Local Government in Tanzania and the Legacy of a Faulty Takeoff

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Abstract

While local governments in Tanzania have existed for more than a century, their relationship with the central government has been one-sided; with the latter surviving at the mercy of the former. Such an imbalanced relationship notwithstanding, numerous interventions seeking to make local governments more autonomous have been introduced but none of them has managed to resolve the situation. This paper posits that the failure of these interventions stems from a flawed formation of local governments devoid of active players to push for autonomy thus granting absolute latitude to the centre to dictate the functioning of local governments. As various measures for ensuring effective functioning of local government continue to be undertaken under the auspices of the central government, parallel measures seeking to increase the voice of other actors at the grassroots need to be given adequate attention.

Introduction

The history of local government in Tanzania starts officially with the coming of the colonialists at the end of the 19th century. There is however a debate on the exact genesis of local governments in Tanzania. This debate can be situated within dependency and modernization theoretical perspectives. Dependency theorists such as Andre Gunder Frank (1967), Walter Rodney (1972) and Samir Amin et al (1987) would argue that pre-colonial African societies had well-established governance structures and systems. For

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instance, Rodney (1972) holds the view that in the fifteenth century which was the first encounter between Europeans and Africans, the continent had already realized significant socio-economic and technological advancement. On the other hand, modernization theorists such as Rostow (1960) and Riggs (1964) would situate the genesis of African governance systems within the colonization movement which went hand in hand with the civilization of African societies. It is on the basis of this belief that modernization theory provides that the responsibility of developing Africa is in the hands of metropolitan states (Matunhu, 2011). Modernization theorists state that up to the time of colonial conquest, Africa's development was lagging far behind other regions of the world due to 'innate' inferiority of black people to master their socio-economic conditions (Matunhu, 2011).

Modernization theory's view point is still amplified in contemporary international relations discourse in which even with the formation of states following the end of colonialism, the existence of such states is still doubted. This doubt is for instance expressed by Jackson & Rosberg (1982) who see the existence of African states to be only juridical, not empirical.

While this paper seeks not to delve into this debate, there are some facts worth-noting. The first one is that in spite of the fact that pre-colonial African societies did not have a replica of modern systems of governance, they had their own socio-economic and administrative systems that stretched from the apex downward. This fact is testified by the decision of the British colonial state to use existing local governance structures (a detailed account of this fact will be provided in proceeding sections). Such fact notwithstanding, discussing local government within the intergovernmental relations framework points to the fact that modern local government system in Tanzania started with the colonization of the country in 1880s.

Despite the fact that local governments in Tanzania which were established since the colonial period have been in existence for over a century, they have never enjoyed their pre-supposed autonomy; the problem which continues to affect the way they undertake their functions. This paper argues that while a lot has been said and written about local governments' lack of financial, administrative, political and legal autonomy, there is a neglect of the root cause of the problem- the nature of the take-off.

The paper argues that the main fault-line of that takeoff was the creation of local governments based on "faith" thus lacking a push from various actors

to ensure that they serve in the interests of the people at the grassroots. In the context of this paper, local government by faith entails a situation where such governments are established while actors at various levels remain believing (faith) that the central government will create an atmosphere conducive for effective functioning of local governments. Too much faith is thus put on promises made by the central government to have effectively functioning local governments as reiterated in various policies and laws. On the basis of this faith on the "good will" of the central government, other actors find themselves playing a very passive role in demanding or advocating for autonomous local governments. Parestico (2014) maintains that the passivity of sub-national actors such as local government councillors, the civil society organizations and the citizenry has paved way for the central government to dictate the decentralization process.

On the other hand, local government by push explains the vibrancy of various actors such as political parties, the civil society, the media and the general public in ensuring that local governments represent the interests of the people at the grassroots. This push is expected to serve as an expression of participatory democracy at the grassroots in which people within their localities come together to push for ownership of local governments. This push thus serves as a popular force seeking to empower people at the grassroots thereby enabling them to define the nature of their participation in local government affairs. As Kaufman (1997) correctly observes, popular power based on community is often constrained by various hurdles mainly from power of the central bureaucracies, the ruling party and state apparatus. It is thus important that people at the grassroots remain vibrant so as to be able to exercise their democratic rights in managing local governments. In most cases, this vibrancy is not meant to portray lack of mutual trust between the central government and other actors but rather seeks to minimize the influence of central government in the functioning of local government.

In discussing the implications of the faulty takeoff on the functioning of local governments, this paper is divided into several sections namely: the analytical framework; the legal and operational framework for local governments in Tanzania; and local governments in South Africa: Africa's best decentralization experience. Other sections include: pre-colonial governance systems; colonization and the birth of local governments; independence and the question of autonomous local government; the advent of local government reforms; and the conclusion.

Analytical Framework

This paper applies the conceptualizations of the terms "local government" and "devolution" as its analytical framework as the two concepts lay a foundation for an understanding of local government autonomy. There are various definitions of local government as a concept which however share common characteristics. In one hand, local government is seen to be a territorial, non-sovereign community possessing the legal right and the necessary organization to regulate its affairs (Robson, 1937). The concept is also described as that part of the whole government of a nation or state which is administered by authorities subordinate to the state authority, but elected independently of the control by the state authority (Gomme, 1987).

Local Government is also described as government by popularly elected bodies charged with administrative and executive duties in matters concerning the inhabitants of a particular district or place and vested with powers to make by-laws for their guidance. It is also viewed as an authority to determine and execute measures within restricted area inside and smaller than the whole state. It thus entails the management of local affairs by the people of the locality. Local government is said to be based on the principle that local problems and needs can be looked at by the people of the locality better than by central governments.

Similar views are advanced by Agagu (1997) who construes local government as the government at the grassroots level of administration meant for meeting perculiar needs of the people. Echoing the same conceptualization, Lawal (2002) regards local government as the government close to the people which is vested with certain powers to exercise control over the affairs of people in its own domain.

The above definitions share the same root- that local governments are grassroots organs charged with the responsibility of performing various public functions with minimal involvement of the central government. Nevertheless, the extent to which they have the mandate and authority to undertake various functions will depend on a form of decentralization that a particular country opts for. It is worth-noting that there are four main forms of decentralization namely deconcentration, delegation, privatization and devolution.

