Business Management Review
Volume 25, Issue No. 1
January – June, 2022

ISSN 0856 2253 (Print) & ISSN 2546-213X (Online)

www.journals.udsm.ac.tz/index.php/bmr
The Journal of the University of Dar es Salaam Business School

Analysis of the Governance Frameworks of Public Universities in Tanzania: What is Known and Needs Knowing?

Siasa Issa Mzenzi[1]
Senior Lecturer, Department of Accounting, University of Dar es Salaam, Dar es Salaam, Tanzania

To cite this article: Mzenzi, S. I. (2022). Analysis of the Governance Frameworks of Public Universities in Tanzania: What is Known and Needs Knowing? *Business Management Review, 25*(1), 15–41. **https://doi.org/10.56279/bmrj.v25i1.2**

Abstract
Little is known about governance frameworks of universities in developing countries. In response, this paper presents content analysis undertaken to review the governance frameworks of public universities in Tanzania, encompassing the Universities Act, 2005, the Universities (General) Regulations, 2013 and the charters of ten public universities. In order to understand the changes that have taken place, individual acts of parliament relating to public universities prior to 2005 are also reviewed. The analysis reveals that changes to universities' governance frameworks through enactment of the Universities Act, 2005 have substantially increased both the institutional and operational autonomy of public universities. At the country level, the Act established the Tanzania Commission for Universities as a regulatory body and removed the government from direct control of public universities. At the institutional level, the Act allowed the establishment of a council and a senate as the two principal organs of governance primarily responsible for academic, administrative and financial university matters, and authorized the inclusion of both internal and external stakeholders on these two bodies. The governance requirements of the Act are reflected particularly in universities' charters, with representation of staff, women, students and the private sector. This paper relies on analysis of governance frameworks, so actual governance practices may differ from the documentary evidence, yet this is one of few studies of the governance of higher learning institutions in developing countries, which are less represented in the university governance literature overall.

Keywords: University, Governance, Council, Senate, Tanzania.

[1] **Corresponding author**: siasa.mzenzi@udsm.ac.tz

Introduction

Research on university governance has long attracted the attention of scholars worldwide, owing to its potential to enhance the quality of university education, the efficient use of resources and the development of human capital (Bingab et al., 2018). Frequent reforms in higher education (HE) around the world have also sparked research interest in university governance (Birnbaum, 2004; Kerr, 1978; Shattock, 2002, 2013; Taylor, 2013). Research has focused on diverse aspects such as university governance models (Agasisti & Catalano, 2006; Baldridge, 1971; Larsen et al., 2009), relationships between state and university (Mok, 2010; Shaw, 2018), the concept of university "shared governance" (Birnbaum, 2004; Dearlove, 2002; Lapworth, 2004; Olson, 2009; Taylor, 2013), and issues relating to university independence (Grant, 1983; Kerr, 1978) and autonomy and control (Christensen, 2011; Clarice et al., 1984; Dobbins et al., 2011; Eisemon, 1984; Wright & Ørberg, 2008). This reveals that governance of universities, and HE in general, has constantly changed to adapt to national socioeconomic and sociopolitical contexts (Taylor, 2013).

Competition amongst HE institutions, market demand and social expectations have also driven changes to university legal frameworks (Saint, 2009), and globalization has led to changes to university governance (Mok, 2008, 2010; Slaughter & Leslie, 1997). For instance, globalization has changed funding mechanisms, increased market-related disciplines and enabled closer interaction between multinational companies (MNCs) and universities (Slaughter & Leslie, 1997). These factors have contributed to both legitimate and illegitimate changes to university governance. As a result, university governance arrangements vary across countries, depending on the socio-economic and political environment; and even within the same country, university governance arrangements may differ depending on the individual university's strength (Bleiklie and Kogan, 2007; Huang, 2018; Kogan et al., 2007; Musselin, 2013). Since university governance is shaped by national governance structures (Bisaso, 2017; Bleiklie & Kogan, 2007), this paper reports on the governance frameworks of universities in Tanzania. Given the importance and unique traditional role played by public universities worldwide, and in Africa in particular (Andoh, 2017; Bingab et al., 2018; Bisaso, 2017; Bozalek & Boughey, 2012; Cardoso, 2019; Sifuna, 1998; Wandira, 1981), the paper focuses primarily on public universities in Tanzania.

