a person or agency entrusted with a particular task or certain powers or resources, on the one hand, and the 'principal' on whose behalf the task is undertaken, on the other. Accountability, simply put, is a two-way relationship of power. It denotes the duty to be accountable in return for the delegation of a task, a power or a resource. This duty can be discharged in different ways but all accountability mechanisms operate according to a logic based around three criteria:[6]

- *"Transparency"* requires that decisions and actions are taken openly and that sufficient information is available so that other agencies and the general public can assess whether the relevant procedures are followed, consonant with the given mandate;

- *"Answerability"* denotes an obligation on the part of the decision-makers to justify their decisions publicly so as to substantiate that they are reasonable, rational and within their mandate;

- *"Controllability"* refers to the existence of mechanisms to sanction actions and decisions that run counter to given mandates and procedures. This is often referred to as a system of checks and balances or enforcement mechanisms. The checks may take many forms, including "shaming" and praise. Impunity is the antonym of controllability: apportioning blame – and a corresponding punishment - for harm done is a crucial component of accountability.

The debate about what constitutes an accountability relationship is ongoing[7]. Most authors, nevertheless, distinguish between *vertical* forms of accountability, in which citizens and their associations play direct roles in holding the powerful to account, and *horizontal* forms of accountability, in which accountability to citizens is indirect and is delegated within the state apparatus. In this study, we follow this broad distinction, but divide vertical accountability into societal and electoral accountability. We also add the role of external actors. Thus, we distinguish the following dimensions of accountability:

- *Vertical accountability* refers to the relationship between citizens and their political representatives, or the state being held to account by non-state agents. Vertical accountability takes two forms:

  - *Electoral accountability* - elections are the classical form of vertical accountability, in which citizens delegate political power to their political representatives and hold them to account through elections.

  - *Societal accountability* denotes the more informal role of non-state agents checking governments' powers via the media, vocal civil society organisations and popular protest. Societal accountability is expressed through associations lobbying governments, demanding explanations and threatening government with less formal

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[6] For a discussion of accountability see Andreas Schedler, Larry Diamond and Marc F. Plattner (eds.), *The Self-Restraining State: Power and Accountability in New Democracies.* Boulder, CO: Lynne Rienner 1999; Anne Marie Goetz and Rob Jenkins (2005): *Reinventing Accountability: Making Democracy Work for Human Development. London*: Palgrave-Macmillan; Rakner, Lise and Siri Gloppen (2003): "Tax reform and democratic accountability in Sub-Saharan Africa", in Nic van de Walle et al. (eds.): *Beyond Structural Adjustment: The Institutional Context of African Development.* London and New York: Pagrave MacMillan.
[7] The debate on what constitutes an accountability relationship is ongoing, for good overviews see, Mainwaring, S and Welda (eds). (2003): *Democratic Accountability in Latin America*, London, Oxford University Press; Gloppen, Siri and Lise Rakner (2003): *Responsiveness to the concerns of the poor and accountability to the commitment to poverty reduction*; Bergen: CMI Working Paper.

sanctions, like negative publicity[8]. We distinguish between societal accountability at the national level and at the local level.

- *Horizontal accountability* refers to the intra-governmental control mechanisms between the legislature, the executive and the judiciary and between different sub-entities of the executive, including Cabinet, line ministries and lower level administrative departments and agencies. In addition to courts and parliamentary oversight functions, this includes special institutions of restraint such as the auditor general, anti corruption commissions, human rights commissions, the ombudsman, etc.

- *External accountability* refers to the relationship between governments and international entities, including the Bretton Woods Institutions, bilateral donors and international regimes and organisations – such as the African Union, NEPAD or the East African Community. While formally accountable to the parliament and their electorate through a range of constitutionally defined accountability instruments, governments in aid dependent DCs may in practice prove more accountable to external donors since withdrawal of aid funds constitute a serious sanction.

Figure 2:   Four Dimensions of Accountability
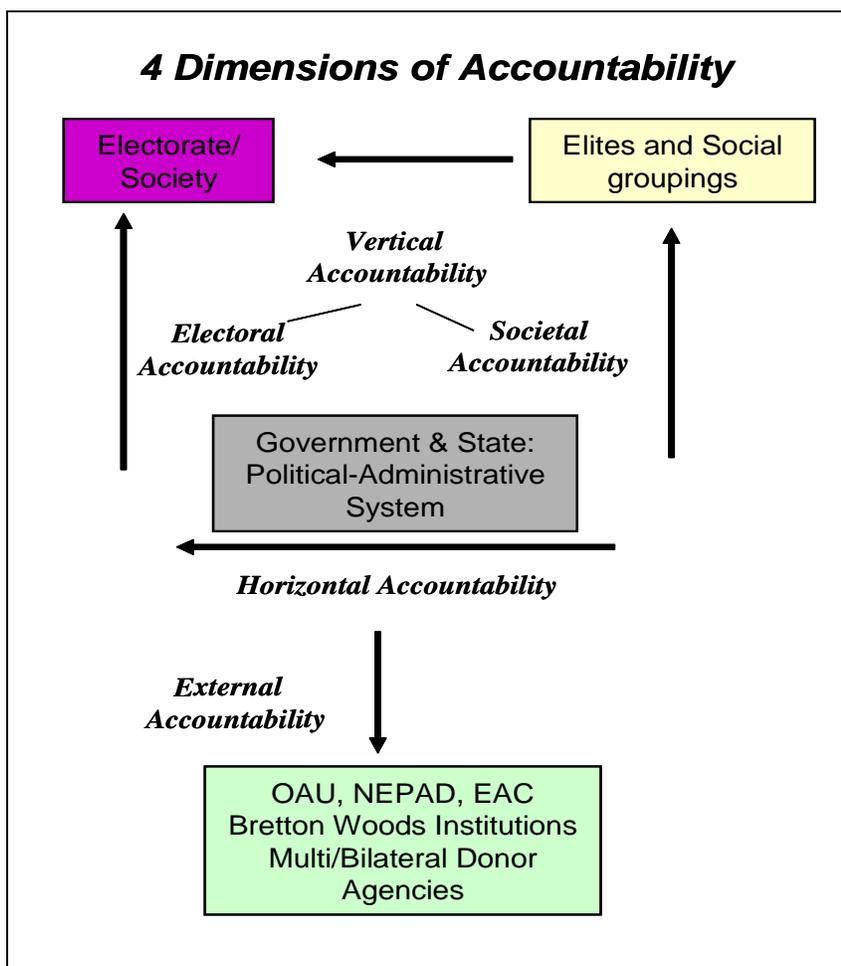
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[8] Goetz and Jenkins (2005).

These dimensions of accountability are illustrated in simplified form above.

To understand patterns of accountability in Tanzania we have proposed an approach, which takes as its starting point the fundamental importance of accountability in democratic systems of government. Three interconnected perspectives on assessing the different dimensions of accountability are identified:

- The *formal institutional perspective* sees accountability enshrined in the legal and institutional foundations of state sovereignty and the political system at various levels of governance (for example national, regional, districts). Through the various dimensions of accountability laid out above, governments are asked to demonstrate transparently their record on implementing policy commitments and thus, formal accountability systems need to generate information on policies, resource allocation decisions, and performance.

- The *informal institutional perspective* puts emphasis on whether political and administrative institutions are legitimised by and accountable to the social foundations of political and economic elites and society, manifested through formal and informal socio-political links. This perspective does not presuppose that formal institutional arrangements are automatically corresponding with informal institutions.

- The focus on *stakeholders*, both individuals and collective, considers how different interest groups can positively or negatively influence policy and institutional change and why they might do so. It is important to recognise that stakeholders' *de facto* influence is conditioned by their formal and informal institutional power.

An analytical approach to understanding accountability needs to focus on the interconnections between formal and informal institutions and processes to gain a deeper understanding of:

- Who is seeking accountability?
- From whom is accountability being sought?
- How are the powerful held to account?
- Where is accountability being sought?
- For what is accountability being sought?

We apply this approach in Chapter 4 below.

3. Historical and Political Background

This section summarises the historical and political context for the study of *current* accountability relationships in Tanzania. This background is important because historical experience shows that institutional change tends to follow a path that links present to preceding institutions. We have not attempted a thorough analysis of historical trends but rather a selective overview, aimed at identifying key issues for further exploration.

3.1   The legacy of *ujamaa socialism*

Like many other African states Tanzania came to independence with almost no local state structures besides those that were intertwined with traditional authorities[9]. British colonial rule governed in an indirect fashion. Control over territory and people was exercised through local intermediaries, either by means of creating new authorities or elevating existing chiefs. The task of intermediaries was typically to maintain in-group control exercised through a system of patronage, allocating jobs, land, access to cash crops and exemptions from taxation and communal work.

After independence in 1961and more particularly after the Arusha Declaration in 1967, President Nyerere stood at the forefront of the ideal-type *ujamaa* socialism, which aligned many organisations of the political elite with the ruling party. These political changes brought nationalisation of the economy, followed by top down reforms of rural institutions – marketing boards and cooperatives and village-level institutions. The forced move of subsistence farmers into "development villages"[10] represented the culmination of this centrally directed attempt at social transformation.

The degree of organisation and central control necessary to even contemplate such social changes was remarkable and it has left its mark on the structure of state institutions and, perhaps more particularly, on the structure of the ruling party, CCM. Nevertheless, these reforms caused discontent and adverse behaviour among those affected and, ultimately proved unmanageable. The failure of the villagisation programme combined with the ongoing difficulties of enforcing controlled prices and managing a centrally planned economy eventually resulted in a breakdown of the formal economy, including a breakdown of the efficiency of state-owned enterprises.

Economic collapse had a corrosive effect on the key elements of the formal rule of government and bureaucracy. It led to a radical change in the economic constitution of the country, embracing first informal liberalisation, with a large "black" economy emerging over the 1980s and being increasingly accommodated at the official level.   Formal liberalisation of the economy was introduced gradually from 1986 onwards, with privatisation beginning in the 1990s.

One cannot overstate the depths of the economic collapse which Tanzania suffered in the early 1980s. It is thus all the more remarkable that the institutions of the state and of the party did not collapse with the economy. This places Tanzania in sharp contrast to Russia and several other Eastern European countries and, indeed, to other African socialist countries such as Guinea.

An abiding characteristic of the socialist rule of government and bureaucracy under Nyerere was its ability to counteract what might otherwise have been strong political cleavages. It retained this

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[9] Herbst, J. (2000), *States and Power in Africa. Comparative Lessons in Authority and Control*, Princeton University Press.

[10] The terminology is often confused but the move into "*ujamaa* villages" over 1969 to 1973 was a voluntary process – even if local officials in their enthusiasm may have used coercive methods. A formal policy of enforced movement into "development villages" was implemented from 1973 to 1976. Villagisation was formally abandoned in 1982 in a decision widely seen as the beginning of the end of *ujamaa* socialism in Tanzania (Meyns, P; 2000).

ability through the period of crisis and into the 1990s. We may attribute this success to three principal factors:

- o The powerful vision of nationhood, which Nyerere and the party were able to create – *ujamaa na umoja* : a self-reliant, united nation with a common language, in which ethnic and religious differences were secondary to the common bond of being Tanzanian and being African[11].

- o The extensive use of systems of patronage, right down to local levels, as a way of encouraging loyalty to the party.

- o Extensive controls over the expression of political views through controls over the media and through the one party system. The constitutional reform of 1977 established a system which not only disallowed political parties but also required all major institutions, such as labour unions and cooperatives as well as major cultural and religious associations to be either members of the single party or affiliated to it[12].

The 1992 constitutional reform introduced a pluralist political system, based on multi-party competitive politics. Although in many ways, it was a logical step in the process of economic and political liberalisation, it would be difficult to argue that the CCM were forced into this change[13]. Both in the timing and the form of the change Nyerere – at that time Party Chairman – was highly influential and indeed took many senior party members by surprise (including, it is said, President Mwinyi) when he announced the intention to move to multi-party democracy in a speech in early 1992. Nyerere himself justified the shift as the most effective way of reviving the party, which he saw as increasingly corrupt and monolithic and, as such, an obstacle to continued social development. He probably also perceived the potential danger of sharpened social conflict in future if the "political blockade" was maintained. (Erdmann; 2000).

For Tanganyika, at least, and possibly also for Zanzibar, the strategy of "guided democratisation" seems to have paid off. Certainly, it would appear to have preserved at least three key elements of the legacy of *ujamaa* socialism:

- The sense of nationhood remains a powerful unifying force, even without the very deliberate style of political management which originally generated it. Zanzibar is a major exception to this generalisation; yet it is only in Zanzibar that regionalism or factionalism is an important part of the political discourse[14].

- The CCM has been regenerated by the internal changes which the threat of electoral loss prompted and has largely retained its extensive network into rural areas.

- There continues to be broad-based respect for the state and for the institutions of the state[15] – a level of respect and trust, which in the 1980s was very close to disappearing.

The continued high-level of respect for the state holds advantages and disadvantages. On the one hand, it means that its legitimacy is not in general under question; thus it can collect taxes, direct public spending and continue to play an important organising and mobilising role – for the construction and maintenance of social assets (schools, roads, water supplies) and the protection

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[11] It should not be forgotten that the rhetoric of national self-reliance was part of a wider vision of solidarity and brotherhood between African peoples.

[12] Mmuya, Max. (2000).

[13] The meeting in June 1991 of pro-reform groups under the name of the National Committee for Constitutional Reform has been described as a landmark in the transition process (Mmuya, Max; 2000). It was clearly influential but it was essentially a group of students and academics, certainly not a mass movement., and the pressure for reform was some way short of being irresistible.

[14] This is not to suggest that there is room for complacency. Max Mmuya (2000) points out that there is a danger of ethnic and religious differences becoming increasingly important within a multi-party context.

[15] Chaligha et al. (2002).

of the environment. On the other hand, it means that actions undertaken by state agencies or state officials are rather unquestioningly accepted as legitimate. There are innumerable examples, especially from the border regions – Kagera, Rukwa, Kigoma, of controls being imposed illegally on the movement of food crops by district and regional officials long after the formal liberalisation of marketing. Rarely has such intervention been actively resisted and still less challenged in court.

A further legacy from the 1980s relates to the generalised acceptance of "moonlighting". The decline in real wages within the public sector in the late 1970s and early 1980s was so dramatic that it was literally impossible for public servants to survive and feed their families without having secondary occupations. Indeed, the fact that most public servants had to trade in the "black" economy goes a large way to explain why it grew so fast in the 1980s, making official controls increasingly untenable. Many civil servants continue to have secondary occupations, which to differing degrees they need to attend to within public service hours. This is generally understood and accepted, and, overall, citizens' expectations regarding the behaviour of public officials are less "purist" than might have been the case in the early years of the Nyerere period or than would currently be the case in most OECD countries. Certainly, there is not the sharp separation between public and private interests which public administration theory prescribes.

The nature of the relationship between citizen and state is one of the important areas of investigation of Component 2 of this study, which will permit a more up to date analysis of these hypotheses and their implications.

3.2   The effects of economic and political liberalisation

With the restructuring of the economy in the 1980s and 1990s, including progressive liberalisation and deregulation, began a new struggle for economic access and privileges among old and new elites and classes. Corruption is believed to have increased in the post-1986 period (see eg Evans and Ngalewa 2001; Kelsall 2002; 2000) and certainly there is evidence of preferential access to foreign exchange or to production inputs being used to gain commercial advantage. Some of the old (parastatal) elites have re-vamped themselves as a new (commercial) elite and an increase in donor engagement has invoked a largely new, urban-based group of internationally focused professionals.