Deconcentration as a form of decentralization involves relocating and geographically dispersing the agents of central control (Sayer, et al. 2004). It is thus the transfer of administrative responsibility for specific functions to

lower levels within the central government bureaucracy, generally on spatial basis (Ferguson & Chandrasekharan, 2004). In this form of decentralization, decision-making and financial management responsibilities are under local government but there is no real transfer of authority between levels of government (Gregersen, et al. 2004). It is thus the least extensive type of administrative decentralization (UNDP, 1999).

On the other hand, decentralization by delegation involves the transfer of managerial responsibility for specified function to other public organizations outside the normal central government control (Ferguson & Chandrasekharan, 2004). This form of decentralization thus focuses on transferring administrative responsibility for carefully spelled out tasks to institutions and organizations such as state-owned enterprises and urban or regional development corporations that are either under government's indirect control or semi-independent (UNDP, 1999; Gregersen, et al.2004). The third form of decentralization is privatization in which units external to the formal government structure such as NGOs and private corporations and companies perform specific functions. Nevertheless, the nature of power transfer under this form of decentralization is not level-specific and thus transfers can take place even at the central level (UNDP, 1999).

The last form of decentralization is devolution. UNDP (1999) points out that this is the most common understanding of genuine decentralization. Devolution involves an intergovernmental power transfer from the central government to geographical units of local governments (Mutahaba, 1989). It entails having local governments performing specific functions with relative autonomy. Through devolution, decision-making and implementation powers, functions, responsibilities and resources are transferred to legally constituted and popularly elected local governments (ICJ, 2013).

In principle, the success of devolution depends mainly on the willingness of the central government to grant autonomy to local governments. This willingness can be expressed by various aspects namely: the need and urge by the central government for a strong system of local government in a democratic political environment; local governments to be allowed to play a vital role as a full partner in development; and a fair division of financial resources between the central government and local governments (Havenga, 2002; World Bank, 1989; Heyman & Totemeyer; 1988). Central government's willingness for autonomous local government needs to also be testified by, *inter alia*, the existence of full and adequate consultation and regular flow of

accurate information between central and local governments. There also ought to be full citizen participation at all levels of administration and government (Havenga, 2002; World Bank, 1989; Heyman & Totemeyer; 1988).

Under decentralization by devolution, local governments are also expected to have legally recognized geographical boundaries within which they exercise authority and perform public functions (UNDP, 1999). These units have a corporate status and powers to raise resources for funding various development projects (Mutahaba, 1989; UNDP, 1999). Furthermore, local governments remain autonomous institutions perceived by the people as belonging to them (Mutahaba, 1989). Nevertheless, devolution does not entail federation and thus local governments remain linked to the central government and other units through arrangements of mutual support and reciprocity (Mutahaba, 1989).

The analysis of local government autonomy in this paper is based on devolution as one of the forms of decentralization. Besides its appropriateness due to its emphasis that local governments have to operate as autonomous units, the choice of devolution is based on the fact that since independence there has been a reiterated commitment especially from the central government to have devolved local governments. Despite some developments in Tanzania that have sometimes diverted from devolution, this form of decentralization continues to be seen as the best option for effective functioning of local governments.

The legal and operational framework for local governments in Tanzania
Local governments in Tanzania are legal entities whose existence is provided for under articles 145 and 146 of the 1977 Constitution of the United Republic of Tanzania. Besides the constitution, there are other local government laws such as Local Government (Urban Authorities) Act 1982; Local Government Finance Act 1982; Urban Authorities (Rating) Act of 1983, Regional Administration Act 1997 and Local Government Laws (Miscellaneous Amendments) Act 1999. The legal framework under which local governments have been operating has for many years faced criticism for constraining local government autonomy (Liviga, 1992; Mutahaba, 1989). The challenges to the legal framework have tended to focus on several aspects. For instance, despite providing for the existence of local governments, the 1977 constitution of the United Republic of Tanzania does not clearly define the boundaries between the central government and local governments. This

weakness is said to have paved way for the central government to infiltrate into the functioning of local governments. Likewise, several local government acts are blamed for denying local governments their political, administrative and financial autonomies. The weakness of the legal framework is also pointed out by the policy paper on local government reforms of 1998 which underscores the necessity of amending and repealing local government laws that were made in early 1980s. In describing local government's legal framework in Tanzania, REPOA maintains:

> Two important features marked the local government structure introduced by the 1982 laws. One was the close identification of local governance, and overlap with the ruling party i.e. the ruling party, CCM reigned supreme in relation to the government, with a party organization that reached from the national to the ten cell level. The second was that local government authorities (including at the sub-district level) remained closely supervised and managed by, and accountable to the CG through the minister for local government and or the regional commissioner who was designated the 'proper officer'. Thus, local governments were not strictly autonomous and only partially participatory. At best, therefore, the legal reforms of 1982 could be described as decentralization by delegation (REPOA 2008:13).

Functionally, local governments in Tanzania operate under a unitary system (URT, 1998, REPOA, 2008). As Utomo (2009) correctly observes, under unitary system the relationship between central and local governments is based on the subordination of the latter. Since independence to date, local governments have been the victims of centralized controls exercised by the central government. Despite several reform interventions meant to increase local government autonomy, the central government has for many years maintained an upper hand in the functioning of local governments. The central government has been reluctant to grant more autonomy to a body which it considers to be its tributary.

Therefore, while local governments are expected to be under the control of citizens at the grassroots, the history of local government in Tanzania shows that citizens have had limited participation in local government affairs. Even with the recent local government reforms, the legacies of limited involvement of citizens still characterize local governments in Tanzania. For instance, a study by Kessy and MCCourt (2010) in Mwanza and Moshi

suggested that the level of citizens' participation in council affairs was low as 76% of 235 respondents indicated to have not attended a public meeting about council matters in their areas in the last 12 months.

Lack of space for effective functioning of local governments in Tanzania is mainly attributed to the political trends that this country has passed through. Since independence in 1961 to the reintroduction of multiparty politics in 1992, the state of democracy was poor as the single-party regime controlled all socio-economic and political aspects. Such atmosphere was not conducive for the existence of autonomous bodies such as local governments.

Even with the reintroduction of plural politics in 1992, still the ruling party and the state continue to control the country's political space. It is on the basis of centralist tendencies that Tanzania continues to be regarded as a de facto single party state (O'Gorman, 2012; Makulilo, 2008). Such deep-rooted control tendencies have had dire effects on the functioning of local governments in Tanzania as the proceeding sections will show. However, prior to discussing local government in Tanzania, the next section provides an experience from South Africa as a relatively well-functioning local government system in Africa.