In the meantime, there are signs that marginalised members of the old elite have formed a new rural based elite that features in new and old district and village-based institutions. (Gibbon 2001; 1998; Kelsall 2002; 2000). All of these elite groups compete for political power. In this endeavour they engage with the popular segments of society in efforts to gain support. Observers note, however, that at present such engagement with the lower strata of society appears sporadic, rather than forming strategic alliances that could induce fundamental (positive as well as negative) changes in Tanzania's social make-up. (See for example, Kelsall 2002; 2000)

In general those considered at the bottom of the social strata have yet to benefit from the shifting pattern of elite conflicts. Not surprisingly, non-elite social groups typically lack self-organisation, information, education and possibly strategic foresight to engage in political processes. Whilst some self-organisation is observed, little is known about how these processes take place, and how they might be constrained from forming strategic alliances with elites that could further mutual interests.

In the political system great powers lie in the executive, from the national level down to the local administrative level. With the ruling party Chama Cha Mapinduzi (CCM) taking up the initiative to open up for democratisation, it also had the opportunity to have a strong influence on the rules of the game. Some observers see this as restraint on the political transition. For example, Tripp points out that the CCM "launched the liberalisation process only because they believed they

would be able to stay ahead of the game, and that, by taking the initiative they would enhance the CCM's credibility over the opposition"[16]. Political restructuring has maintained a state bias in favour of the ruling party and the party nomination system. The opposition is generally weak in fulfilling the formal parliamentary role, although some individuals have performed very well.

Opinion surveys, such as the *Afrobarometer*[17] attest that the electorate does not have a clear idea what the responsibilities of their representatives ought to be. There is a dichotomy between encouragement of civil politics and (neo) patrimonial countertrends on the other hand, the rationale of which is difficult to capture from outside. Critical voices have pointed out the effects that donor money has had on accountability relationships within the country. External actors have focused on government's internal (horizontal) accountability, but externalising accountability (to donors) may have contributed to undermining vertical accountability to the electorate and to society.

3.3   Overview: a stalemate in the socio-political landscape?

In sum, Tanzania faces a number of political challenges. Taken together, it might be said that these constitute something of a "stalemate" in the socio-political landscape. Political reform has been described, with good reason as being "in eclipse" (Mmuya, 1998) and neither internal societal nor external forces of accountability appear to be having very much impact on this situation:

- Restructuring over the past decade has opened up political liberties. But it does not appear to have generated the sort of change in power relations which might trigger the formulation of new socio-political regimes. The political and administrative elites have basically remained the same, their vested interests being to maintain the status quo of power and structures.

- The tradition of the Executive as a strong and dominant force has been upheld and poses a challenge to the deepening of democracy. This is both because of the continuing influence of the Executive in the appointment of the statutory office holders within the judiciary and the special institutions of restraint (CAG, etc) and because of the relative weakness of the Legislature relative to the Executive.

- Political institutions at both the national and the district level of governance have remained weak. There are few incentives for the Executive to strengthen these.

- Donor funded initiatives to strengthen the functioning of the State have been very partial in their impact and may have inadvertently served to undermine accountability. For example, the Ministry of Finance has been strengthened but other equally important institutions, such as the Judiciary or the National Assembly have not received the same attention, although they are crucial for the maintenance of checks and balances. Initiatives and tools such as the PRSP have been constructed to include civil society participation in the Executive's policy discussions, but have not involved the National Assembly to the same extent. This may have contributed to the marginalisation of the Bunge[18].

- Finally, despite greater political liberties the level of interaction between the government and state institutions on one hand and poorer sections of society and 'civil society' on the other hand has remained low. 'Civil society' is heavily dependent on donor funding and some economically important segments of society as well as the vast majority of non-elites have no

[16] Tripp, A. M. (2000): 'Political Reform in Tanzania. The Struggle of Associational Autonomy'; *Comparative Politics*, No. 32 pp. 191-214.
[17] Chaligha et al. (2002).
[18] McGee et al. (2002): 'Assessing Participation in Poverty Reduction Strategy Papers: A Desk-Based Synthesis of Experience in Sub-Saharan Africa'. Research Report 52. Institute of Development Studies, England

real political representation. They therefore have no influence over improvements in the economic and social regime.

Interestingly, such stalemate situations are well researched historically. Those who have studied in-depth social transformation and economic development in Europe, East Asia and elsewhere stress that cross-national differences in strategic alliances among political elites and between political elites, economic elites and mass-based non-elites deliver the most convincing explanation why industrialisation and economic development has taken off more rapidly in some countries and failed to do so in others[19]. The general lesson from such research is that more egalitarian socio-economic development occurs when the interests of those who exercise political power are consistent with a long-term economic perspective, which gives prominence to broad-based socio-economic welfare – for example as a pre-requisite to continuing social stability or as a basis for the development of a consumer market.

The crucial question for Tanzania then is whether a strategic alliance of power groups is emerging or has the potential to emerge, which would have the incentive and interest to adopt such a long-term economic perspective. In order to answer this question, there is a need for better insights into:

a)   the formal and informal linkages between political representatives, the Executive, the administrative apparatus, society and elite groups,

b)   the effects of globalisation and economic change upon these relationships; and

c)   the effects that external accountability can have on these.

Components 2 and 3 of the study are intended to yield insights in these areas. In order to do this they will examine both national and local relationships and dynamics. One of the significant change factors in Tanzania is that economic and political restructuring has increased the importance of district level organisations and political power. This has made this level crucial for MPs to seek support and may have triggered new political dynamics and. It has also strengthened patrimonial politics and may perhaps have led to ethnic trust being used for clientelistic purposes[20]. Again components 2 and 3 will be able to throw light on the reality and nature of these tendencies.

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[19] Rodrik, D. (2003): *In Search of Prosperity*, Princeton University Press; for a historical account see Lachmann, Richard (2000): *Capitalists in spite of themselves. Elite Conflict and Economic Transition in Early Modern Europe*, Oxford University Press.

[20] Kelsall, T. (2000): Governance, Local Politics and Districtization in Tanzania; *African Affairs*, No. 99 pp. 533-551; Kiondo, A. (1995*):* When the state withdraws: Local development, politics and liberalisation in Tanzania; *The Journal of Modern African Studies*, No. 40, pp 597-619

4. Mapping Institutions, Stakeholders and Processes of Accountability

This chapter maps current accountability relationships in Tanzania, introducing key stakeholders, processes and institutions of accountability. The mapping exercise is based on a desk study of relevant Tanzania experience, information and material. It draws on a review of existing literature, reports and surveys on Tanzania's political and administrative institutions and systems, its polity, its social fabrics and structures and its external relations with international, governmental and non-governmental agencies. A comprehensive bibliography is included in Appendix 3.

The chapter is structured in four main sections:

- Section 4.1 describes organisations and institutions through which ***horizontal accountability*** is exercised. This includes the Executive, the National Assembly, the Judiciary and three institutions of restraints – the National Audit Office, the Prevention of Corruption Bureau and the Commission for Human Rights and Good Governance.

- Section 4.2 gives an overview of the ***vertical accountability relationship through the electoral channel*** at different levels of governance. This includes the national electoral system, the political system at the district level and the workings of the Electoral Commission. We also comment on multiparty politics and on the funding and organisation of political parties.

- Section 4.3 describes organisations through which vertical accountability may be exercised more informally via organised interest groups and broader based social movements. We distinguish between ***societal accountability*** at the national and the district/local level.

- Section 4.4 comments on ***external accountability***. It summarises the Tanzania government's relationship with multilateral and bilateral donors and explores whether external accountability has reinforced or undermined domestic accountability.

4.1 Horizontal Accountability – Political and Administrative System and Processes

4.1.1 The Executive

The Executive comprises the President, the Vice President, the Prime Minister and Cabinet. The President is elected directly by popular vote and his powers of appointment are extensive. He appoints the Chief Justice, other judges, key Civil Servants, including Principal Secretaries, at government headquarters all the way down to the District Executive Director in the local governments (Ewald 2002:5). The President also appoints the top commanding officers in the armed forces. Furthermore, the President has the power to appoint and dismiss cabinet ministers at will.

Cabinet consists of 27 Ministers and 17 Deputy Ministers. Cabinet ministers are appointed from among the MPs and retain their seat in Parliament - *the Bunge* - while they serve as members of government[21]. Although the 1977 Constitution provides for collective ministerial accountability,

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[21] In Tanzania "Parliament" and "National Assembly" are not used identically. Parliament refers to the President together with the National Assembly, while the National Assembly refers to the legislative body only. Here, these concepts will be used interchangeably as synonyms with the legislative branch of government.

Cabinet is only partly subject to the confidence of the Assembly. The *Bunge* has the option of a vote of no confidence for the Prime Minister but not over Cabinet ministers. On the other hand, it should be noted that from 1992, under provision 46a of the Constitution, the National assembly can pass a resolution to remove the directly elected President[22].

The Tanzanian Cabinet is of considerable size. When President Mkapa entered his first presidential period he reduced the number of ministers, but it has steadily increased since 1995 (Wang 2005). This has reinforced the familiar pattern of bloated governments vis-à-vis a marginalised position of the legislature. Kelsall (2002:612) notes that there is a tendency to co-opt particularly outspoken MPs into Government, thus moderating parliamentary debates. A small group of cabinet ministers close to the President sets the cabinet agenda. Other ministers are not very influential (Ewald 2002). Observers have suggested that cabinet reshuffles have been used strategically as a means of preserving and enhancing the position of ethnic and regional representatives in the upper echelons of government[23].

The President also appoints the Prime Minister, who must come from within the ranks of the majority party in the assembly (or, if no political party has a majority, enjoys the support of the majority of the Members of Parliament). His appointment must be approved by a resolution of the Assembly supported by a majority vote of MPs.

In terms of administrative structures there are presently 19 ministries. The Tanzania Ministry of Finance (MoF) and the President's Office – Public Service Management (PO-PSM, formerly the Civil Service Department, CSD) have emerged as central ministries within the political and administrative system and are key to donor-funded administrative reform programs. The MoF has gained importance as the governmental locus of power serving as the primary link between the state and the donor/creditor community (Harrison 2001:664).

Administrative structures are generally described as "extremely hierarchical, centralized, and characterized by an elitist attitude and weak capacity" (Ewald 2002:7). The administration is significantly politicized and certain positions appear to be appointed on the basis of party affiliation. Ministers generally have little ability to control and steer their own ministries (Mmuya 1998). Control functions are concentrated in and limited to the Principal Secretaries, the Deputy Principal Secretaries and departmental directors, all of whom are appointed by the President.

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[22] This is an impeachment procedure and while impeachment is in progress the President has no power to dissolve the National Assembly (1977 Constitution Art. 90). The procedure for impeachment is complicated, however, and can only be initiated under special circumstances. Impeachment enforces juridical compliance with the constitution and is not really an exercise of political control by the Bunge. The procedure for impeachment is as follows: (i) The President can be impeached only for gross breaches of the Constitution or for bringing the Office of President into disrepute, (ii) The motion recommending formation of a committee of inquiry to investigate the President should be supported by twenty per cent of all MPs and should be delivered to the speaker thirty days before presentation to the national assembly (iii) Once the speaker is satisfied that the motion has followed all the required procedures he presents it to the assembly which votes on it without deliberation; (iv)If the motion is carried by two thirds of all the MPs the committee is formed consisting of the Chief Justice of the United Republic, a chairman, the Chief Justice of Zanzibar and seven MPs (these are appointed by the Speaker but s/he should take into account the proportional representation amongst political parties in the House). (v) The committee investigates, and reports to the assembly which, in turn, affords the President an opportunity to be heard. If two thirds of the MPs resolve that the allegations are correct, the President must resign within three days of the resolution (1977 Constitution Art. 46A).

[23] A careful balancing of the regions was effected in the appointments to the 1995 Mkapa Government. This has generally been taken as a conscious effort to redress the perceived religious and regional imbalances of the Mwinyi era. A pattern of organizing into regional blocks has also been observed in Parliament (Kelsall 2002:612).

The availability of disciplinary measures over the use of public funds appears to be inadequate. It has been pointed out that the Permanent Secretary of Finance (acting as Paymaster General) lacks authority. He is at the same level as other Ministries' Chief Accounting Officers and has not been adequately empowered to ensure that they implement the recommendations put forth, for example, by the PAC or the LAAC (Naschold and Fozzard 2002:37; Wilcox and Gerdén 2004).. Furthermore, although the public service has been cut to size, it is not a professionalized service (Hyden 2004). Retention of qualified staff has been a challenge, because private sector remunerations are more generous.

Figure 3:   Horizontal Accountability – Legislature & Executive at the National Level
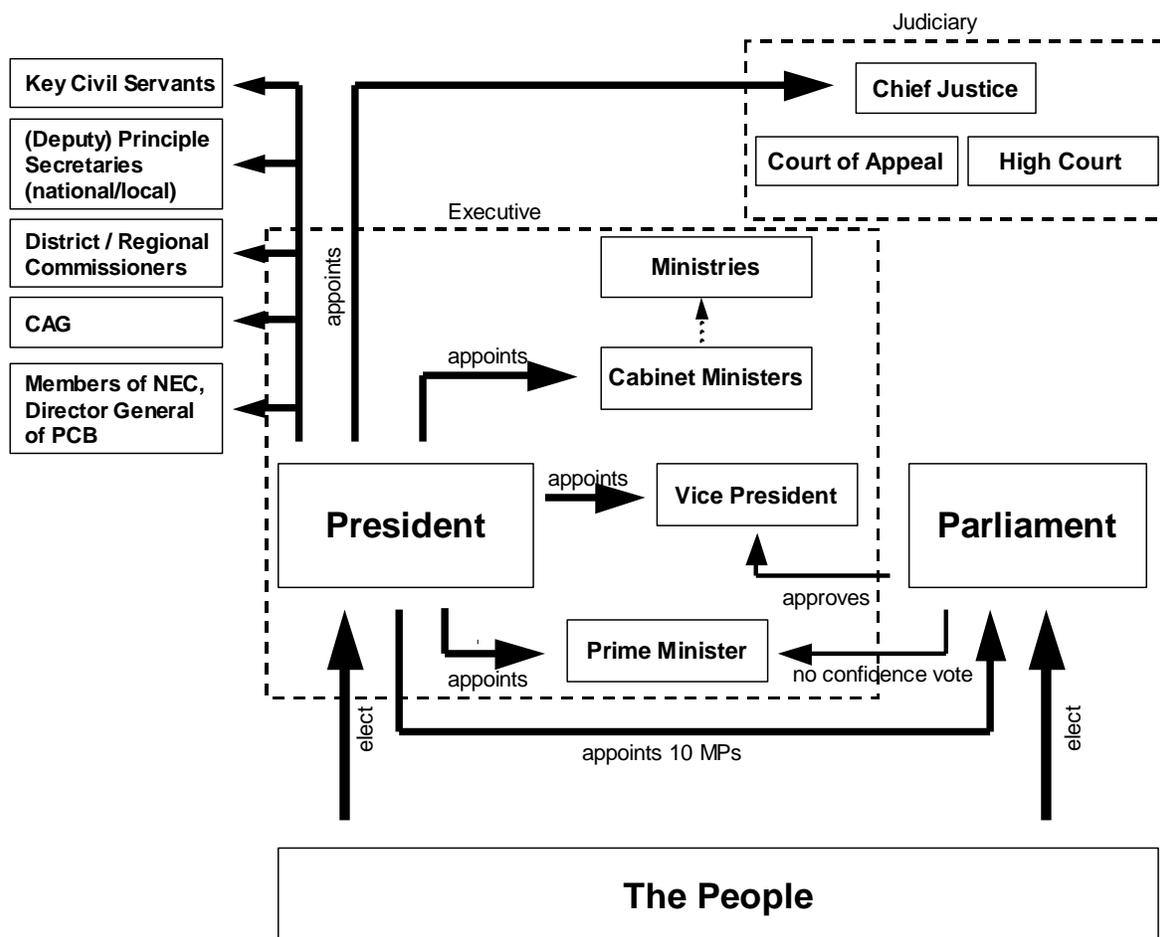
4.1.2 The National Assembly

The National Assembly – the Legislature – stands in the midst of two accountability relationships. Whilst it is accountable to the electorate (vertical accountability), the Executive is accountable to the Legislature (horizontal accountability). These are the "checks and balances" of democratic systems of governance. The description of the Executive in the previous paragraph suggests that the Tanzanian politico - administrative system does not feature a system of checks and balances that allows for a strong Legislature.