Local Government in South Africa: Africa's Best Decentralization Experience

Despite being in existence for several decades, local governments in Africa are still infant. This infancy is largely attributed to slow pace among most African countries in implementing decentralization reforms. Decentralization in the continent has for many years varied across countries in terms of regional spread and aspects of decentralization (Ndegwa, 2002). For instance, a study conducted by the World Bank in 2000 indicated that out of 30 countries analyzed, less than half had high or moderate levels of overall decentralization (Ndegwa, 2002, Commonwealth Local Government Forum-CLGF, 2010; Brossio, 2000). Despite these variations, some African countries particularly South Africa, Uganda, Ethiopia and Kenya have demonstrated exemplary commitment in ensuring the existence of effective local government systems. Nevertheless, of all African countries, South Africa has at least stood as the leading country in the continent in terms of commitment to decentralization reforms. A survey by the World Bank in 2000 indicated that South Africa had high scores in all aspects namely: the extent of political decentralization; the extent of administrative decentralization and the extent of fiscal decentralization. The country also had a lead in both downward and

upward accountability. Downward accountability is said to be bolstered by the involvement of traditional Authorities in the management of local governments (Steytler, 2005). These leaders are officially recognized by the country's constitution and the involvement of these leaders is defined by the Traditional Leadership and Governance Framework of 2003. Specifically, South Africa has distinguished itself from most of other African countries in terms of championing decentralization in several aspects as shown below.For instance, while local governments in other African countries such as Tanzania have been complaining over the lack of administrative autonomy, those of South Africa have significant autonomy in hiring, disciplining and firing their staff. Likewise, while in most of African countries such as Tanzania the central government has remained influential in determining staffing structures, local governments in South Africa have freedom in determining their staffing structures. Likewise, local governments in South Africa are to a great extent self financing. In some cases, they have been responsible for raising up to 90% of their own revenues. The 1996 constitution of South Africa grants the powers to local governments in raising revenues from various sources (Steytler, 2005).

The main sources of local government finances include: equitable share- an amount of money that a municipality gets from national government each year. The constitution provides that all revenues collected nationally must be divided equitably between national, provincial and local government (Cronje, 2014). Other sources are: property rates, service charges or tariffs and fines. South Africa has also been exemplary in terms of political decentralization as the three spheres of government namely central, provincial and local are seen as equal, distinctive, independent and interrelated (UNECA, 2014). Mutual relation among these spheres is affirmed by the Intergovernmental Relations Framework Act of 2015 (Siddle, 2011).

The existence of autonomous local government in South Africa is partly attributed to an enabling legal and regulatory framework. Both the 1996 constitution of South Africa and several local government Acts such as the Municipal Demarcation Act 1998; Local Government Municipal Structures Act 1998, Municipal Systems Act 2000; Municipal Systems Amendment Act of 2011and Traditional Leadership and Governance Framework Act 2003 provide for local autonomy (Cronje, 2014). The other contributing factor for local government autonomy is the fact that while in most African countries local governments were imposed from above, those of South Africa are said to have emanated from the grassroots as black communities were pushing

for the end of injustices and inequalities that were created during the apartheid era (CLGF, 2010).

Pre-colonial governance systems

As pointed out in the introduction, pre-colonial societies in Tanzania had their systems of local governance. Such systems had some common characteristics that were ubiquitous in most of these societies. The first characteristic was over-centralization of the management of societal affairs. For instance kings/chiefs in kingdoms such as Nyamwezi and Hehe had overriding powers that could not be questioned. Despite the fact that most of these societies had various administrative units, all these organs were created to serve the kings/chiefs. These traditional leaders had various roles in their respective societies such as leading their people in battles, disputes adjudication but also had spiritual and magical powers (Bryant, 1934; Redmayne, 1968). It is on this basis that Bryant (1964) argues that all chiefs had magical and religious powers to the extent that only bold persons could dare challenging their authority. For instance, in Nyamwezi Kingdom, chief Mirambo was the main priest responsible to his kingdom physically and spiritually (Matambanadzo, n.d).

The second feature was that there was no clear distinction between the centre and local levels as all levels were running in accordance with the directives from the kings. For instance, in Nyamwezi Kingdom, chief Mirambo created an organization system that had a well-defined centralized authority of unified people (Matambanadzo, n.d). Such system of local governance was quite different from modern local governments that advocate for relative autonomy in which local governments and central government operate on mutuality and reciprocity.

The third feature was that citizens had either no awareness of the need to have autonomous local governments or if they were, they might have been engrained in the fear of the repercussions of challenging the status quo. As earlier shown, apart from having political, legal and administrative powers, kings in most of pre-colonial societies in Tanzania also had spiritual and religious powers. Kings were so powerful to the extent that challenging them was tantamount to a personal sacrifice. It is imperative to note that up to the time of the coming of colonialists, Tanzania was yet to witness democratization movements challenging the monarchy as it was in Britain where such movements led to the birth of the Magna Carta of 1215. Pre-colonial societies in Tanzania exhibited the features of absolute monarchy in

which kings/chiefs were treated as Gods. With these features, it was clear that the environment within which these societies operated did not provide a friendly environment for the existence of effective local governments. On this basis, any attempt to establish effective local government system had to do away with these features. Unfortunately the colonialists did very little to change the manner of governing people at the grassroots as the next section will attempt to show.

The colonization of Tanzania and the Birth of the "formal" local government system

Following the partition of Africa after the 1884 Berlin Conference, Tanzania fell in the hands of German colonial rule until the end of the First World war. Under the Germany colonial rule, Tanzania witnessed the formation of local governments that was accompanied with the enactment of various local government laws. Despite the fact that measures were taken to establish local governments, such creation proved to be of no value to the general public, as the established local government meant to serve the colonial state than serving the citizens at the grassroots. It is worth-noting that following the colonization of Tanzania, the German colonial state took some measures to establish local structures. Through the imperial decree of 1901 local communal unions in districts such as Dar es Salaam, Kilwa and Lindi were formed. However, their functional autonomy was very limited. Specifically, local government system created in Tanzania during the Germany colonial rule had three main features.

The first one was that it was centralized and did not seem to recognize the existence of local governance systems and structures. This orientation was reflected by the Germans' zero tolerance policy in dominating the indigenous Africans; a practice which led to animosity between the two. The existence of animosity between the German colonial rule and natives began especially during the wars of conquest in which the Germans used brutal means to overcome local resistances.

It is worth-remembering that resistance to German conquest broke along the coastal strip from 1888 after the agents of the German East Africa Corporation (DOAG) occupied coastal ports in order to control and tax caravan trade as well as the establishment of cash crop estates (Sunseri, 2005). Indigenous resistance movements against the Germans along the coast were led by Abushiri bin Salim and Bwana Heri bin Juma (Sunseri, 2005). These movements were brutally crushed by the German forces. For instance,

in 1889 the German government dispatched Hermann Wissmann to control contentious areas in coastal areas. Under Wissmann's command, the Germans established their authority through excessive force in which those considered guilty of resistance were immediately killed, with others being handed over to the executioner following a conviction by court martial (Gewald, 2005).

The second feature was that it did not entertain the "voice" and exit options. Any voice against the colonial state was a breach of law and was a punishable act. If any, such voice had to be in support of effective implementation of colonial policies. Likewise, there were no exit options and thus the colonial superstructure was the beginning and the end.

The last feature was that local governments were to serve as agents of the colonial state and never were the two seen operating as partners of development. On the basis of the nature and functioning of local governments, there was no any indication of the existence of a local government system seeking to serve the interest of the majority at the grassroots. Despite the fact that the Germans created new chiefs whose responsibilities included, among others, tax collection and organizing for cheap labour, they were directly accountable to German colonial offices (Gewald, 2005). African chiefs were thus the link between the colonial state and the people.

Following the end of WW1 in which Germany was defeated thus losing its colonies, the then German Tanganyika fell in the hands of British colonial rule. The British colonial state took various measures to establish its own system of local governance. Borrowing from the Nigerian experience, the British colonial state introduced indirect rule in which it used traditional chiefs and other appointees to govern their societies. Unlike the German colonial state that believed in a centralized control using its own created structures, the British at least gave an impression of recognition of an existence of functional local governance systems that could be used to facilitate meeting colonial needs. This was testified by the decision of the British colonial state to introduce indirect rule system (Crowder, 1964).

This system involved identifying the local power structure, the kings, chiefs or headmen, who were then invited, coerced or bribed to become part of the colonial administrative structure while retaining considerable political power over the people in their own areas (Khapoya, 2013). Under indirect rule

system, designated traditional rulers were used by the colonial state to undertake various functions such as tax collection, maintenance of law and order, and acted as a link between the colonial state and the people (Mutahaba, 1989). This decision was effected by the enactment of the village headmen ordinance which provided for the appointment of the chiefs.

Nevertheless, like its predecessors, the British colonial state fell in the same trap. What seemed to be like granting autonomy to local levels to manage their own affairs was indeed not. It was rather one of the strategies employed by the British colonial state to maintain peace and order for effective realization of the goals of colonialization (Liviga, 1992). The established local government system was therefore an organ for facilitating effective implementation of colonial policies. It never took as its core value issues such as participation, autonomy, transparency and accountability. Chiefs and kings were hence figureheads who served as agents of the colonial state as it was the colonial state that remained supreme in all governance matters at the local level.

Local governments were therefore created to act as instruments of control not for self-rule at the grassroots (Liviga, 1992; Mutahaba, 1989). They were meant to legitimize colonial policies before such policies could be pushed to people at the grassroots (Liviga, 1992). Even with the taking of measures such as the enactment of the local government ordinance (Cap 333) seeking to introduce autonomous local government using the British Model, there were no significant changes (Mutahaba, 1989). Therefore, there was no room for people at the grassroots to challenge colonial policies. Even the choice of the use of chiefs had a hidden logic behind. As earlier pointed out, pre-colonial African kings were very autocratic and never served as advocates of democratization. It was thus clear to the colonial state that while the colonial state and the leadership of pre-colonial societies in Tanzania differed in terms of what they sought to achieve, they had a lot in common in terms of how to manage the populace.

Therefore, even native resistances waged against the colonial state since the German rule such as the Maji Maji uprising of 1903 had little to do with raising mass consciousness about their democratic rights. It was just consciousness against the colonial state for the sake of restoring the then autocratic pre-colonial status quo. Citizens were yet to recognize that fighting the colonialists had to be a multipurpose undertaking. The main purpose could have thus been first of all to get rid of an exploitative colonial

state and the restoration of native rule. The second purpose could have been to democratize the native rule so that the king and his subordinates act in accordance with the interests of the general public. This was however not witnessed for the reasons already mentioned in preceding sections.

On the basis of the functioning of German and British colonial states, two main observations related to the establishment of local governments (takeoff) are noted. The first one is that local governments were not created with a spirit to empower the citizenry at the grassroots. These organs served as conduits of colonial policies, with citizens at the grassroots playing a subject role. This replicated much what their role was during the pre-colonial period. As earlier shown, citizens were the subjects of the kings/chiefs. The only difference between pre-colonial and colonial governance systems was that the former enjoyed natural legitimacy whereas the latter had to cement its being by force.

The second observation is that local government system was embedded in the hierarchy of the central government. Local governments were thus created as tributaries of the centre and never were they empowered and prepared to serve as autonomous organs that could operate on mutual and reciprocal basis with the central government. These two developments came to have a huge bearing on local government systems that were created after independence as the next section will suggest.

The independence and the question of autonomous local government
Independence struggle characterized by a series of revolts and resistance had one goal in common-seeking for self-determination by doing away with the colonial state. It was not a surprise that such movements enjoyed popular support from the people in all walks of life. People were tired of brutal and exploitative colonial state and thus wanted to exercise their self-rule. As harder and fatal as the independence movement could be, people were hopeful that seeking for independence was a do or die affair.

Having been exposed to the governance system of the colonial state, it was clear that traditional rule practised during the pre-colonial period could not be restored in its original form as a new system of governing the society was in place. On the basis of this recognition, people gave much support to socio-political organizations such as Tanganyika African Association (TAA) which later became a political party- Tanganyika African National Union (TANU) and vowed to oust the British Colonial Rule. More importantly, these

organizations became national thus going beyond ethnic confinements which was the case during the pre-colonial period.