The *Bunge* is composed of 232 directly elected members from single member constituencies (first-past-the-post system), 5 members elected by the Zanzibar House of Representatives, 49 women representatives (indirectly elected) and 10 presidential nominees – amounting to a total of 295 MPs. The Attorney General is an *ex-officio* member of parliament. The Speaker of Parliament heads the Tanzanian *Bunge.* Since the last elections in 2000 the leading party, the CCM, hold almost 88% of all seats in Parliament, up from 78% seats in the first multi-party elections in 1995.

Before the second election to the multiparty union parliament in 2000, the number of indirectly elected members was increased. First, the proportion of indirectly elected women in the House was raised from 15 % to 20 % in 1996. These seats are distributed proportionally according to the number of seats a party has won. The number of women's special seats should constitute no less than 20% of the total number of seats. In the 2000 general elections all but three of these women's special seats went to members of the ruling party. Second, the 13th amendment to the Constitution in February 2000 - only a couple of months before the election - re-instated the practice of presidential appointees, which had been constitutionally abolished in 1992 as part of the introduction of the multiparty system. This constitutional amendment has enabled the President to appoint 10 MPs to the 2000-2005 Parliament (Peter 2001:30; Biddle et al. 2002:17). Observers note that the motive behind the restoration of power to appoint members to parliament is a means to ensuring the control and dominance of the ruling party.[24]

The Assembly holds four sessions a year in the *Bunge* building in Dodoma. Three of these usually last for about 10 working days, while the budget session lasts for about 40 days (Tanzania Parliament 2002:8). Parliamentary committees typically meet in Dar es Salaam in the week before parliamentary sessions take place. The MPs spend much time commuting between Dar es Salaam, Dodoma, and their constituencies. This has created the practical problem that bills to be discussed in sessions do not reach MPs in time and this impinges on the quality of parliamentary debate (Biddle et al. 2002:22).

Despite an increase in resources available to Parliament during multipartyism the quality of MPs' work is hampered by a basic lack of researched information. This is mainly down to budget constraints, which leave the parliamentary library with a shortage of trained staff and with difficulties to get hold of relevant new material (Bunge News 2000:23; Biddle et al. 2002:29). MPs also complain about inadequate working tools, such as a lack of secretaries, offices and access to computers. Legal impediments instituted under the one-party system are still in operation, and make it difficult for the MPs to access information. The same legal provisions hamper access to government information and transparency more generally. For example, the government tightly controls the distribution of information to the media through the "defence of the public interest norm" stipulated in the Newspaper Act (Biddle et al. 2002:26). Civil service regulations and standing orders also constrain public officials from releasing information (Biddle et al. 2002:26). Notwithstanding, the overall skills of MPs has been strengthened in recent years. Thus, the ability of MPs to subject bills to thorough scrutiny is better than during the one-party era. Despite this improvement to the better a lot remains to be done. The National Framework on Good Governance from 1999 for instance recognises that for the Bunge to perform its function effectively, the quality of the MPs needs to improve further.

The Bunge comprises 13 standing committees after the introduction of multiparty politics outnumbering the eight that existed during the one-party era. In 2001 eight departmental committees were established to take a closer look at government estimates. These are permanent in nature, but meet only during budget sessions. As a result, the standing committee system has

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[24]Two of the appointees had recently defected from the opposition before joining the ruling party. Among the appointees was also a CUF member. This latter appointment was perhaps an effort to create oppositional goodwill (Biddle et al. 2002:17).

been extended generating more favourable conditions for Parliament to act independently in the policy process. There is also the possibility of establishing quasi-judicial 'probe' committees. These can be seen as a useful supplement to the established committee system and have been formed on a number of occasions[25] (Kelsall 2004). In contrast to the one-party system most of the standing committees are more or less organized according to policy subjects and linked to one or more ministries. There is a clear rank order among the standing committees, with the Public Accounts Committee and the Finance and Economic Affairs Committee holding a special position among the MPs (Wang 2005).

Committees can summon officials to stand before them and a few have habitually exercised the right to do so[26]. Some committees are now also allowed to conduct public hearings. But as the Speaker asserts (2000b:6), because of scarce funding this is only applicable to a few selected bills of particular importance or interest where the Speaker authorizes the use of this mechanism[27]. It is a general problem that lack of funding, skills and effective enforcement mechanisms prevent committees from adequately attending to their workload and to carry out proper oversight (Rutashobya 2004:28). During the one-party era and in the 1995-2000 Parliament the standing committee membership lasted for only one year. The rotation of standing committee membership was extended to 2.5 years in the 2000-2005 Parliament thus establishing more favourable, if not ideal, conditions for acquiring experience and expertise. The membership of the newly established departmental committees last for the entire tenure (five years) of Parliament.

A worrying characteristic of the relationship between the Executive and the Legislature is the lack of institutionalised possibilities for the *Bunge* to communicate dissatisfaction with the Executive in a manner that entails real political costs. This becomes particularly evident during the budget process. Ewald (2002) argues that a series of administrative reforms not least promoted by the donor community have contributed to a marginalization of the position of Parliament (and other accountability actors). Thus, he states that an "iron triangle" has developed between the Presidency, the MoF and donors around budget work. While the technical capacity of the MoF has been strengthened and the participation of civil society organisations at various stages of the budgetary process have been acknowledged, for example through the PRSP process, the crucial role of Parliament as the representatives of the people of Tanzania has been significantly ignored (Gould and Ojanen 2003).

The *Bunge* is largely excluded from participating in the preparatory stage of the budgetary process, whilst certain NGOs have been granted a voice in the process all the way from the preparatory stage to the oversight of policy implementation (McGee et al. 2002:65-66). Thus, parliamentary approval of the Finance Bill comes close to a mere formality. Parliament can only recommend changes within the parameters set by the MTEF and its role is reduced to debating the budget at a fairly detailed level, rather than impacting on crucial broader policy proposals.

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[25] Probe committees have for instance been established in relation to cases which have ended with the resignation of ministers, most notably the 1996 resignation of Finance Minister Simon Mbilinyi, and the 2001 resignation of the minister for Industries and Trade, Iddi Simba. With respect to the former, it has later been claimed that Mbilinyi was ousted from office because of frictions within the CCM (Kelsall 2002: 606).
[26] Some of the committees that have been active with respect to this are the Public Accounts Committee (PAC), the Local Authorities Accounts Committee (LAAC) and the Finance and Economic Affairs Committee (FEAC).
[27] The Speaker of Parliament holds a strong position within the party and is known for preserving and cultivating ties with the forces in the upper echelons of the CCM. He is no longer an MP but due to a recent constitutional amendment he has been allowed to continue as Speaker. A recent study refers to dissatisfaction among the MPs with this arrangement and several regard it as a sign of further executive dominance over parliament (ARD/USAID 2003:24).

The accountability function of the Assembly is furthermore undermined by strong party discipline (Kelsall 2004; Wang 2005). Party group organization within the ruling party is institutionalized, which is not necessarily the case for the opposition. The whip system and the CCM party caucus have become forceful organs to make ruling party MPs toe the party line. According to Tanzania's electoral law MPs cannot cross the floor in Parliament. This provides parties with an effective disciplinary mechanism that can evoke expulsion from the party. Expulsion in practice means having to resign from the parliamentary seat and thus there are strong disincentives to do so. With strong party discipline and no public inner-party criticism allowed, parliamentary debates are often superficial. Compared to the one-party era, the vigorousness of debate in the plenary has diminished. As argued by the Speaker of Parliament, Pius Msekwa:

> "it is therefore absolutely naïve for anyone to expect that the majority ruling party members of Parliament will do anything which might result in their government's proposals being defeated. It is a moral obligation for them to support the government of their party on the floor of the House… it is misleading to talk about free expression in the National Assembly by the MPs" (Msekwa 2000:76 & 117).

At the same time the party discipline at the committee level is more relaxed after multipartyism. Control over the committees by the party leadership is less strong, and the committee members are allowed to speak more freely (Subilaga 2001:25). While it is likely to believe that the crucial debates take place primarily within the CCM party caucus, the most vigorous discussions in the Bunge now are confined largely to the committees.

The constitution grants the President extensive powers of dissolution of the Assembly, which further weakens the accountability function of the Bunge. There are, for instance, no limits on the number of times the Assembly may be dissolved. Dissolution of the Assembly would, however, require the call of a new presidential election. The President also holds a package veto, which can only be overridden by a two-thirds majority in Parliament. If this happens, and a bill is still not acceptable to the President, he would have to call new parliamentary and presidential elections. Neither case has occurred to date.

The constraints placed on the workings of Parliament are considerable and reinforced by strong ruling party discipline. Nonetheless a slight improvement in the Bunge's accountability function may be observed. The multiparty Bunge is better fit to hold the executive accountable than the one-party Bunge but the development has been from a low base. The improvement particularly relates to the strengthening of the committee system but also to a slight improvement in available resources and better skilled MPs. It should be noted, however, that the relative strengthening of the committee system has been paralleled by an increase in the ruling party discipline which may have acted in the opposite direction. (Wang 2005).

4.1.3 The Judiciary

Observers hold that the judiciary does not have a strong position vis-à-vis the Executive in Tanzania. However, higher ranks of the judiciary are commonly regarded as competent and moderately independent (ARD/USAID 2003; Gloppen 2003; Ewald 2002). Moreover, the direction of change over the last decade has been towards increased judicial assertiveness (Gloppen 2003).

The court system is of hierarchical structure with the Chief Justice at the top. The higher courts, the Court of Appeal and the High Court comprise only 43 judges (including the Chief Justice). The President appoints the Chief Justice, while the judges of the Court of Appeal are appointed by the President on advice of the Chief Justice, and High Court judges are appointed by the President on advice of the Judicial Service Commission. The President is not committed to follow the advice and has occasionally ignored the list of nominees. The strong involvement of the President in the

appointment procedures is considered a problem for judges' public confidence. Judges are appointed for life and can only be dismissed for misconduct or incompetence. A commission of inquiry consisting of three judges (one from another Commonwealth country) recommends to the President who must abide by the advice (Gloppen 2003:125-126) The small size of the judiciary has enhanced the importance of individual personalities particularly Chief Justices, such as Nyalali (former) and Samatta (current) who have been very prominent (Gloppen 2003).

Whilst cases are still rare, courts have on occasions ensured that power-holders have not overstepped their constitutional powers. Politically significant cases include the 2002 *5 million TSh judgement* requiring elections petitioners to deposit 5 million TSh as security and the 1994 *Mtikila case* which lifted the ban on independent candidates. Other cases are the *Peter Ng'omango* ruling which made it easier to sue the government and the *Pumbun case* which has constituted a precedent for handling ouster clauses (Gloppen 2003:115-116). The authority of the Courts has not always been respected as Parliament has amended laws to overturn rulings. Parliament for instance overturned the ruling in the Mtikila case by re-introducing the clause (ARD/USAID 2003; Gloppen 2003). The lower echelons of the courts i.e. the Regional Magistrate Courts (108), District Courts, Magistrates (206) and Primary Courts (653) are reputed as being rife with corruption and are generally held in low esteem. Political influence has been cited as a problem (see, Gloppen 2003) but acute scarcity of resources and low pay are additional explanations of the unsatisfactory state of affairs in the lower courts (ARD/USAID 2003; Ewald 2002).

4.1.4 Special Institutions of Restraint

The National Audit Office (or by its more general name - Supreme Audit Institution) is an important organisation within horizontal accountability, its primary purpose being to oversee the management of public funds and the quality and credibility of governments' reported financial data. The Tanzanian National Audit Office – previously, the Controller and Auditor General (CAG), has been in operation since independence. It submits the audited accounts of government to the Parliament through the MoF (Rutashobya 2004:22). These are then reviewed by the parliamentary Public Accounts Committee (PAC). The President appoints the Auditor General who heads the NAO.

In its practical work, the NAO is constrained by the lack of financial independence and the lack of independence over human resource management decisions. The Executive decides over its budget and in terms of remuneration it is unable to offer competitive terms and conditions compared to private sector accountancy firms because it is bound to civil service salaries. The practical relevance and influence of audit reports is often compromised by lack of timely information. Although capacity has increased in recent years and the timeliness of some of its reports has improved the NAO still fails to report to statutory deadlines (Tax 2004; PRBS/PRSC Review 2004). This applies in particular for the accounts of local governments (Rakner and Wang 2005). Serious shortfalls are also noted on the follow up side. NAO reports point out a number of recurring problems, the rectification of which Parliament and the PAC have been unable or unwilling to enforce upon the Executive (Simpson 2004; Rutashobya 2004).

The donor community has been seen as partly culpable for the poor performance of the NAO. Until very recently, public financial and administrative reform initiatives have been centred predominantly on Government ministries and have not taken into account the parallel need to develop the capacity of the NAO as the independent oversight body. Weak capacity has undermined the credibility of the office and thus also undermined parliamentary oversight. Lack of trust in the work of the NAO is demonstrated through donors' practice to hiring in private audit firms to audit projects, by-passing the NAO rather than assisting to build its capacity. Moreover, the NAO finds that although an increasing amount of donor funds is channelled through the national

budgetary process, keeping funds in separate accounts hampers the NAO's ability to keep track of funds and audit expenditure comprehensively (Rakner and Wang 2005).

In line with trends in a number of more recent democracies, new special agencies of restraint have been established in Tanzania to oversee and guard against executive power. These include the Prevention of Corruption Bureau and the Commission of Human Rights and Good Governance.

Tanzania has one of the longest serving anti-corruption agencies in the world. A predecessor to the **Prevention of Corruption Bureau** - the Anti-Corruption Squad – was already established in 1975 and was revitalised in 1998 (Langseth and Stapenhurst 1997) [28]. Since then the budget for this entity has steadily increased, more staff have been hired and PCB offices have been established in all mainland regions (ARD/USAID 2003, Heilman and Ndumbaro 2002). Although a study on anti-corruption mechanisms in Southern Africa commends that PCB officials have not experienced government interference in their work (Matsheza and Kunaka 2000), this view is highly contested. Pope (1999) found that the PCB had by and large failed in its effort to combat corruption. Although its budget has increased exponentially since then, it is not yet clear what impact tis may have had on its operational effectiveness.

The PCB reports directly to the President and its Director General as well as directors are appointed and can be removed by the President (Shayo 2003). By being located within the President's Office it has been in no position to tackle serious corruption involving actors close to the Presidency. This is confirmed by Heilman and Ndumbaro (2002) who report that high ranking officials have on occasions interfered in PCB investigations, and that the decision to take action against people is strongly influenced by their position and political connections. Few cases have actually led to conviction. This can partly be explained by the PCB's dependence on the Directorate of Public Prosecutions and that the burden of proof in corruption cases has been high (ARD/USAID 2003).

The **Commission of Human Rights and Good Governance** (CHRGG) was formally founded in 2001 and is a combined ombudsman and human rights commission. The previous ombudsman was called the Permanent Commission of Enquiry (PCE) and was established as early as in 1966. Its operation was confined to investigation of violation of principles of good governance. In 2000 the PCE was abolished and replaced by the CHRGG to allow for the investigation of human rights issues as well. The Commission is mandated to preserve and promote human rights and principles of good governance. The formal framework (Act No. 3 2001) ensures the relative independence of the Commission, but its work has so far been constrained by a huge backlog of cases inherited from the PCE, amounting to more than 3000[29]. In 2002 the CHRGG was still in the process of hiring core staff, and no staff had yet been assigned to the human rights division[30]. The Commission is categorically prevented from investigating the President.