Following increasing demand for self-rule, Tanzania got her independence from British colonial rule in 9th December, 1961. Attainment of independence raised a lot of expectation from the general public to the new government. Nevertheless, and like its predecessors, the creation of local governments after independence was not influenced by the spirit of having the people at the grassroots control local governments. This was because the independent government inherited the same system of local government created by the colonial state. The independent government inherited a local government system with fifty local authorities that were established under the Native Authorities Ordinance (Mutahaba, 1989). Despite various measures which were made by the government to promote more involvement of the people at the grassroots in managing their affairs, which went hand in hand with the propagation of the socialist ideology, there was little to suggest a commitment from the central government towards having autonomous local governments. This was particularly so due to various factors.

The first factor was that having inherited the system of local government created by the colonial state to cater for the interests of the centre not the interests of the general public, it was obvious that local governments would continue to bear the same characteristics. Like during the colonial period, local governments were to continue serving the interests of the central government, with little influence from the general public in terms of how they were to undertake their functions.

Various measures were thus taken to cement the control of central government over local governments. One of the measures was a decision made from 1962 to 1965 to put local governments under the control of the ministry of local government which did not yield expected results. This decision was replaced by the decision made by the central government in 1965 to place local governments under the ministry of state, before local governments were located in the ministry of regional administration and rural development (Liviga, 1992). Local government situation was made worse by the adoption of Arusha Declaration in 1967, which besides propagating socialism and self-reliance, it implied more centralized control of local governments as the central government had to get more involved in socio-economic and political affairs at the grassroots during the execution of

this declaration. It was on this spirit of a centralized control that local governments were abolished in 1969.

The interpretation of the abolition of local government by the central government was that it was a decision meant to pave way for the creation of more effective local government organs under a deconcentration version of decentralization, popularly known in Swahili language as *madaraka mikoani* (Mutahaba, 1989; Liviga, 1992). Following this reorganization of local governments, the responsibilities for provision of services and supervision of development programmes were put under the District Development Director (DDD), Regional Development Director (RDD) and the Prime minister's office at the district, regional and national levels respectively (Liviga, 1992).

It is however worth-noting that while local governments were abolished on grounds that they had become a burden to development, there was very little to suggest that this was a fair accusation. The fact was that since independence local governments had never exercised freedom and autonomy in undertaking their pre-supposed functions. It is no wonder that even when the central government promised for more powers to local governments through *madaraka mikoani*, it was clear that such decision still had the centralization and control spirit. Given the troubling experience that local governments had passed through since independence, the best variant of decentralization to be opted for was to be decentralization by devolution (D by D).

Nevertheless, following excessive desire by the central government to control local governments, granting more autonomy to local governments would imply an intended separation between the two, the situation that the central government was not prepared for. It was on this basis that following the abolition of local government in 1969, the central government opted for deconcentration. This choice was however faulty and by 1982 the central government realized that deconcentration had not worked. Decentralization by deconcentration led to various problems such as the expansion of the civil service and duplication of roles, which culminated to the deterioration of public services (Mutahaba, 1989).

With increasing economic challenges and the pressure from International Monetary Fund (IMF) and the World Bank (WB), the government found itself with no other option, except to re-introduce local governments in 1982. This decision was effected through the enactment of five laws namely the local government (district authorities) Act, the local government (urban

143

authorities) Act, the local government (finance) Act, the local government (services) Act and the Local government (negotiation machinery) act; all of 1982. Even with the re-introduction of local governments in 1982, there was very little from the central government to suggest that it had changed its orientation towards local governments. Rather than looking for better and effective ways to facilitate the functioning of local governments, the central government maintained the status quo, only being rebranded now and then. Liviga (1992) for instance argues that even with the enactment of the 1982 local government laws there was still limited commitment from the central government in ensuring that local governments operate as institutions of self-rule. Local governments thus retained their status of being agents of the central government.

Given this endless control of local governments, one question worth asking is why local governments were so passive in pushing for their autonomy. One of the possible options that could have factored much in changing the status quo was an outbreak of popular democracy. Such an outbreak could not be witnessed though. As pointed out earlier in this paper, the central government had taken all necessary measures to ensure that it is not challenged from the grassroots. All possible foundations of popular democracy had been controlled, with bodies such as trade unions, which were very active during the struggle for independence, being made to serve as distributaries of the ruling party (Tordoff 2004; Glickman, 1965: Mihyo, 1975). The populace in general had been put under a tight grip of the ruling party, bolstered by the indoctrination measures which ensured that citizens maintained maximum loyalty to the party and government in power.

The second factor was the adoption of single-party rule from 1965 which entailed, among other facts, that it was only TANU which was to be a supreme organ. Therefore, the functioning of local government was defined and sanctioned by the single and ruling party. Two developments better explain this fact. The first one, as pointed out earlier, is the decision to abolish local governments in 1969 due to what the central government described as the inability of those organs to meet public expectations. Such a decision was taken without taking into consideration that much of such weaknesses were a result of undue influence of the central government in the functioning of local government orchestrated by the single party-TANU.

Therefore, the decision to abolish local government did not emanate from the people at the grassroots nor did it get a blessing from other actors at lower

levels of government. Decisions related to local governments remained a prerogative of the ruling elites. It was until 1982, as shown earlier, that the single party state realized the mistake it had made in abolishing local governments thus deciding to re-introduce such governments. Re-introduced local governments survived until early 1990s when the Civil Service Reform Programme was launched; with local government reforms being one of its six reform components (Kessy & McCourt, 2010).

Local governments established after independence were thus the victims of a faulty path created by the colonial state. As pointed out earlier, such path was exhibited by the failure of the created local government system to cater for the interests of the majority at the grassroots. Such path has persevered to the extent that interventions seeking to change the status quo have failed to reverse the order.Besides the above two factors, the central government has since independence been using indirect mechanisms to control local governments as shown below.

The first one is subjecting local government elections to the control from the centre. Since independence, local government elections are subjected to the control of officers from the central government such as a minister for local governments who is normally a cadre of the ruling party. Likewise, given that local government elections are managed by District Executive Directors who serve as returning officers in general elections, these officials have been always subjected to blames especially from opposition parties as they are accused of favouring the ruling party. It is on this basis that opposition parties and other stakeholders have persistently called for the formation of an impartial and non-partisan electoral commission (Makulilo, 2009).