Notwithstanding the potential contribution of these agencies of restraint to the overall structure of horizontal accountability, many commentators have suggested that these formal institutions of control are unlikely to be effective – even with substantial reforms – in a context of relatively weak administrative capacities and traditions, such as Tanzania. In such a context, it is argued that improvements in governance are more likely to result from economic and regulatory reforms (aimed at minimising the potential for rent seeking) combined with improved access to information and citizen empowerment. (Shah, A. & M.Schacter, 2004).

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28 The Prevention of Corruption Act of 1971 provided for the establishment of the Squad, but did not take effect until 1975.
[29] Even after the PCE was formally abolished in 2001 the public was invited to bring complaints to it.
[30] Data based on interviews (carried out by Vibeke Wang) with CHRGG staff in Tanzania 2002.

The above overview of key actors, institutions and processes of horizontal accountability indicates that the Executive is by far the most powerful political institution in Tanzania. We conclude that from a formal perspective the institutional framework of horizontal accountability is flawed. The strong presidential Executive overrides the Legislature's mandate to exercise control and oversight. Overall it is perceived that Parliament's responsibility to hold the Executive to account has been slightly strengthened with the introduction of multi-party democracy. A positive development is also traced with regard to the higher courts and the NAO. Nevertheless, there remain both structural flaws in the division of powers between the Executive and other parts of the state and practical constraints arising out of the predominance of the ruling party.

4.2 Vertical Accountability through the electoral channel

4.2.1 The Electoral System

Most Tanzanian Members of Parliament are elected to Parliament from 232 single member parliamentary constituencies[31]. (Figure 4 below shows the balance of voted and appointed MPs). The electoral system is based on the first-past-the-post principle. This system is also employed in local government elections where candidates stand in 2411 local wards[32].

In addition to electing Members of Parliament, Tanzanian voters elect the President by direct vote. The 1995 elections stipulated that for a candidate to win the presidential election more than 50% of total votes cast had to be won. This requirement was abolished through a constitutional Amendment prior to the 2000 national elections. Thus a candidate can presently win by simple majority (Peter 2001:30).

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[31] As referred to earlier, there are also nominations made for MP positions reserved for women. These are generally allocated in proportion to the seats held by the different parties.
[32] Tanzania is also divided into 26 regions led by Regional Commissioners, but these are not electoral units.

Figure 4:   Vertical Accountability through the Electoral Channel
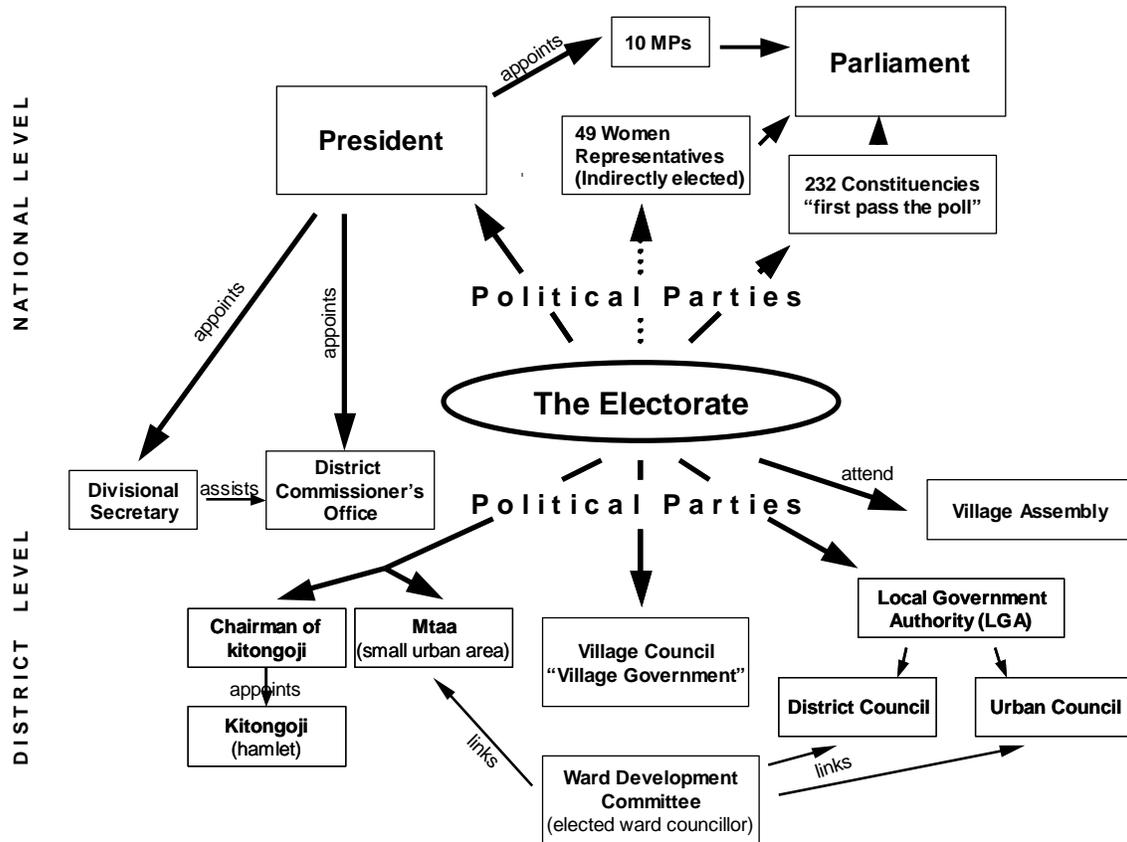
Tanzania represents a dominant party system where the same party, CCM, has remained in power since independence. CCM's presidential candidate, Benjamin W. Mkapa received an overwhelming majority of votes in both the 1995 and 2000 union parliament elections, receiving respectively 62% and 71% of votes cast. In both elections, opposition parties have failed to form a united front. Prior to the 2000 legislative elections the opposition disintegrated and saw its parliamentary representation reduced. The CCM dominance is similarly pronounced at the local level.

Furthermore, the electoral system skews the distribution of parliamentary seats in relation to votes received, illustrated by the fact that in the 1995 general elections CCM received 59% of all votes cast, but won nearly 80% of the seats in the Assembly (Ewald 2002).

4.2.2 Political Representation at the District Level

In 1999 Tanzania initiated a Local Government Reform (LGR) programme, which is still under implementation and has suffered from a slow start. The aim of the reforms was to devolve decision-making authority to district authorities. The Local Government Authorities (LGAs) are referred to as the administration of those entities "operating on a local level, functioning through a representative organ known as the Council, and established by the law to exercise specific powers

within a defined area of jurisdiction" (Baker and Wallevik 2002:16). LGAs are autonomous and can be distinguished between urban Councils and rural District Councils. These councils are the supreme decision-making body at the district level.

Councillors are elected at the ward level. One councillor is elected for each ward through a popular and secret ballot, similar to the electoral system applied in the national parliamentary elections. A fixed quota of one-quarter of all council seats are reserved for women who are appointed by their political parties on the basis of the number of seats won by the parties. The Member of Parliament of a council's constituency is also a council member. District councils are responsible for social service provision, road maintenance, planning, agricultural extension and livestock management. Further, they have the power to make bye-laws, which is most often exercised in respect of taxation and local public order issues. The approval of the Minister for Regional Administration and Local Government[33] is required. In practice this gives the minister large discretionary powers. Bye-laws must be in conformity with the Constitution.

In terms of capacity the elected District Councils are often said to be weak. Councillors are frequently discredited as "illiterate local power brokers who cannot be trusted to deal with the technical task of governing a modern administration" (ARD/USAID 2003:38).

The chief executive officer at the LGA level is the District Executive Director (DED) in rural councils or the Urban Director (UD) in urban areas. He is the secretary of Council meetings, and despite having no voting rights, may have considerable power and influence over council matters via agenda setting. Thus the personal relationship between the Executive Director and the Council Chairperson is quite important.

Below the LGAs are the *Kitongoji (hamlets),* which were formally established in 1992. They are the smallest administrative units in a District Council and are not considered a local government authority. The Mtaa (a street or block) is the parallel unit in an urban area. The chair to the kitongoji committee is elected on a political basis. To the mtaa committee the chair as well as a secretary and the other members are elected on political basis. The functions of these committees are to drum up support for development initiatives at the grassroots and in a sense to be the mouthpiece of local people in the development planning process. Concerns are communicated to the committees, which in turn discuss them. The expressed priorities in local development and service delivery are then passed on to the village council or, in urban areas, the Ward Development Committee (Baker and Wallevik 2002).

The Village Councils are the rural local authorities within a ward. It is in effect a village government and has responsibility for the day-to-day running of the village. The chairperson is elected, and so are a number of other members (not more than 25). There are also preferential seats for women. The Village Executive Officer (VEO) is the secretary to the Village Council, but has no voting rights. The Council also has the authority to make bye-laws. It is required to consult the Village Assembly, but the views of the VA are not binding. The proposal must then be submitted to the District Council and upon its approval, the bye-law comes into effect. Note, however, that in addition to the Council, the Minister also has overriding powers of village legislation (Shivji and Peter 2000).

The Village Assembly is a meeting where all adult villagers are invited to attend and functions as an information forum. The chair and secretary of the assembly is the VEO. The Village Assembly lacks tax raising powers, ability to hold executive officers to account, and power to legislate (Shivji and Peter 2002). Village chairs and the council are not subject to popular vote.

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[33] This ministry is now place within the President's Office (PO-RALG).

The Ward Development Committee acts as an important intermediary organ between the District or Municipal Councils and the Village or Urban councils. Among other things, it coordinates development initiatives and social service plans; supervises their implementation and elects the VEOs (Baker and Wallevik 2002).

At the village level there are also Ten Cell Leaders. The Ten Cells are part of the former CCM government hierarchy and thus part of the party structure. Every hamlet or village chooses a person to be the CCM party representative to take care of and solves local matters. The continued use of Ten Cell Leaders, for example in the electoral registration process further blurs the distinction between political representatives, civil servants and party structures. Local people are uncertain as to whether Ten Cell Leaders hold party or government positions (Kelsall 2004b). The picture that emerges is that the lower levels of governance have not become more responsive and accountable to villagers because administrative leaders are first and foremost accountable to district authorities (ARD/USAID 2003:39; Shivji and Peter 2000).

Parallel to Local Government Authorities, the central Executive expands to the local level via Regional and District Commissioners who are the executive representatives of central government at lower levels of government. Regional Commissioners (RC) are appointed by the President and are the principal representatives of government within the region. Their main responsibilities are to maintain law and order - the RC has the power to arrest and detain; determine the direction for implementing government policies; and, to facilitate and assist LGAs in the region. There are no elected representatives at this level. At the district level there are 130 administrative districts, led by District Commissioners (DC) whom the President also appoints. Their task is to assist the Regional Commissioner in the discharge of his/her duties, mainly in maintaining law and order in the district.

Accountability and credibility of district administrations has been low and these entities have sometimes simply been considered as agents of central government (Ewald 2002). Technical officers at the district level are commonly little qualified and in particularly there is a shortage of auditors and accountants.

Administrative decentralization has led to the substitution of provinces/regions by districts as the vital level of public administration (Gibbon 1998:49). As the central state has withdrawn from this level of governance which under the previous regime was considered among its key responsibilities, there has been a significant increase in the provision of basic social services and infrastructure by non-state actors ranging from various donors and NGOs to locally organized private vigilante groups (Kiondo 1994:50-54). Medium and large-scale capital investment has also undergone a localization process, and made additional resources available for political and economic activity at the district level.

Some observers argue that with the retreat of the state, the "spoils" character of the Tanzanian political elite has escalated. Economic liberalization has increased the elite's incentive for self-enrichment (Kelsall 2002:608) and has accelerated informal politics and a de-classing of the elite (Gibbon 2001:842; Gibbon 1998:49; Kelsall 2002:610-611; 2000:549). Members of the elite who did not manage to position themselves strategically with the advent of economic liberalization were retrenched and often returned to their old villages, where they may have engaged in economic activities. Kelsall (2000:550) maintains that the search for new sources of wealth is discernible in struggles for control of local non-state institutions, which provides access to considerable resources. Alongside the increased flow of donor resources at this level, districts have emerged as the crucial focus point for MPs.

4.2.3 Multiparty Competition and MPs' Relationship to Constituents

Under the current system the multiparty MPs are dependent on building a solid base of local following to win the election, which is different from the situation under the one-party system before 1992. The current system has considerably altered MPs outlook on their representation of voters. The electorate now plays a decisive role in choosing contestants. Significantly, the National Executive Committee (NEC) of the CCM can still re-rank or nullify people's preferences, but it does so in a more transparent and careful manner (Biddle et al. 2002:19). As primary elections within the CCM are more open and competitive, the level of formal party funding has been scaled down. Incentives for "buying" and bribing the electorate have been strengthened.

The electoral laws have in fact been conducive to corruption. Since the first multiparty elections on a national level, the handing out of treats and gifts has been widespread during the election campaigns (Kelsall 2002:611). In 2000, Parliament passed a law legalizing "hospitality" (takrima) by the contenders to political office. Experiences from the 2000 general election show that many ruling party leaders utilise this in order to win elections. Heilman et al. (2001:16) report of numerous press accounts of candidates with plastic bags of money and fights breaking out among campaign staff and supporters over the allocation of such money. Irregularities and corruption charges were reported at both council and parliamentary level and were examined by the PCB (Biddle et al. 2002:20). As a consequence of this, it has become more expensive to stand for election and this is likely to have an impact on who is able to stand.

The political power of MPs is to a large extent based on their constituency networks, and their contacts in the government and the civil service. When a MP visits his/her constituency, the personal needs of the constituents are often what matters. MPs are asked and expected to assist constituents with various kinds of problems, such as transportation, school fees, finding work etc. This represents a significant change relative to the one-party system. An orientation toward the district is now essential. With the competitiveness of politics having become fiercer it now seems just as important as having the right party connections or holding a central position within party structures.

4.2.4 Political Parties

When the multiparty system was adopted in 1992 the ruling party *Chama Cha Mapinduzi* (CCM) was formally separated from government. Transition of the political regime took place under the guidance of the CCM and has given the political leadership of the ruling party the opportunity to control the process. In general, economic reforms and liberalisation have been faster and more profound than political reforms and have preceded these by a number of years (Harrison 2001; Therkildsen 2000). Political and administrative elites have basically remained the same and have maintained the status quo of political power structures (see, Ewald 2002; Kelsall 2002). The tradition of the Executive as a strong and overly dominant political force backed by the party prevails.

The main opposition party is the Civic United Front (CUF) with its stronghold on Zanzibar. Additional opposition parties represented in the 2000-2005 Parliament are Chama cha demokrasia na maendeleo (Chadema), United Democratic Party, the National Convention for Constitutional Reform (NCCR-Mageuzi), and the Tanzania Labour Party (TLP). Observers note that most opposition parties lack a comprehensive political programme; are conflict ridden, centred on individuals, have a narrow social base, and are urban biased (Whitehead 2000; Ewald 2002; Mmuya 1998; ARD/USAID 2004). This strengthens the position and standing of the CCM.

Parties' ideologies are set out in party programs, but are generally loosely defined, bearing little practical relevance to party politics.

Party financing with public funds is dispersed proportionally according to the number of seats a party holds in the legislative assembly. The amount the opposition receives is therefore scant and parties not represented in Parliament do not receive public party financing at all. As the CCM has more members than any other party it also collects a larger amount of member fees. More significantly, the CCM is able to draw on its networks within the national and local elite and also inherited significant assets from the period of the one-party state[34]. The opposition parties sometimes receive contributions from individuals and informal groups of businesses, but do not have the same elaborate network of contacts as the CCM. At the local level candidates sometimes finance parts of their own election campaign. CCM members tend to be more well-off than their counterparts from the opposition (Kelsall 2004b).