The complaint from opposition parties and other stakeholders has always been that local government affairs are in the custody of officials such as District Executive Director (DED) who are mostly the agents of the central government and the ruling party and who cannot be directly held accountable by local governments as they are appointed by the central government. So often it has been the case that in case of misunderstanding between DEDs and elected councillors, the far these councillors can go is to recommend for disciplinary measures to be taken by the ministry responsible for local government. In order to increase local government's administrative autonomy, there have been appeals that DEDs be hired by local government authorities (Ngware & Haule, 1992).

The second technique is doing less to ensure local government financial autonomy. Given the fact that there is a plethora of socio-economic problems at the grassroots which need to be addressed by local governments, attending to such problems require committing financial resources. Nevertheless, since independence to date, local governments have been suffering from inadequacy of financial resources. Such inadequacy is attributed to many factors; including lack of capacity to collect revenues, limited sources of revenues and lack of a balanced share of revenue sources between local governments and the central government as potential sources are under the control of central government.

It is on the basis of limited financial resources that the functioning of local governments remains highly dependent on grants from the central government. For instance, Controller and Auditor General's report for the year 2013 shows that the financial situation of local governments is appalling as they cannot even fund their recurrent expenditures. Figure 1 below shows that since the financial year 2008/2009 to 2012/2013 the contribution of local governments to recurrent expenditure has only been less than 12 percent. The figure indicates that in the financial years 2008/9, 2009/10, 2010/11, 2011/12 and 2012/13 the contribution of local governments to recurrent expenditure using own sources was 8%, 8%, 9%, 11% and 10% respectively. This is despite the introduction of local government reform programme which promised, inter alia, to increase local government's revenue base.

Figure 1. Trend of own revenue source against recurrent expenditure 2008-2013
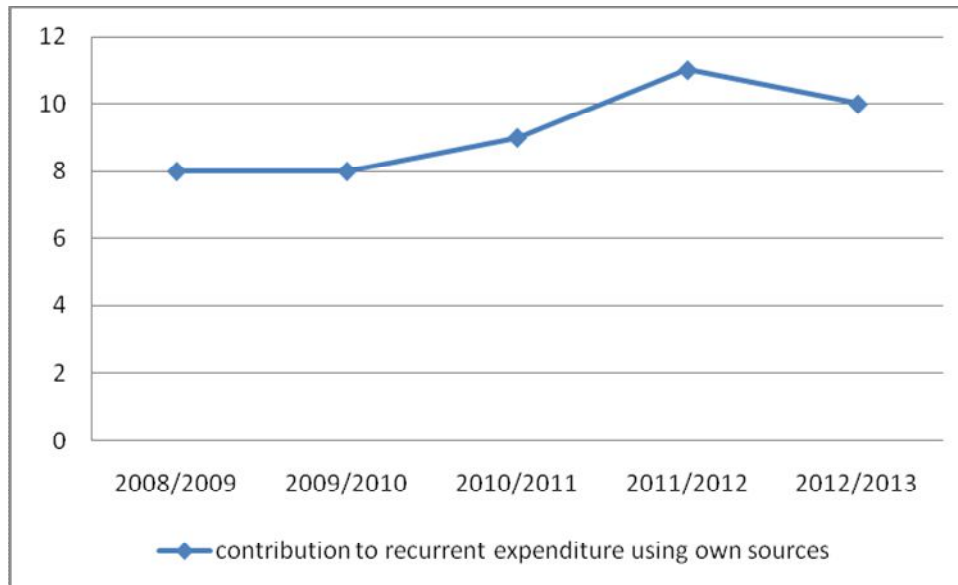
Source: Own compilation using CAG report 2013

The third measure is the creation of ineffective local governance structures. Local governments have clearly laid down structures from the village level to the hamlet level. At the village level, a village council consists of 25 members, headed by the village executive officer and the village chairman. The VEO is a civil servant and is employed on permanent basis as a public bureaucrat. On the other hand, a village chairperson is a political figure and he/she is elected after every five years during local government elections. In urban areas, such jurisdiction is with street neighbourhoods (*mitaa*). Below the village/*mtaa* level there is a hamlet which consists of seven members. Top leaders at this level are the hamlet chairperson (a political figure) and hamlet executive officer (a civil servant).

Upper levels that precede these structures are the ward development committee at the ward level and the full council at the district/municipal or city level. Of all the officials at the village/mtaa and hamlet levels, it is only those serving as civil servants that are paid salaries. The rest depend on uncertain bonuses. Most of public officials at the grassroots thus work on voluntary basis and are in most cases complaining of being neglected by the central government. As shown earlier, it is definite that given their limited

revenue base and thus surviving on central government grants, most of local government authorities cannot afford paying these officials using own sources of revenues. This situation is said to have been exacerbated by the abolishment of development levy in 2003 which was a potential source of finance to local governments especially in covering for recurrent expenditure. Local governments are thus made to remain weak institutions that cannot challenge the status quo by pushing for more autonomy.

The fourth measure is paying little attention to the quality of human resources. It is worth-noting that there has been a hot debate in Tanzania regarding the required attributes of elected political leaders. On this aspect, two opposing arguments have been common. The first line of argument has been that it is a democratic right for every person with a sound mind to be elected to office despite his/her level of education. This position is supported by the constitution of the United Republic of Tanzania, article 67.-(1) (a) which provides that any person qualifies to be elected or appointed as a member of parliament provided he/she can read and write in English or Swahili language.

The second line of argument has been that given the growing socio-economic and political complexities in Tanzania, those seeking to be elected to public offices should be at least educated and knowledgeable enough so as to be able to play a leadership role to the rest of society members in overcoming the above-mentioned challenges. While it is not the interest of this paper to immerse into this debate, it is however a fact that local governments (village and hamlet councils) are managed by uneducated individuals whose level of education is mostly primary school. This is particularly the case in rural areas. With limited levels of education, these officials have been serving the local governments as conduits of the wishes of the central government.

Since early 1990s when local government reforms were initially adopted as a component of the civil service reforms, studies have suggested weaknesses in training of local government leaders. For instance,the study on local government that was conducted in 1992 found that most of village chairmen/secretaries were not being given induction/orientation seminars before assuming their duties. The study also noted that most of them had only completed primary school education, some had not even completed that level, while some of these officials could not even read and write (Ngware & Haule, 1992). Likewise, Pallangyo & Rees (2010) make similar observation by pointing out that training in Tanzania's local governments has been

neglecting village and hamlet chairpersons despite a crucial role that these officials play in local governments. The same weakness is noted by Haule (2013) who sees low level of education among local government leaders as an impediment to the implementation of decentralization by devolution.