Donors have at times directly supported political parties, for example by the Dutch IMD or by German political foundations and SIDA are currently contemplating similar initiatives. While the German political foundations have mostly targeted opposition parties, the IMD policy is to provide support propoertional to the votes received by each party in the most recent national election. In addition, the CCM benefits from indirect external support to the Government through the strong linkages between the state and the party (see, Kelsall 2004b; ARD/USAID 2003).

The internal *party organization* of the CCM is more elaborate and institutionalized than that of the opposition. Some members of the opposition also have succeeded in establishing quite sophisticated organisational structures, but these often break down when it comes to actual decision-making. Decisions are then personalized and made at the top, by-passing lower party structures. Limited means prevent the opposition from fielding candidates in all constituencies and calling large national party conferences. The CUF is the only opposition party with a strong presence on Zanzibar (and is not very strong in mainland Tanzania). All other parties are focused on the mainland. Internal turbulences have taken place within all parties and in many instances have not been solved in accordance with party provisions (Kelsall 2004b).

The CCM is separated into the *Party Congress*, the *National Executive Committee (NEC)* and the *Central Committee (CC)* of the National Executive Committee at the national level. The CC is known to be the centre of power where policy decisions are made. A similar division into three party organs – The Regional Conference, The Regional Executive Committee and The Political Committee of the Regional Executive Committee - is found at the regional level. However, these organs have little impact. The district level structure parallels that of the national and regional level with a District Conference (political organ), District Executive Committee (executive organ), and a Political Committee of the District Executive Committee. To garner support for elections the two party institutions *the Party Youth Commanders* (national and regional elite) and the *Party Clan Leaders Elders* (local level) are also important.

Party candidate nominations within the CCM are *de jure* transparent. Candidates hand in their nomination forms either to the ward office (to the local level councillor), the district office (the MP) or to the head office (presidency). Final selection is made by the District Office, the National Executive Committee and the National Party Congress respectively which are to take into account the advice of Political Committees that cast preferential votes. The nominees then compete against each other in internal party elections, with the winners normally proceeding to contest multi-party elections. There is ample scope for informal influence and corruption during the nomination

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[34] The Nyalali Commission recommended that CCM should hand over such assets, such as buildings and stadiums, back to the State but this recommendation was never acted upon.

processes and Kelsall (2004b) for instance indicates that delegates to Political Committees are subject to manipulation.

4.2.5 The Electoral Commission

The National Electoral Commission (NEC) comprises seven members who serve for five years, and the President appoints the members. The chairperson has to be a judge of the High Court or the Court of Appeal but the law is currently under review to allow a non-judge of the High Court or Court of Appeal to chair the commission. One member of the NEC has to come from the Tanganyika Law Society. Interchangeably the chair and the vice-chair of the commission must be drawn from the mainland and Zanzibar. The Director of Elections is the Secretary to the Commission and is appointed by the President upon the recommendation by the Commission (Iversen 2001). According to the 1977 Constitution (Art. 75) the NEC is an independent and neutral institution and is responsible for the registration of voters and the delineation of parliamentary constituency boundaries and the supervision and co-ordination of the presidential, parliamentary and local government elections. The delimitation of constituencies can be reviewed once every ten years. The NEC is organised into seven electoral committees, each headed by one of the seven NEC members and includes political parties and representatives from public and private institutions, as well as individual citizens (Lodge et al. 2002).

Despite constitutional independence, the NEC is compromised by the fact that the President appoints the Commissioners and by the lack of any requirement for parliamentary approval of these appointments. The commissioners have no guaranteed security of tenure and neither the Constitution nor the Elections Act secures funds for the Commission. The NEC is dependent on the Government for funding, operating fiscally as a department of the Office of the Prime Minister, with the Director of Elections as NEC's accounting officer (Lodge et al. 2002).

So far Tanzania has not had permanent voters' roll and no system of national identity cards, making it relatively easy to manipulate registration figures. This againhas provided the CCM Ten Cell leaders with prominent roles in the verification of personal identity, leaving ample space for a biased election administration (Iversen 2001; Kelsall 2004b). A permanent voters' register for the up coming general elections is now under construction which may take care of some of this problem. On the other hand, it is worth noting that in their review of the 1995 elections, Professors Elklit, Svendson and Bomani recommended against the establishment of a permanent voters' register, arguing that it was harder to maintain and more open to abuse than the alternative.

A common criticism of the 1995 elections was that elections were free but not fair. Others concluded that the NEC had badly mismanaged the elections and doubted its impartiality. By contrast, in 2000 operating under improved financial conditions, the NEC was praised by domestic and international election observers for its conduct of the elections. The Zanzibar elections, however, were poorly conducted. Both on Zanzibar and the mainland, observers noted that the Commission kept quiet on the unbalanced media coverage of political parties and could have taken initiatives to ensure a more balanced political environment (Iversen 2001:11).

The above mapping of vertical accountability through the electoral channel shows that the elected

representatives at the national and district level are restricted in their answerability to the electorate

and in their control over the Executive. The directly elected President appoints all key civil servants

at both the national and local government level, as well as some members of the Legislature.

However, answerability and controllability of political power holders may be exercised in an

informal manner, through links between politicians, civil servants and economically or otherwise

dominant figures in society. The myriad of informal relations - particularly at lower levels of government - compromises the transparency of accountability relations, at least for the outside observer. Strong top down controls through the party machinery appear to be very important still, but at the same time there are signs that the ruling party as well as opposition parties must cater for grassroots interest. This hints at alternative forms of vertical accountability, which we will try to explore in Section 4.3.

Figure 4 above shows the vertical accountability relationships described in this chapter. Table 1 illustrates the key organisations for electoral accountability at the national and local level.

Table 1:   Electoral Accountability – Organisations and their Influence

Electoral Accountability at the National Level		
Type of Organisation	**Prominent Examples**	**Influence***
Political Parties (incl. Party Conferences)	• CCM • CUF • Chadema • TLP • NCCR • TLP • UDP	High
Parliamentary Groups	• Parliamentary plenary • Parliamentary committees • Party Caucuses • Regional and other parliamentary blocs • Individual MPs	Moderate
Ad hoc Groups	• Presidential campaign teams	Moderate
Monitoring Organisations	• Tanzania Electoral Commission • TEMCO	Low to moderate
Electoral Accountability at the Local Level		
Type of Organisation	**Prominent Examples**	**Influence***
Political Parties	• Regional, District and Ward Offices • Regional and District Conferences • Ten-Cells • Party Youth Commanders • Party Clan Leaders/Elders	High
District Councils and Councillors		High
Members of Parliament		Moderate
Ad hoc groups	• Election campaign teams	Moderate

*Here Influence is construed as the ability to affect society's prevailing ideas and distribution of resources. Influential groups are ones from which Citizens may directly seek accountability from influential groups, or may seek accountability through them to hold others to account. The values assigned in this table are preliminary nature and may be subject to confirmation in Components 2 and 3.

4.3   Societal Accountability – National and Local

Historical experience suggests that persistence and change in strategic alliances between elite groups and between elite groups and non-elites as well as the access that these groups have to political decision-making are important in conditioning socio-economic outcomes. At any point in history, the interests of different factions of the elite and their social power bases may be diverging or converging, and their ability to exercise influence may be growing or declining. Above, we have emphasised the increased importance within the multi-party context of local support for MPs at the district level. We have also highlighted the intermingling of executive powers and party politics at the national and local level perhaps as a historical legacy. These features of electoral and horizontal accountability are important in setting the context for what we refer to as societal accountability.

This next section maps key organisations of the Tanzanian polity and assesses their influence on domestic policy processes at both the national and the local level.

At a national level the societal map is well populated by different stakeholder organisations such as media organs, business associations, religious organizations (BAKWATA and others), trade unions, NGO networks, international, national and government or party-organised NGOs, research institutes and national branches of district development trusts. It also includes the national mass organisations of the CCM and perhaps temporary and ad hoc organisations such as electoral monitoring groups (TEMCO) and presidential campaign teams.

At local level, the societal accountability map features many groups relating to ethnic membership, 'traditional' authority and the clan system; religious belief; district development trusts, local NGOs and local committees of different kinds, including water committees and school committees. It also includes local party organisations, which can stretch from the regional, to the district to the Ten Cell level; individual MPs; district councillors and councils, and ad hoc groups such as local electoral campaign teams.

The wide range of groups included in the societal accountability map vary in influence, importance and degree of organisational capacity. Among political parties, CCM is the best institutionalised and a majority of the population may turn to the party for support in day to day matters. Certain trades unions, such as the Teachers' Union, have larger memberships and greater prominence than others. NGOs such as the Tanzania Gender Networking Programme are leaders in campaigning and lobbying on women's issues. And the Lutheran and Catholic churches have a stronger collective voice than do the charismatic churches. At local level, the picture may vary from district to district. Some have quite prominent district development trusts; in some the clan system retains more influence than in others. We attempt to illustrate in tabular form the degree of influence that different organisations exercise.

We also note that the visibility of an organisation is not necessarily a good indicator of its influence. Informal networks can wield much influence by linking politicians and civil servants with powerful groups and individuals in society. They may be able to influence the content of policy decisions and legislation, the award of business tenders and contracts, the discretionary application of government regulations, the use of aid flows and the outcome of election campaigns. In turn, "noisy" formal organisations may not really matter for government's incentives and responsibility vis-à-vis the broader public nor for the daily livelihoods of the majority of the population.

4.3.1 Organised Interest Groups at the National Level

Business Associations

With the liberalisation of Tanzania's economy , business associations have grown in influence. The two most important are the Tanzania Chamber of Commerce, Industry and Agriculture (TCCIA), and the Confederation of Tanzanian Industry (CTI). A measure of their recognition is that they receive routine consultation in pre-budget talks, though whether they have the clout to change policy is unclear (Heilman and Lucas 1997), even though some commentators assert that CTI were highly influential in the recent decision to abolish the Development Levy and other local-level "nuisance taxes". Perhaps more influential, especially in the areas of imports and tariffs, tax exemptions (legal or illegal), government contracts and the privatisation process, are informal groups of businessmen, politicians and civil servants. Little is known about the size, composition or permanence of such groups or about the circumstances in which they are able to deflect policy from the government's stated aims. It is possible that personal connections among different sections of the elite are pressed into service around specific issues or contracts, with the resulting 'interest groups' being relatively ephemeral. Also of interest is the CCM's business wing, *Sukita*. In previous years this has been seen as a vehicle in which to peddle influence.

Media Organs

Since political liberalisation the private media in Tanzania has grown in scope and influence. Media houses such as IPP Media, the Nation Group, the Habari Corporation and smaller outlets produce more than three dozen titles in both Kiswahili and English. They have eroded the domination of government and CCM publications, such as *The Daily News, Mzalendo* and *Uhuru.* In urban areas newspapers are widely read and play an important role in communicating information from government to society, in bringing issues to public attention, especially through the lobbying activities of NGOs, and in airing social and political debates. In Swahili newspapers, controversial issues are often commented upon in the form of satirical cartoons, which may be far more critical of government and government officials than regular newspaper articles (Lange 2002:277). These papers also commonly contain more frivolous articles; indeed certain titles are almost wholly devoted to sex, crime and witchcraft stories.

Newspaper owners are often careful not to antagonise government, which has created concerns about their independence. For example, media mogul Reginald Mengi, owner of IPP, has generally cordial relations with the CCM; others have had a more fraught relationship: in 1999 Majira was temporarily banned following publication of a 'seditious' article, and in 2001 the saga over Habari owner Jenerali Ulimwengo's citizenship was interpreted by many as an act of intimidation. There are also concerns about the prevalence of 'cheque-book' or 'brown-envelope' journalism, with journalists reputedly paid to print favourable stories about prominent politicians, or to drop negative ones. Although investigative journalism is in its infancy, recent results from a citizen survey have revealed that a substantially higher percentage of Tanzanians now believe that reporting a case of corruption to a journalist is more effective than reporting it to the police, local authorities or the MP (Fjeldstad 2004:33).

National newspapers have limited penetration in rural areas, and there are very few local papers, in spite of the emergence of regional press clubs (ARD/USAID 2003). Given the importance of information to the ability to hold somebody to account, one would expect this to cause a serious accountability deficit. However, most rural Tanzanians access information through the radio. In spite of the emergence of at least 22 private radio stations, the content of news remains dominated by the government owned Radio Tanzania (Barkan 2000).

In 1999, Tanzania had 7 terrestrial and 17 cable TV stations (Kelsall 2004). A small minority of Tanzanians own the television industry and much content is imported. Debate programs like *Kiti Moto* (Hot Chair) on the independent television channel DTV attempt to discuss issues like corruption and accountability in a critical way. The overall impact of TV in this area is unclear.

The extent to which media institutions take part in public debates on accountability appears to be limited by self-censorship. The same is true when it comes to the broadcasting of controversial music or songs that criticise the political system (Lange 2002:275). The *Media Council*, a voluntary, independent and non-statutory organisation oversees the sector and aims at defending press freedom and ensuring media integrity through compliance with a journalistic code of ethics.

Religious Organisations

Tanzania is a deeply religious society, and many Tanzanians use a religious idiom to account for their day to day actions. Muslims have their own representative council, BAKWATA, which does have links to the government. Recent appointments to BAKWATA have generated protest from radical Muslims criticising the organisation as conservative and politically supine. Christian denominations are grouped under the Christian Council of Tanzania. Some years ago Tanzanian bishops issued a pastoral letter decrying the state of governance in the country. Churches, in particular the Lutheran church, have been active in civic education. The charismatic churches are also gaining in popularity, and certainly have a profound impact at the level of the individual. Nevertheless, given their potential influence, religious organisations intervene in national political debates rather rarely.

NGO Networks

NGOs have mushroomed in Tanzania since the onset of economic and political liberalisation. A number of networks help coordinate their activities. There are two umbrella organisations in Tanzania: TACOSODE (Tanzania Council for Social Development), which has historical associations with the government and TANGO (Tanzania NGO Network), which was founded in the late 80s with donor assistance. The recent NGO Act established an NGO Council. Other networks have grown up around specific issues. For instance, the Tanzania Coalition on Debt and Development originated at the time of the Jubilee 2000 debt cancellation campaign. More recently, the NGO Policy Forum (since 2005, just the "Policy Forum") was established in order to provide for a structured NGO input into the annual Public Expenditure Review process (led by the Ministry of Finance) and the annual Consultative Group meeting of the Tanzania Government and its Development Partners. The quality of its analysis and of its commentary has received high praise and suggests a potential for raising NGO influence over policy and budgetary issues.

International NGOs

Action Aid, CARE, Concern, Water Aid, World Vision Tanzania, Oxfam Tanzania, Norwegian People's Aid, Save the Children Fund, Friedrich Ebert Stiftung/Foundation and Friedrich Naumann Stiftung/Foundations are among the more prominent NGOs in Tanzania. These organisations rarely lobby or criticise government directly. They exercise their influence through working with Tanzanian partners, economically and socially empowering individuals and communities, in the case of WVT and Oxfam, or building capacity in political parties and raising the level of political awareness, as with the foundations.

National NGOs

Presently more than 2 700 NGOs are registered in Tanzania. They can be divided into Advocacy NGOs, Service Delivery NGOs, and Community Based Organisations (many of which may escape

registration). Conceivably even the least overtly political CBOs, such as a local bee-keeping society might influence policies and government decisions via their internal organisation and methods. More noticeable are metropolitan organisations such as the Tanzania Gender Networking Programme, Hakielimu, the Legal & Human Rights Centre (LHRC) and the Lawyers' Environmental Action Team, which lobby government and campaign on diverse issues. The more prominent NGOs are now involved in annual CG meetings, although commentators have argued that their role may be tokenistic.

In the area of legislation, national NGOs have made some impact: for instance on the 1999 Land Act and the NGO Act itself. Whether their input will be borne out in practice is difficult to know. Generally speaking, the visibility of these groups may tend to exceed their actual influence. Most national NGOs are dependent on donor finance, have extremely narrow membership bases, and have a limited geographical reach. Nevertheless they should perhaps not be dismissed out of hand. Despite their weaknesses there are few other organisations competing for the role of 'public watchdogs' (on NGOs, see Kelsall 2001; ARD/USAID 2003; Lange 2000; Tripp 2000; Mercer 2003; Gould and Ojanen 2003).

CCM Mass Organizations

The mass organizations of the ruling party are a legacy of the one party-state's colonisation of civil society in the socialist era. These include *Vijana*, the youth organisation, *Umoja wa Wanawake Tanzania (UWT),*, which comprises women, and *Wazazi*, the parents' association. These organisations wield influence primarily through organisational structures of the CCM itself. It is rare for these organisations to make public statements on policy issues. And it should not be forgotten that their function is distributional as much as it is representational.

Trade Unions

Since 1965 when the Tanzania Federation of Labour was co-opted by the Government, trade unions in Tanzania have been weak. The Trade Union Act was reformulated in 1998 and 2001 and there are now two umbrella unions. The Trade Union Congress of Tanzania (TUCTA) has 12 affiliated member organisations, including the influential Tanzania Teachers' Union (TTU), Tanzania Union of Government and Health Employees (TUGHE), Tanzania Union of Industrial and Commercial Workers (TUICO), and Tanzania Mines and Construction Workers Union (TAMICO). Tanzania Federation of Labour (TLF) has four affiliates, including Industrial and General Workers Union in Tanzania (IGWUTA) and Dock Workers Union Tanzania (DOWUTA). The majority of the trade unions have a low membership base and appear to have little influence. Tanzania Mines and Construction Workers Union (TAMICO) complain that local authorities ally with mining companies and hamper the union's efforts in organising mineworkers (Lange, forthcoming).

Research Institutes

Faculties within The University of Dar es Salaam, together with private research foundations such as ESRF and REPOA are at the cutting edge of intellectual life in Tanzania. They attempt to influence the policy process through their role in knowledge production. The evidence of their success in doing so is highly mixed (see eg Gould and Ojanen 2003). Upon external initiative some are formally involved in policy processes, such as the PRSP or the MTEF process.

District Development Trusts

District Development Trusts are a Tanzanian equivalent of West African 'home-town associations'. Most have both local and national branches, which serve to link local communities with their

members in the diaspora. Most solicit funds locally and nationally, using them ostensibly for local development (Kiondo 1995).

Table 2: Societal Accountability at the National Level

Societal Accountability at the National Level		
Type of Organisation	**Prominent Examples**	**Influence***
Business Associations	• Tanzania Chamber of Commerce, Agriculture and Industry (TCCIA) • Confederation of Tanzanian Industry (CTI) • Sukita • Informal networks of businessmen, politicians, civil servants	High
Media Organs	• IPP media newspapers (eg The Guardian, Financial Times, Nipashe) • Habari Corporation (Rai, Mtanzania, The African) • Nation Group Newspapers (eg The East African, The Citizen) • Govt owned newspapers (eg Daily News, Sunday News, Uhuru) • Other newspapers (eg Majira, An-Nuur) • IPP electronic media (eg ITV, Radio One) • Govt owned electronic media (eg Radio Tanzania, TBC) • Regulatory organs (eg Tanzania Media Council)	Moderate
Religious Organisations	• BAKWATA • Christian Council of Tanzania • Roman Catholic Church of Tanzania • Evangelical Lutheran Church of Tanzania	Low
NGO Networks	• TACOSODE • TANGO • NGO Policy Forum (now Policy Forum) • Tanzania Coalition on Debt and Development • FemAct	Low
International NGOs	• Action Aid • CARE • Concern • Norwegian Peoples' Aid • Water Aid • World Vision Tanzania • Oxfam Tanzania • Save the Children • Friedrich Ebert Stiftung • Friedrich Naumann Stiftung	Low to Moderate
National NGOs	• Tanzania Gender Networking Programme • Tanzania Media Women's Association • Hakielimu • Hakiardhi • Hakikazi • Lawyers' Human Rights Committee • Lawyers' Environmental Action Team	Low to Moderate

	• Legal & Human Rights Centre (LHRC) • Journalists' Environmental Association of Tanzania • Tanzania Women's Legal Association • Tanzania Law Society	
Cooperatives	The Tanzanian Federation of Agricultural Cooperatives	
Trade Unions	• Trade Union Congress of Tanzania • Tanzania Federation of Labour • Tanzania Teachers' Union	Low to Moderate
CCM Mass Organizations	• Umoja wa Wanawake wa Tanzania • Wazazi • Vijana	Low to Moderate
Research Institutes	• University of Dar es Salaam • Repoa • Economic and Social Research Foundation • REDET	Low to Moderate
National branches of District Development Trusts		Low

* Here Influence is construed as the ability to affect society's prevailing ideas and distribution of resources. Influential groups are ones from which Citizens may directly seek accountability from influential groups, or may seek accountability through them to hold others to account. The values assigned in this table are preliminary nature and may be subject to confirmation in Components 2 and 3.

4.3.2 Organised Interest Groups at the Local Level

We note that while national features of the societal accountability map are somewhat clearer, knowledge of the local accountability landscape is sketchy. The expectations of rural people, the means by which they try to make public power work for them, the ways in which local officials may be able to evade responsibility to local people and the different paths to securing services, are but dimly known.

In a study of local level "civil society" Kiondo (1994) shows that citizens' organizations are frequently extensions of individual survival strategies and somehow linked to the state through patrons or brokers. Hence, he speaks of "the new politics of patronage and brokerage" (Kiondo 1994:77). He found patrons' motives be mostly political, either in the sense of gaining votes or augmenting influence and status in regard to the clients or the community. Kelsall (2000:550; 2002:611) and Gibbon (1998:49) support this view and point out that local support is essential for securing national power. Key local politicians are increasingly found to play the role of broker in their home communities, establishing links between the groups of clients and a patron — the MP. This neatly ties in with the observation in 4.2.3 of how the MPs outlook on representation has changed after the introduction of multiparty politics. Incentives for buying and bribing the electorate are stronger and informal networks at the local level are of growing importance.

Also cloudy is knowledge on the channels that link the local level to the national level. Alongside the local administrative system - and the extent to which it is accountable to local people or to central government - we believe that the roles of MPs, of party organisation and of district development trusts are crucial to understanding the exchange of voice and resources between central government, district headquarters and towns and villages in the country side.

In spite of the incompleteness of the picture it is possible to identify a variety of potentially influential actors. These can be grouped under the following headings: traditional authorities, religious organisations, ethnic trust funds, local NGOs, branches of international and national NGOs, and local cooperative societies and committees.

Traditional Authorities

Traditional authorities have no formal governmental role in Tanzania yet they are prominent features of the organisational landscape. Though the picture varies geographically, most ethnic groups have an organisational structure combining elements of inheritance, appointment, and election. Most Tanzanians are members of clans, that is, groups that trace their inheritance to a real or fictive ancestor. Clans tend to have a certain degree of solidarity, often forming committees and appointing or electing elders. The latter frequently play a prominent role in dispute resolution, in particular in the areas of land and marital affairs. Moreover, they are important opinion leaders and are courted by political parties at election time. CCM, for example, now has its own clan organs.

Clan committees constitute an alternative locus of accountability to that provided by the state. In some ethnic groups, age-sets exist alongside clan committees, playing a complementary role, and in others they outstrip the clan in importance. Beneath the clan, at a more basic level of organisation, extended families may also enjoy a measure of solidarity, acting influentially, for example, in village council elections. A range of other associations such as dance societies, traditional healers, 'witchdoctors' or other ritual experts, vigilante groups such as sungusungu, and secret societies, is also associated with ethnic groups. People may enrol these different actors in their attempts to solve problems, resolve disputes, take revenge, get ahead economically or socially, and so on, and because of this they can be considered significant transmitters of accountability (Masanja, 1992, for local level studies, see Kelsall 2003b, 2004c). Each of these bodies may have a distinct language of accountability related to ethnic traditions, though little research has been done in this area. What is not clear is how traditional authorities link up with formal government organisations.

Religious Organisations

Religious organisations are major players at local level. As has already been noted, many Tanzanians habitually account for their actions in religious terms. There is often a high degree of overlap between religious authorities and secular politics, such as when village councils are virtually extensions of mosque politics. The mainstream Christian churches in particular are often important service providers, accountable in some measure to their congregations. Religious leaders are important opinion leaders and wield considerable influence in resolving disputes. Though their importance is plain, little is known about the impact of local level religious organisations on accountability generally (but see Samoff 1974; Baroin 1996, Kelsall 2004c). Why, for example, do they not play a greater role elevating moral leadership and probity within district councils?

Ethnic Trust Funds

The boards of District Development Trusts can read like a 'Who's Who?' of local politics: they often enrol local politicians, clan elders, religious leaders, successful businessmen and cooperative society employees. They solicit funds from the diaspora, cultivating national politicians, businessmen and civil servants, and they may also raise funds locally, for example through agricultural levies. They are also bases from which to conduct political campaigns. Because they link national and local levels of the political system, ethnic trust funds are key channels in the accountability relationship between people and political office holders; yet surprisingly little is known about the influence and organisation of ethnic trust funds (but see Kiondo 1995; Baroin 1996; Kelsall 2004).

Local NGOs and branches of international and national NGOs

In some areas NGOs play a prominent role in service provision. For example, World Vision Tanzania claims to deliver services to over three million Tanzanians. In the areas in which it works it erects a parallel development administration. 'Concern' works in a similar way. A potential topic of inquiry is the accountability of structures such as these, and their mode of interaction with government. Local NGOs also have a strong presence in other areas: take for example the members of the pastoralist land rights movement in Arusha (Igoe 1999).

Local Cooperative Societies

In some areas, for example the Lake zone, agricultural cooperative societies remain major economic players. They clearly have an impact on local livelihoods and can be the focus for intense political struggle (Gibbon 1996; Ponte 2004). Little is also known how local cooperative societies link to the formal political and administrative system.

Local Committees

Local people typically organise committees of various kinds to assist in the performance of social duties or development activities. Worthy of mention are School Committees, water committees, irrigation and furrow committees and wedding committees. Because they assist in the organisation of the social and economic life of the community, because they discharge of certain responsibilities, and because they play a role in monitoring the performance of others, they are candidates for inclusion in a thorough study of accountability. Apart from School Committees, which follow guidelines for their structure, membership and mode of operation (and now receive significant funding under the Primary Education Development Programme), we know little about how these committees are formed and funded and how they acquire capacity.

Table 3:   Societal Accountability at the Local Level

Societal Accountability at the Local Level		
Type of Organisation	**Prominent Examples**	**Influence**
Traditional Authorities	• Clan committees • Age groups • Extended households (boma) • Dance associations • Traditional healers (waganga) • Vigilante groups (eg sungusungu) • Secret societies	High
Religious Organisations	• Churches (incl church development committees), mosques • Charismatic preachers • Muslim brotherhoods (Qadiriyya)	High
Ethnic Trust Funds	• District Development Trusts	Moderate to High
Local NGOs and branches of international and national NGOs	• World Vision Tanzania • KIPOC, Ilaramatak	Low to Moderate
Cooperatives	• Agricultural cooperative societies • Savings and credit cooperatives • Livestock cooperatives • Mining cooperatives	Low

	• Industrial manufacturing cooperatives	
	• Kilimanjaro Native Cooperative Union (KNCU)	Moderate
Trade Unions	• Local branches at mining companies and manufacturers	Low
Local Committees	• Village Adjudication Committee • Village Land Council • School committees • Water committees • Irrigation/Furrow committees • Local Militia (*mgambo*)	Moderate

Tables 2 and 3 summarise different organisations of societal accountability and their likely influence on domestic policy processes. In these tables, influence is construed as the ability to affect society's prevailing ideas and distribution of resources. Influential groups are ones from which citizens may directly seek accountability from influential groups, or may seek accountability through them to hold others to account. The values assigned are of a preliminary nature and may be subject to confirmation in Components 2 and 3.

The above analysis of actors and institutions of societal accountability at the national and local level suggests that we know very little about how alternative methods of vertical accountability may or may not be exercised. We are aware of the important role of the media to disseminate information and the normative influence which religious organisations and various NGOs may at times be able to exercise. Other than their participation in more recently established consultative processes, we are uncertain about the informal and corporatist channels of voice, which business associations and trade unions may have. We know less even about the continued importance of party based mass organisations, district development trusts, traditional authorities and local committees. We also know very little about how informal organisations are funded and whether there are overlaps with the formal political and administrative system. The frequent reference to these organisations is indicative of the popular legitimacy or political and economic power that they hold. It would also suggest that people may have informal means to demand accountability in ways that overlap - in a positive or negative way - with formal government institutions.

4.4   External accountability – Tanzania's Foreign and Donor Relations

4.4.1 Background

Tanzania has been a recipient of development assistance since the late 1960s and remains an aid dependent HIPC country. Currently, about 20 percent of government expenditure is financed through direct budget support and HIPC debt relief, not taking into account additional external funding channelled directly to sector ministries or specific projects, to global initiatives (GFMAT) or to non-governmental organisations. Thus a large part of Tanzania's foreign affairs are dominated by its relationship with multilateral and bilateral development partners.

In parallel with this, Tanzania has maintained a tradition of active involvement in regional and continent-wide organisations, such as the East African Community (EAC), the Organisation for African Unity (OAU, now the African Union) and more recently, NEPAD. However, Tanzania has yet to enter into the sort of regional commitments, which would give significance to these channels of external accountability although they do, in general, appear to be increasing in importance. This chapter therefore focuses on Tanzania's more recent aid history and the current landscape of multilateral and bilateral donor relations in terms of their relevance to the external accountability relationship.

4.4.2 Multilateral Programmes

During most of the 1990s aid inflows under multilateral programmes came in the form of programme aid provided to support the Balance of Payments with one important condition, to remain on track with the IMF programme. These programmes were financed by several multilateral agencies, including the European Commission, the World Bank and the African Development Bank. Structural Adjustment Loans (SALs), Structural Adjustment Credits (SACs) and Structural Adjustment Support Programmes (SASPs) were typically subject to structural reform conditions. Tanzania formally adopted a Stand-By Arrangement with the IMF in 1986. Still under one party rule the economic recovery programme achieved macroeconomic stability and introduced a wide range of structural reform programmes until the early 1990s, when the country experienced a series of macroeconomic set-backs from 1991 to 1994 coinciding with the time of political restructuring.

A World Bank case study on 'aid and reforms in Tanzania' suggests that this set back - during which the country went "off-track" - was caused because the government became reluctant to continue with the economic reform programme as agreed with the IFIs. Subsequently, donor support was temporarily withheld until 1995 when the new Mkapa regime managed to restore reform efforts. According to the World Bank's assessment, structural adjustment and the monitoring of government's performance played an implicit role in the restoration of the reform programme through the withdrawal of assistance but it also recognises that conditional policy measures have been a major source of tension (Bigsten et al 1999).

In particular the 1995 Helleiner report, which resulted from a mediation process between the Tanzanian government and its donors, stressed the underlying imbalance in government-donor relations, which undermined sovereignty and government ownership of economic management[35]. The Tanzanian government's reluctance to continue with a neo-liberal economic reform programme disappeared in 1995 after Mkapa became President in the first multiparty elections.