While a lot has been said in terms of increasing local governments' capacity in decision making, very little has been done so far with regard to the training of local government officials, particularly those holding political posts. Despite the huge size of local governments in Tanzania there has not been a clearly laid down arrangement for training elected local government officials at the village/*mitaa* and hamlet levels. Even with the presence of the training strategy for local government authorities of 2010, the training of political officials at the grassroots remains problematic as the strategy accords training priority to Ward Executive Officers (WEOs) and Village Executive Officers (VEOs) who are public bureaucrats. On this basis, a decision on who should be trained, when and where remains in the hands of respective local government authorities most of which are suffering from financial inadequacy.

The advent of local government reform programme
Since the re-introduction of local governments in 1982 up to the reform period, there was a consensus among local government stakeholders that local governments were not effectively undertaking their functions. On that basis, an intervention to reinvigorate their performance was inevitable. Therefore, when Civil Service Reform Programme was introduced in 1990s, local government reform was, as pointed out earlier, among of six reform components. However, the drive to reform local governments gained momentum in the second half of 1990s following the formulation of the local government reform agenda in 1996 and the 1998 policy paper on local government reform. In general, the proposed reforms focused on at least four main aspects. The first one was political devolution which sought to devolve powers by making local governments autonomous bodies with jurisdiction. The second aspect was financial decentralization which sought to provide local governments with financial discretionary powers.

The third component was administrative decentralization whose focus was on delinking local government staff from their respective ministries, including powers to hire and fire their own staff. The last main component of local government reform programme was the change of centre-local relations by emphasizing on inter-governmental relations.

There have been different views regarding the effects these reforms have had on the functioning of local governments. A general conclusion seems to be that since the adoption of these reforms there have been moderate improvements in local governments in several aspects. Ndegwa (2002) and Pallangyo & Rees (2010) argue that Tanzania has made some improvements in political, administrative and financial decentralization. Similar views are advanced by Tidemand and Msami (2008), Haule (2013) and Lufunyo (2013) whose studies revealed that local government reforms has relatively improved service delivery. Likewise, Liviga *et al*. (2010) maintain that following the adoption of local government reforms, local government authorities have turned out to be the main providers of basic services to the people and are therefore major implementers of government policies at the local level. These reforms are also credited for increasing the capacity of local government authorities in managing financial resources sent to them by the central government irrespective of persistent queries in some of these authorities (Liviga *et al*. 2010). Besides, local government reforms are credited for increasing citizens participation in managing local government affairs through various avenues such as school and health committees (Kessy & McCourt, 2010).

Despite the above positive contribution of local government reforms, there are still a lot of concerns over the ownership and control of local governments. Most of the scholarly works still suggest the imbalanced relationship between the central government and local governments. Much of the blame for this state of affairs is directed at the central government, particularly due to its lack of a political will to grant more autonomy to local governments. For instance, in a study of six local government authorities done by Research on Poverty Alleviation (REPOA) in 2010, some key findings related to centre-local relations were discerned.

One of the findings of this study was that local authorities do not yet have sufficient capacity to effectively perform their functions. This was said to be due to policy and legal requirements that limit local governments' accountability to local people. One of the noted control mechanisms exercised by the central government was the fiscal grant system as local governments are required to set their budget on the basis of a framework set by the central government. The study also found that councillors still have no power to discipline heads of departments who are not recruited by the councils.

The second observation was that local governments have limited autonomy in generation, collection and spending of revenues. This was, for instance, reflected in the decision by the central government to abolish development levy. Similar observation is made by Chaligha (n.d) who argues that local government's financial reforms have not helped local authorities to become self-sustaining.

The third main observation was that still the central government sets priorities for social services to be provided by local governments. Most of the social services provided by local governments such as education and health are directly funded by the central government. The study also noted that despite the introduction of some initiatives such as Participatory Rural Appraisal, Community Initiative Support and Opportunity and Obstacles to Development (O&OD), there is a sense of distrust between citizens and their local non-elected officials such as DEDs who were found to be rarely contacted by citizens.

It is however the view of this paper that consistent blame of the central government for not granting autonomy to local governments is of limited value. This is particularly so on two grounds: Firstly, it is unrealistic to always regard the central government as a wholehearted change agent. This is particularly so as the central government finds itself in a dilemma of eating a cake and having it. Throughout the history of local governments in Tanzania, the central government has been repeatedly accused of suffocating local governments and despite such voices, its orientation towards local government autonomy remains unabated. It is thus most likely that the centre would prefer incremental changes to a complete overhaul of a long-lived nature of centre-local relations.

The fact that the central government initiated local government reforms either begrudgingly or with good heart sufficed to serve as a stage for more autonomous local government, if other actors were effectively playing their part. It is however the fact that the survival of local governments in Tanzania has mainly been by faith, not by push. As earlier shown, since 1900s to date, local governments have survived at the mercy of the central government. The common norm seems to have been that everything that has to do with local governments should be dealt with by the central government, with an expectation that the central government will facilitate effective functioning of local governments. Local governments have thus been working under uncertainties that do not guarantee as to whether or not the central

government will do as it promises. Even the intervention such as local government reform programme still seems to embrace the survival of local government by faith.

This is particularly so as much of what are anticipated by these reforms still treat the central government as the main change agent. For instance, while there is a consensus among local government stakeholders that there is a need for the change of centre-local relations, its operationalization seems to rest on the faith and prospect that the central government will do as stipulated. On this basis, local governments in Tanzania have been very far from surviving by push. This is explained by the absence of the pressure exerted by various actors to the central government for the sake of making it redefine its relationship with local governments. Lack of this push is attributed to various factors. In one hand, it is a result of a defined division of responsibilities between the two that has been in existence since the colonial period, as indicated in preceding sections.