Sustained government commitment to economic reforms triggered Tanzania's eligibility for debt relief under the HIPC Initiative in 2000, making it one of the first countries to benefit from a

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[35] One of the results of this report was the establishment of an *Independent Monitoring Group* as a mediating instrument of accountability and performance monitoring.

permanent reduction in capital owed and a surge in additional donor inflows. Donors and government agreed that these additional resources would increase budgetary expenditure allocations to social and other priority sectors, including rural roads, the judiciary and HIV/Aids related activities.

Tanzania's multilateral development partners have appreciated the direct and open dialogue in which they have engaged with the Tanzanian government since the mid 90s. According to their assessment this has made apparent the need for greater coordination between donors, government and other national constituents. It has led the World Bank to take the lead in mobilising Consultative Group Meetings in 1997, to which the President, Cabinet, trade unions, NGOs and the private sector become part to jointly interact with the donor community.

Under the framework of the multilateral assistance programmes, central government institutions, most notably the Ministry of Finance, have received support to capacity building programmes. This is said to have brought about better government ownership of major components of the policy dialogue and government's involvement in drafting key policy documents including public expenditure reviews.

The IFIs note that at times there have been problems in meeting conditionality criteria on structural reforms, partly linked to domestic political pressures and party to inadequate technical capacity. But they also stress the success of their non-confrontational partnership approach in working with the Tanzanian government. As important lessons learned they put that through open debates and participatory approaches it has been possible to make a wider segment of the society understand the need for reform and generate broad ownership of the reform process by domestic stakeholders. Furthermore, the government has had the ability to rally public opinion in support of the reform programmes and this has ensured sustainability and credibility.

In sum, the IFIs stress that the exercise of external accountability has been crucial to sustain government's reform efforts, whilst accepting that a favourable domestic political situation was also necessary. They also note that the inclusion of further national stakeholders from the private sector, NGOs and trade unions through consultative and participative processes has helped in easing domestic pressures on the government.

4.4.3 Bilateral Aid Relations

When former socialist bloc countries and China reduced bilateral aid levels in the 1980s, bilateral assistance from OECD countries gained in importance. Like in many countries, uncoordinated bilateral aid relations put a high constraint on limited administrative capacity on the side of Tanzanian government organisations and resulted in significant duplications, different reporting systems, parallel project management systems and off-budget aid flows.

Observers note that open and direct discourse with the Tanzanian government has helped considerably to promote better donor coordination and a general movement towards harmonisation of processes. Perhaps not least in light of the World Bank's coordination efforts many bilateral donors have become engaged in collaborating around multilateral programmes as well as coordinating assistance amongst themselves in joint programmes. The Nordic countries in particular stand out as having a special coordinated relationship with Tanzania and they have been at the forefront of changing aid relations by signing a Partnership Agreement as early as 1996. Other donors, such as the UK, the US and Germany have traditionally taken a harder line and made their disbursements conditional on their individual assessments of World Bank and IMF judgements.

The efforts of many bilaterals to participate in joint programmes is constrained by the need to be accountable to their home constituencies and to report in some detail on the use of aid allocations. To some extent this explains the varied responses that bilateral donors have shown to the more recent move towards providing general budget support under the broad framework of multilateral

programmes. Strategic foreign policy issues and economic interests are sometimes also in the background of aid allocation decisions.

The first five bilateral development partners to undertake joint efforts to provide pooled external funding came in the form of the Multi-lateral Debt Fund (MDF). This was not yet unearmarked budget support but served to provide interim debt relief while Tanzania tried to fulfil their requirements in order to obtain HIPC relief.

In October 2001 nine Development Partners (DP) signed a Memorandum of Understanding, which established the Poverty Reduction Strategy monitoring framework, which marked the entry point for Tanzania to obtain budget support[36]. Since 2002 these funds have been channelled through a unified Performance Assessment Framework (PAF) supporting the implementation of the poverty reduction strategy. The PAF works with a limited number of conditions along three dimensions: i) satisfactory overall progress in implementation of the PAF, on which all PRBS disbursements are conditioned; ii) 'prior actions' which constitute trigger conditions for all or part of the World Bank's PRSC disbursements; and iii) performance against the PFM and service delivery indicators agreed for the EC 'variable tranches'[37].

Recent investigations for an evaluation of the experience with the provision of GBS to Tanzania have shown that for bilateral donors it has been an importance objective of involvement in the PRBS to increase the opportunity for influence over the Government through participation in policy dialogue – in other words ' to buy a seat at the table' and perhaps to participate in the leverage over Tanzania which the IFI's appear to enjoy. In practice, the experience with the PRBS in Tanzania confirms the wider literature on conditionality (Killick, 1998; White, 1999; Tarp & Hjertholm, 2000; Dollar & Svensson, 2000). The broad consensus across these studies is that *it is domestic political considerations that are the prime factor in determining the speed and path of economic and political reform* and that, *in general these domestic considerations have proven immune to donor pressures.* Thus, where structural adjustment processes (or reforms linked to the provision of GBS) have been successful, there has always been a significant domestic constituency in support of the reforms. The situation of Tanzania appears no different as the Joint Evaluation of General Budget Support attests:

'..The Tanzanian case demonstrates clearly that GBS and the related dialogue and policy conditions are unlikely ever to be more than a modest influence over the processes of public sector reform and institutional development. The key achievements of the last decade – the restoration of macroeconomic stability, the establishment of sound financial management systems and the initiation of key institutional and structural reforms – were driven by a strong political will and by a powerful internal constituency for change. The role of President Mkapa in this process has been crucial – not only in setting the agenda for change and keeping the focus on that agenda but also in making the right appointments at the ministerial, and, perhaps more particularly, at the senior civil service levels, to follow reforms through into implementation. Conversely, in those areas where reform has been less complete, one can generally identify the lack of a consistent political direction as a key factor of causality[38]…'

Thus, the move towards General Budget Support is justified primarily by its positive effects on the efficiency of the budget process, on the reduction of transaction costs and on increased ownership over the policy and budgetary process. With increased ownership (by the Executive) comes a clarification of responsibilities – in that donor agencies can no longer be blamed for the failure of

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[36] Denmark, the European Commission, Finland, Ireland, the Netherlands, Norway, Sweden, Switzerland and the UK.
[37] Joint Evaluation of GBS – Tanzania 1995-2004 by Daima Associates Limited and ODI, November 2004.
[38] The delays there have been in implementing the devolution of powers initially promised by the local government reform policy are a good case in point. After the initial enthusiasm for decentralisation, it seems clear that doubts set in about the wisdom of transferring such significant powers to local governments.

development policies, and therefore a strengthening of domestic accountability. In parallel, with this there has been a renewed interest in finding ways of strengthening domestic accountability. This draws on the empirical evidence of the World Development Report 2004 and related studies which point to the crucial importance of domestic (rather than external) accountability and of the consequent need for particular attention to questions related to access to information and the political space for citizens to exert accountability.

In sum, a general theoretical argument for providing aid in the form of budget support says that it not only strengthens government ownership and capacity but also domestic accountability. Yet empirical assessment qualifies this expectation indicating that the link between budget support and reinforced domestic accountability is not automatic. Much hinges on political processes and how those are shaped and structured by the formal and informal institutions of accountability. The key question that arises from this discussion is whether external accountability overrides domestic accountability relationships, or whether the two dimensions can be mutually reinforcing. In the Tanzanian context it is a legitimate question to ask whether the political institutional framework that, at least in part, enables the Tanzanian government to maintain a constructive external accountability relationship vis-à-vis multilateral and bilateral donors may in fact have contributed to the relative weakness of domestic vertical and horizontal accountability ? A strong Executive able to implement contentious structural reforms, to control potential reluctance by some stakeholders and to rally for visible public opinion may well face a trade-off when seeking accountability vis-à-vis its domestic constituencies. Weak formal institutions of both horizontal and vertical accountability suggest that the government's popular legitimacy works through more informal societal accountability.

Appendix 1   Component 1 – Ethnographic Studies and Micro Survey

A2.1 Objectives

The mapping of horizontal and vertical accountability in the main report has been used to help frame the questions for the micro-level survey. The aim of *Component 2* is to tessellate the *top-down* data from the mapping exercise with a sophisticated picture of how ordinary Tanzanians relate to governmental and non-governmental structures - in other words - with the practice of accountability from *bottom-up*. The general assumption from this perspective is that informal forms of societal accountability from local power holders are more important than formal vertical and horizontal accountability.

A2.2 Approach and Methods of Enquiry

Component 2 consists of two parts: a micro-level survey and an ethnographic survey of the land and justice sectors.

The **micro-level** study will **survey 90 citizens in three regions of Tanzania**. A senior researcher will spend three weeks conducting interviews in each region. The aim will be to record the views of a representative sample of the Tanzanian population: women, men, old, young, Christian, Muslim, wealthy and poor. Simeon Mesaki will conduct interviews in Mwanza and Kilwa, in Lindi region; Max Mmuya will interview in Dar es Salaam. Mmuya, will write up the results of the survey.

The survey instrument begins specifically with a focus on health and justice issues, broadening to a more general discussion of accountability. It comprises a combination of closed and open questions, with the closed ones designed to quantify citizens' experience of interaction with the different local institutions identified in the mapping exercise. In addition, these questions will provide a point of comparison to the ethnographic data. If, for example, the ethnographic survey finds that rural people tend to prefer clan forums to local courts when it comes to settling certain kinds of dispute, it will be useful to know whether this pattern is replicated in other areas. The open questions are designed to be discussed in a more conversational style. The aim is to elicit opinions about ideas and mechanisms of accountability that can feed into a narrative account of local accountability, complementing or qualifying the ethnographic data. For this Tim Kelsall will take responsibility.

The **ethnographic study** will involve two senior researchers (Tim Kelsall and Siri Lange) and six junior researchers working for a total of four weeks, including one week of training. Jehova Roy Kaaya, an experienced local research assistant will act as one of the junior researchers and also as the team's link man to the District, preparing the logistics for the team's arrival. Max Mmuya and Simeon Mesaki will recruit the other junior researchers from among students in the Department of Sociology at the University of Dar es Salaam. Tim Kelsall will supervise five days' intensive training, assisted by Siri Lange. The aim is to supplement their training at the University of Dar es Salaam with the latest materials in teaching ethnographic methods and with practical experience of ethnographic study. Students will be introduced to the aims and methods of ethnography, in particular skills associated with ethnographic observation and note taking. Students will be sent into the field to conduct pilot studies, and their notes will provide the basis for further discussion and training.

Focus of the ethnographic study

In February 2005 OPM submitted a draft Inception Report, in which it was proposed that the ethnographic survey should focus on the use of health and justice services by local people and on the accountability issues thrown up by that process. DFID subsequently provided feedback through meetings in Dar es Salaam, a visit to Bergen, written comments and a video conference between Newcastle and Dar es Salaam. In response to DFID's concern that Component Two was focusing on too narrow a spectrum of accountability, the consultants agreed to prepare a revised methodological proposal.

The revised methodology employs a flexible, interdisciplinary approach with a strong ethnographic component, with a view to capturing the day to day experience of accountability across diverse local forums. Phase One of the revised approach is divided into two strands; Phase Two into three strands.

PHASE ONE (seven days, overlapping with training)

STRAND A (conducted by the entire research team)

Methodology

Ethnographic observation and informal introductions in public spaces, including bars, shops, markets, coffee weighing station, church, technical school, village office.

Rationale

To discover issues of popular concern that arise in everyday conversation.

STRAND B (conducted principally by senior researchers with assistance of junior researchers)

Methodology

Focus groups with representative sub-groups, eg women, youth, poor households, male elders

Rationale

To verify issues of popular concern identified via ethnographic observation, and to acquire additional data with a view to selecting topics for investigation in PHASE TWO.

PHASE TWO (eighteen days)

STRAND A (conducted principally by 2 junior researchers, with occasional assistance from senior researchers)

Methodology

Ethnographic observation in institutional forums relevant to key issues, eg village government, local party offices, district council offices, coffee co-op, church, local courts, local police station, district hospital, clan council.

Rationale

To acquire data on the types of issue addressed, the results obtained, and the character of everyday interactions in diverse arenas of accountability.

STRAND B

Methodology (conducted principally by two senior and two junior researchers)

Case histories of local issues: The aim is to use investigative techniques to produce narrative accounts of key issues.

Rationale

Local people will often complain bitterly about the state of for example a local road or the local water supply, yet ostensibly do little about it for months and months. Here, an ethnographic approach would yield limited data. Instead, an investigative approach, conducting interviews with key informants to re-construct, 'the story of the village road' or 'the story of the village water supply' over a long time scale, promises to reveal more about accountability relations.

STRAND C (conducted principally by two junior researchers, with occasional assistance by senior researchers)

Methodology

An agent-centred ethnography of conflict or crisis affecting a small number of poor families, in for example health, land, or crime.

Rationale

To provide data on strategies poor people use to gain access to services and/or power holders; strategies which we expect will enrol different actors and institutions as they unfold over time.

Focus Group interviews

In parallel with this ongoing ethnographic work, which is expected to be carried out from a base in Arusha, the two senior researchers will organise a small number of focus group interviews. These will be based around themes or issues identified in the Inception Report and/ or emerging from the initial ethnographic work.

Addressing probable biases emerging from the methodology

It is inevitable that the very presence of the ethnographers will impact upon the processes observed. For example, it is probable that service providers will be more responsive to clients in the presence of a researcher than they otherwise would. To take an obvious example, they may be less likely to accept or solicit bribes. Similarly, clients may be either more or less assertive in the presence of a researcher. Ethnographers attempt to minimise the inescapably biased nature of the research process through a variety of strategies:

- o building trust – by being present at an ethnographic scene over a period of days or weeks and by talking sympathetically to actors, a good ethnographer wins acceptance and encourages those she observes to speak and act in a less guarded way.

- o Participation – by adopting a participant attitude (for example waiting in a hospital waiting room as though a patient), the ethnographer can to some extent blend into the background and observe interactions close to the way in which they would normally occur (note it is not our intention to do 'undercover' research).

o   Conversations off-stage: an ethnographer may introduce himself to a client and ask that he be allowed to observe an interaction, eg a doctor's consultation. After the interaction he may draw the patient aside and ask how it differed from previous interactions. It is probable that, having shared an experience with the researcher, respondents will give richer accounts than they would in a 'cold interview' situation.

o   Confidentiality: research subjects can be assured that their identities will remain protected. This should assist in normalising behaviour. In addition, junior researchers will meet with the senior researchers on a daily basis, and this will be an opportunity for oversight, instruction and advice.

The aim is to build up a picture of the relation of poor people to service providers, assessing the voices of the poor, the channels they use to exercise "voice" and the responsiveness of service providers, and identifying the existing mechanisms for holding service providers accountable for their priorities and policies. In to the language of policy: How do poor people conceive of their relationship to authority? What strategies and social channels do they employ to improve their circumstances? What are the various different agencies, governmental and non-governmental with which they come into contact? What is the face-to-face character of interactions between service providers and clients? What challenges do service providers themselves face from the economic, social and political environment? How do they conceive of their role towards clients? Insight into these questions is expected to be acquired gradually, providing a nuanced picture of accountability.

A2.3 Time Frame

The Micro Survey of Component 2 will be undertaken over February and early March with a draft report available in the first week of April. A briefing on the survey will be provided to DFID, Tanzania by Dr. Mmuya and Dr. Lise Rakner, the Team Leader, who will be in Dar es Salaam to initiate work on Component 3. The report on the micro survey will be finalised by the first week of April 2005.

The Ethnographic surveys of Component 2 will be undertaken over 28th of March - 25th of April with draft reports on the different research strands available by mid May. A briefing on the surveys will be provided to DFID, Tanzania by Dr. Kelsall on the conclusion of field work.

Appendix 2   Component 3 – Analysis of values, incentives and power relations in the budget allocation process

A2.1 Objectives

The focus of this component lies on the accountability relationships between political and administrative power holders and the citizens whom they serve. In particular, it seeks to examine the question, **"What do Tanzania's elected leaders believe they are accountable for and to whom?"**

By addressing this question, the component seeks to provide a top-down perspective on how accountability is perceived within the Tanzanian state structure. It thus complements the bottom-up view provided by Component 2 on the perceptions of ordinary people regarding their rights and entitlements and the avenues of accountability they pursue to protect them.

A2.2 Approach to Component 3

Overview of Approach

This component explores the values and incentives of politicians and the structure of power relations within which they sit. It examines these questions in particular with respect to the budget allocation process. Public finances lie at the heart of the political contest over power and influence. Studies elsewhere have shown that incompatibilities between formal and informal institutions, and between power holders' interests and the collective interest are likely to feature in this area. Therefore, we use this as a "lens" which might in a sense magnify the underlying power relations and institutional controls to which nationally elected leaders are subject.

The approach will combine semi-structured interviews with national Members of Parliament and detailed research on a number of "landmark" budget decisions. These "landmark" decisions have been chosen to illustrate the relative importance of the different interests underlying resource allocation decisions and the relative strength of the accountability controls to which these decisions should be subject. Research will seek to confirm the facts behind these decisions, the extent to which the decision-making process fulfilled the requirements for transparency, controllability and answerability by which accountability should be judged, and will also investigate the forces of accountability which appeared to be most influential. Research will include analysis of budgetary and other documentation and interviews with relevant civil servants, researchers and donor officials. This will be complemented by the feedback from interviews with national MPs, which will include both questions specific to these landmark decisions and general questions on accountability within the budget process.

Methodological concepts to be applied

The approach will draw on the analysis provided in the Inception Report and the Stakeholder Mapping in the following ways:

- o The classification of accountability into four dimensions, namely – horizontal, vertical-electoral, vertical-societal and external – will be utilised in order to classify the various forces and constraints under which national MPs and other decision-makers in the budget process appear to be operating. An attempt will be made to reach a judgement on the relative strength of each of these forces of accountability under different circumstances.

- o The stakeholder mapping has already identified a number of hypotheses regarding the structure and balance of the different forces of accountability. These will be explicitly investigated through the semi-structured interviews with national MPs.

o A framework to judge the quality of accountability has been established, drawing on the concepts of transparency, controllability and answerability. This framework will be applied to judge the quality of accountability emerging from the decision-making processes lying behind the "landmark" budget decisions.

In addition, the methodology will draw on the analyses that have already been undertaken with regard to the public finance management system, considering in particular the "fault-lines" which have been identified in the system as it currently operates. The historical experience of the landmark budget decisions combined with the more general responses of MPs will provide new perspectives on how serious these "fault-lines" appear to be and on the extent to which they appear to be exploited in budgetary decision making.

Hypotheses to be investigated

i) *Hypotheses emerging from the Stakeholder Mapping*

The mapping exercise conducted through this Inception Report has made several observations critical to this component. We present these here as hypotheses for further investigation:

- The Executive exercises a dominant role over budget setting. Indeed, the process of discussion of budgetary estimates by the Parliamentary committees and by Parliament as a whole has frequently been characterised as a mere formality.

- On the other hand, some observers believe that the quality of work by Parliamentary Committees is improving. How far this is true, in which committees and for what reasons may therefore be rather important questions.

- Within the Executive, power is closely controlled by the President, the Prime Minister and a small number of senior ministers in Cabinet. This is reinforced by Presidential powers of appointment and by party structures. A particular implication for the budget process is that Ministers generally have little ability to control and steer their own ministries and their corresponding budgets.

- CCM Party discipline has a very strong influence on voting patterns within Parliament and on the behaviour of MPs within committee and on the debating floor. By contrast, the lack of unity and cohesion across the opposition parties seriously undermines the level of influence they can have within Parliament. It may be these factors, rather than any legislative or informational weaknesses, which most undermine the force of the Legislature.

- For many MPs, districts have become the new focal point for attention. This is both because of the necessity to be re-elected and because the flow of resources to districts through the national budget, through donor projects and through NGO activities permits national MPs to have influence at this level.

- In order to wield influence at the district level, national level MPs generally seek to forge alliances with local businessmen and with District Development Trusts. This may influence the decisions they take within Parliament and its committees.

- There is a pejorative view of the quality of District Councillors, who are generally perceived as "illiterate, local power-brokers". This sits uneasily alongside the appreciation that national MPs need to be seen to be bringing resources to the local level. As a result, the decisions taken by the Executive and by Parliament with regard to decentralisation suggest some ambivalence over whether the influence of national MPs is best promoted through allegiances with District Councillors or through their marginalisation.

- As aspects of societal accountability, neither religious organisations nor NGOs appear to wield very much influence over budgetary decision making. Some observers suggest that the Teachers' unions are rather more powerful.

- With regard to external accountability, donor agencies enjoy a high level of visibility but have less influence than is commonly imagined. Where donor interests conflict with domestic political interests, the latter will always predominate.

ii)Apparent fault-lines within the Tanzania Public Finance Management System

The Tanzanian budget process is often upheld as a strong example for its neighbouring countries in Eastern and Southern Africa. There are a number of recent studies describing the Tanzanian budget process and how it has been improved through various public finance management reform initiatives (ODI 2003; Daima Associates Limited/ODI 2004). Key reform elements highlighted are for example the Integrated Financial Management System (IFMS) and the associated mechanism of expenditure control through a centralised payments system. This has dramatically reduced the opportunities for spending public monies outside of the framework of the approved budget. Assessments of Tanzania's reform efforts and the quality of its public financial management system have generally been positive and have qualified the country for general budget support from a number of multilateral and bilateral donors (Bigsten et al 1999; Rutashobya 2004).

There are also critical voices. Some observers have been sceptical about the formal mechanisms for participatory dialogue such as those of the PRSP and the PERs. It is argued that established partnerships and coalitions tend to resemble staged performances in public participation, largely bypassing and undermining democratic oversight institutions such as parliament (Gould and Ojanen 2003).

The recent evaluation of general budget support (Daima Associates/ ODI, 2004) emphasised the improvements to the budget system which have been achieved over the past 10 years. At the same time, it pointed to a number of continuing weaknesses:

o   The extent to which public expenditure proposals are scrutinised and genuinely questioned continues to be limited – especially with regard to proposals from the PRS priority sectors. The GBS evaluation refers to the relative weakness of the "budget challenge function" within the planning units of sector ministries, the Budget department of MoF and within Parliament. This appears to be having negative effects on the quality and efficiency of public spending.

o   The Development Budget continues to be dominated by donor-financed projects. Although spending against donor projects is increasingly recorded in the budget, this is simply a recording function rather than a formal government approval process. These projects are generally not the result of Government-led sector strategies as reflected in the MTEF but rather a reflection of donor priorities. The result is a lack of coherence in spending decisions and a general imbalance between investment and recurrent spending.

o   There is a high level of virement and budget re-allocation during budget execution. Although budget changes follow the requirements of the Public Finance Act, in the sense of being authorised either by virement authorities or by (Parliament-approved) supplementary budgets, they result in a budget out-turn which is significantly different from the approved budget, thus diminishing the role of Parliamentary debate and approval in guiding public spending allocations[39].

o   There continue to be weaknesses in procurement processes, which are regularly reported in the reports of the Auditor General. The World bank-led Country Procurement Assessment Review identified a series of procedural changes required to address these weaknesses. These changes are being introduced but implementation has been slow and there are doubts over Government commitment to these improvements.

o   Although accounting and financial reporting for central government spending has improved enormously with the introduction of the IFMS, accounting at the local government level

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[39] However, it is no longer true that Treasury releases during the year tend to be lower than approved budgets. In fact, the opposite is true – not only for the priority sectors but for the government as a whole. Over 1999/2000 to 2002/03, on average 1 in 4 expenditure votes received expenditure re-allocations increasing their budgets by more than 15 %. In 2003/04 expenditure reallocations served to increase the recurrent budget by more than 22 per cent. (Daima/ODI, 2004)

remains very weak and only some 50 % of local governments have computerised accounts.

o The process for following up on the recommendations of the Parliamentary Public Accounts Committee is not robust, with the result that corrective actions are not systematically pursued.

A.2.3 Methods of Enquiry

Two methods of enquiry will be pursued:

- Semi-structured interviews with national Parliamentarians.
- Investigation of recent landmark budgetary decisions.

Semi-structured interviews with national Parliamentarians

Semi-structured interviews will be undertaken over a period of 1 week during the April Parliamentary session in Dodoma. These will be supplemented with interviews in Dar es Salaam of Ministers and members of the Parliamentary committees. Overall, it is planned to interview 50 National Parliamentarians, selected to provide a representative cross-section of the different political parties and of the different regions of Tanzania, whilst also including some Ministers and Parliamentary committee members. The interview guides for National Parliamentarians will include four sections:

o Section 1 : Identification of the Interviewee – Name, Age, Sex, Constituency, Years in Parliament, Party, Role within Party, Role within Parliament/ Government.

o Section 2: Overview of role within the Budget Process: what role or roles has the MP played? How satisfied is she/he with this role? What are seen as the main constraints to a more effective role? (testing MPs' perceptions of budget system weaknesses)

o Section 3: Perceptions of the MP regarding the relative significance of each of the 4 spheres of accountability (with questions designed to test hypotheses emerging from Inception Report).

o Section 4: Perceptions of the MP regarding specific landmark decisions. (MPs will be questioned on 2-3 decisions seen as relevant to their background & experience.)

Investigation of Landmark budgetary decisions

Six recent budgetary decisions have been selected for close examination. These have been chosen to illustrate the way in which accountability operates around the budget process, the quality of accountability which decision-making embodies and the relative strength of the different interests driving these decisions.

The six landmark decisions to be investigated and the likely issues to be explored are detailed below:

- Abolition of Primary School fees (2000). In 2000, the President announced the abolition of the UPE levy and of all other parental charges for primary schooling. It is widely rumoured that he was encouraged to announce this decision on the advice of the then World Bank Resident Representative, Jim Adams. How far is this true? What were the other voices in support and those against (MoEC, teachers' unions?)? How did the decision work its way through the budget process? Was due account taken of the financial implications? Why has there not been similar pressure for the abolition of primary health charges?

- Abolition of Development Levy for local governments. In his budget speech of June 2004, the Minister of Finance announced the abolition of the LG Development levy and of most other LG

tax instruments. The decision was subsequently ratified by Parliament. The move was strongly supported by the Bretton Woods institutions and also had the backing of consultancy and research work suggesting that these taxes contributed very little to the financing of LG services and yet as "nuisance taxes" represented a significant disincentive to private sector investment. However, the decision was announced with only minimal consultation. Was this deliberate or accidental? Were there concerns that the lobby in favour of LG fiscal autonomy would generate strong opposition? How did national MPs believe they might benefit from the decision?

- Subsidies for food production in Southern Highlands. Following the drought of early 2003, a subvention was introduced into the 2003/04 budget to subsidise inputs (especially fertiliser) for food crop producers in Iringa, Mbeya, Ruvuma and Rukwa. This subvention continued to be funded in the 2004/05 budget. What was the rationale for this decision and who championed it? How was opposition from food producers in other regions addressed? How was the subsidy actually implemented? Was the experience of implementation in 2003/ 2004 considered in deciding to extend the subsidy for a further year?

- Decentralisation legislation for LG budgets and staff. During the 1995 campaign trail, the CCM team stated that they had received a strong message from local people that there was a need to improve local services and bring them "closer to the users." This led to the abolition of the Regional Administrations by Prime Minister Sumaye in 1996 and to the initiation of a local government reform agenda. A new Local Government Act was passed in 1999, through which responsibility for staff and budgets for local services (education, health, road maintenance, water supplies, local administration and later agricultural extension) was to be passed to Local Government Councils. A Local Government Reform Programme was started in 1999 with Government and donor financing to define the specific legal, budgetary and administrative procedures by which this would take place and to initiate a capacity building process at LG level. Following long delays in the finalisation of these procedures and certain legal set-backs (such as the new Public Service Act of 2003 which contradicted the 1999 Local Government Act and needed to be revised), a delegated block grant funding system is to be introduced with the 2005/06 budget. Is there now sufficient support within Parliament and the Executive to ensure that this happens? What have driven the apparent fluctuations in support for decentralisation? Which are the most powerful lobby groups behind this process and how have they exercised their influence?

- Allocation of funds to Poverty Reduction Strategy "priority sectors". During the PRS 1 process a set of priority sectors was identified, that were considered central to poverty reduction, namely - education, health, HIV/AIDS, water, agriculture, roads, and governance. However, since the establishment of the priority PRS sectors, a set of secondary priorities has emerged. Thus, in the 2004/5 Budget Guidelines energy, lands, mining, tourism, transport & communications were explicitly highlighted as priorities. Real per capita allocations in the PRS priority sectors more than doubled between FY99 and FY03. This compares favourably with sectors such as defence, where expenditures only increased by 22% in real terms over the same period. However, allocations to non priority sectors also more than doubled in real terms. If one looks at the overall budget in relation to the PRS 1 priorities, we can discern a clear shift towards PRS priorities until FY02, where the share peaked at 62% of discretionary expenditures. Since 2002 there has been a subsequent shift away from these priorities which coincides with increases in allocations to economic services, an emerging priority that is not prominent in PRS 1. What has driven this shifting pattern of allocations? Is it simply a concern to fulfill the conditions for HIPC and PRBS funding? Why were economic services understated in PRS 1? How far does the identification of priority "outcomes" in PRS 2 (rather than overall "priority sectors") represent the real concerns of the Executive? Is there any consensus within Parliament on what should be the funding priorities? How much difference does this make?

- Purchase of Presidential jet in 2004. In 2003/04, the Government decided to replace the 30-year Presidential jet at a cost of approximately US $ 100 million. The decision process was not fully transparent in that the initial request for budget funding was limited to US $60 million and an additional allocation of US $40 million was sought through the Supplementary Budget passed in January 2004. Nevertheless, it did receive the approval of Parliament and it did follow the formal government procurement requirements. The decision was opposed by several of the donor community who felt that there was no need to have a Presidential jet and that these resources should be directed to poverty-reducing expenditures. Nevertheless, the opposition of the donor community had little apparent impact and nor was there significant opposition from Parliament. Why was this? Would a more unified position from the donor community have had a greater influence? Did the Parliamentary opposition raise objections? Did any member of the CCM raise objections? If not, why not?

The process will involve four steps:

- o Preliminary documentation of the landmark decisions, stating the apparent facts underlying these decisions, making a judgement on the quality of accountability which they illustrate (transparency, controllability, answerability) and hypothesising over which of the four accountability 'spheres' appears to have been most dominant, identifying specific agents/ organisations if possible.

- o Verification of facts and hypotheses through analysis of documentation and interviews with government officials, donor agency staff, researchers and others as appropriate.

- o Testing of the hypotheses through semi-structured interviews with national MPs.

- o Development of conclusions regarding these landmark decisions and the realities which they reveal regarding the operation of accountability in the budget process.

A.2.4 Time Frame

The Semi-structured interviews for Component 3 will be undertaken over 7 – 20th April and will take place predominantly in Dodoma during the Parliamentary session scheduled for 12-22nd, April, 2004. A preliminary write-up of the "landmark budgetary decisions" will be prepared over 4-9th, April and investigatory work will be completed in the period of 18-23rd, April. A summary of the key observations and conclusions from Component 3 will be made available by 21st, May and staff from REPOA will be available in Dar es Salaam to brief DFID, Tanzania and the Governance Working Group in the last week of May or the first week of June.

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