In addition, lack of this push is due to systemic political structures linking the centre and the grassroots. For instance, in local governments whose most of political leaders belong to the ruling party it is very unlikely that such leaders can firmly advocate for the change of the status quo. This is mainly due to the fact that challenging the centre is tantamount to a political blasphemy as it implies questioning the integrity of the government and the party to which they are affiliated. It is thus only the courageous ones who can dare to challenge the hegemony of the central government. On the other hand, the voices from local governments under the control of opposition parties (which are largely non-existent) stand a slim chance of influencing the orientation of central government towards local government due to partisan politics.

The general fact is however that political parties have had a very limited role in pushing for the change of centre-local relations. Be it the ruling party or opposition parties, their role in pushing for autonomous local governments has been very minimal. Political parties often turn to local governments mainly during election times. The same weakness has characterized the engagement of civil society organizations with local governments. This is depicted by the fact that with an exception of the Association of Local Authorities of Tanzania (ALAT), there have not been other active civil society organizations advocating for local government autonomy. This is a major weakness given a plethora of civil society organizations in Tanzania. It is

worth-noting that by 2012 there were more than 15,000 registered and unregistered civil society organizations and more than 300 civil society networks (Olengurumwa, 2012). Surprisingly, of all these organizations none distinguishes itself as a champion for local government autonomy.

Nevertheless, the problem with ALAT has been its lack of interest to confront the central government. This lack of interest has mainly been due to the fact that most of its members have direct ties with the central government. In one hand, given CCM's majority in district and urban councils, most of the mayors and district chairpersons belong to the ruling party and are thus less willing to challenge the status quo. Similarly, all directors of local government authorities are appointed by the central government and thus remain allegiant to their appointing authority. The same applies to 25 members of parliament whose membership to ALAT is also politically sanctioned. Similarly, the media has had little contribution in advocating for local government autonomy. In most cases, their focus has been on national affairs while giving less attention to advocating for local government autonomy.

One of the avenues though which the agenda for local government autonomy could have been effectively advocated was during the preparations for Tanzania's new constitution in 2014. Given that local governments derive their mandate from the national constitution, a lot was expected from various actors in ensuring that the proposed constitution puts to an end the imbalanced centre-local relations. To the contrary, very little was heard in terms of debates on such relations. This suggests that even if the proposed constitution is adopted in 2016, chances of overhauling the status quo are slim.

A comparison can be made with the process of making the new constitution of Kenya of 2010. During consultative processes prior to the drafting of the proposed constitution, there was a collective push from political parties, the civil society, the media and the general public demanding for a very effective system of devolution. It is on this basis that Kenya's constitution of 2010 (chapter eleven) provides for a clear framework for county governments. Having such a system of devolution was thus a by-product of a push from various actors, not a given from central government as it is the case in Tanzania. It is on the basis of this push that within a span of four years since the implementation of a new system of devolution debates

focusing on increasing autonomy to local governments in Kenya have started to emerge.

Limited role of civil society, the media and political parties has culminated into having a very passive public at the grassroots that remains largely detached from key issues shaping the functioning of local governments. It is thus no wonder that despite the fact that local government reforms were launched from early 1990s a study conducted by Research for Poverty Alleviation (REPOA) in 2003 found that many people were not informed about these reforms compared to most of other government policies. Citizens' policy awareness was as follows: law and order (40%); local government reforms (47%); rural roads policy (54%); water policy (68%); taxation policy (70%); privatization policy (72%), poverty reduction strategy (73%); health policy (78%); education policy (79%); anti-corruption (88%) and HIV/AID control policy (94%). A concern over limited awareness about the functioning of local governments since the introduction of local government reforms is also expressed by Ngware (2005) who calls for an increased pace in building civic competence and popular awareness of the role of local government authorities. Limited citizens' awareness about local government reforms still characterizes local governments in Tanzania. A recent study by Lufunyo (2013) indicated that 53.8% of the respondents were of the view that public awareness of the reforms is low and that this is a challenge to the implementation of the reforms.

Conclusion

The foregoing has shown the implications of the establishment of local government without a push element. The paper has indicated that much of the interventions to ensure local government autonomy fall short of expectation mainly due to the absence of an alternative pressure to push for the overhaul of the nature of centre-local relations. Given the control environment within which local governments in Tanzania operate, it is the submission of this paper that ensuring local government autonomy requires a holistic approach that redefines the role of various actors and improves the environment within which local governments operate. Particularly, this approach has to address two key issues as shown below.

First, the foregoing has shown that since late 1990s Tanzania has been implementing local government reforms focusing mainly on ensuring that local government authorities have more decision-making powers on several aspects such as finance and human resources. The discussion above has also

shown that there have been modest achievements brought about by the reforms but that a lot still needs to be done to reach to the envisaged benchmark.

On the basis of the progress made in the course of implementing the reforms, it is important that actors in the reform process reaffirm their commitment to the policy paper on local government reforms. Specifically, that commitment has to be manifested by more actors' dedication to ensuring that local government authorities enjoy their envisaged political, legal, administrative and financial autonomies. Given that the central government is still blamed for lacking political will in granting more autonomy to local governments, more attention needs to be directed at revitalizing the role of other actors such as civil society organizations, the media and political parties. Focusing on these actors is meant to ensure that they serve as active agents in changing the status quo.

Secondly, as the discussion above has shown, since independence to date the functioning of local governments has been under the control of the central government. Such control has denied the populace at the grassroots an opportunity to influence their local governments. It has also been shown that limited influence of the citizenry at the grassroots is mainly attributed to the effects of the unitary state system which puts local governments at the helm of central government and makes the citizens passive. Given the experience of limited citizens' influence in local governments, it is imperative that much focus be directed at changing the subject political culture that has since independence to date characterized the citizenry in most of local government authorities in Tanzania.

The change of political culture shall have to be directed at ensuring that participant political culture prevails in local governments. Underscoring participant political culture stems from the need to have active citizens at the grassroots who can contribute positively to effective functioning of local governments. More involvement of the people at the grassroots is expected to pave way for increased downward accountability. Ensuring participant political culture will depend on the undertaking several initiatives such as providing civic education at the grassroots so as to enable the people be more aware of their rights and responsibilities; improving the quality of service delivery by local governments so as to make the citizens see the value of such governments; and opening more democratic avenues at the grassroots through which citizens can actively exercise their democratic rights and

positively contribute to local governance. Nevertheless, the success of this change will to a great extent depend on mutual support between the central government and other actors such as the citizens, civil society organizations and political parties; a synergy that is underscored by the policy paper on local government reforms.

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