Although university governance arrangements are generally dictated by national governance frameworks, previous studies have tended to report on the former in isolation from the latter (Bisaso, 2017; Bleiklie & Kogan, 2007; Saint, 2009). This neglect is more evident in emerging economies in general, and Africa in particular. Saint (2009) attempts to address this lacuna by examining, albeit more generally, the legal frameworks of HE governance in 24 countries in sub-Saharan African (SSA). Compared with earlier studies (Moja et al., 1996; Bitzer, 2002; Mubangizi, 2005) which have focused on South African universities, Saint's (2009) survey presents a good narrative of the legal frameworks governing African higher learning institutions. Therefore, this paper adopts Saint's (2009) analysis by presenting parallel information on the governance frameworks of public universities in Tanzania. In doing so, it contributes to the university governance literature on emerging economies.

The paper begins by reviewing the university governance literature, and provides a brief account of public universities in Tanzania. The data and methods employed are then

explained, and the findings of the review of governance frameworks are presented. These findings are discussed, before drawing some conclusions.

Research on University Governance

Contextual research on university governance tends to focus on the country and institutional levels. At the country level, diverse governance systems provide oversight of HE institutions. Although a few countries still maintain government ministries and other government organs, buffer bodies have been established in many countries to oversee HE institutions (Fielden, 2008; Marshall, 1990; Richardson & Fielden, 1997; Saint, 2009). In fact, globally, state control functions have tended to decline, buffer bodies have been established, and in some cases the state's involvement in appointing governing board members and chief executives has reduced (Fielden, 2008). State control of HE by government ministries and other organs has tended to decline over time, and has been replaced by state supervision through regular inspection, academic audit and financial management oversight (Saint, 2009; Van Vught, 1995). Saint (2009) attributes this to the rise in the number of students, making it difficult for the state to control universities effectively from a distance. This has equally been witnessed on the African continent, where several countries have undertaken HE reforms, including the establishment of buffer oversight bodies (Bingab et al., 2016, 2018; Bisaso, 2017; Holm-Nielsen, 2001; Saint, 2009; Sifuna, 1998).

In Uganda, for example, the Universities and Other Tertiary Institutions Act, 2001 established the National Council for Higher Education as a regulatory body mandated to license the operations of private universities and make recommendations to the minister for education on establishing public universities (Bisaso, 2017). Similarly, in Kenya, Sifuna (1998) reports on the establishment of the Commission for Higher Education as a regulatory body for HE. Some countries, such as the Democratic Republic of Congo and Nigeria, have separate buffer bodies for each subsector of HE, while buffer bodies in some Anglophone countries, such as Burkina Faso, Cameroon, Mauritania and Mozambique, merely advise the minister for HE (Saint, 2009).

On the other hand, university governance at the institutional level tends to be split between overall policy issues and academic matters. The former are normally left to the governing board or university council, while academic boards or senates are normally charged with academic-related matters such as curriculum development, admissions, examinations and academic programs. Depending on the context, daily management rests with the president, principal, rector or vice chancellor (VC), normally assisted by one or two deputies. Some universities also have the position of chancellor (visitor), who normally confers degrees and other academic awards (Saint, 2009).

In relation to this study, Tanzania's Universities Act, 2005 (UA2005) established the Tanzania Commission for Universities (TCU) as the regulatory body responsible for both public and private universities (URT, 2005). Previous acts relating to individual public universities were repealed, and from 2007 university charters were granted. Despite these developments, little is known about how governance matters are reflected in the UA2005 and university charters, and their implications for overall university governance. Rather, previous research on higher learning institutions in Tanzania has tended to focus on cost sharing

(Ishengoma, 2004a, 2004b), widening participation (Morley et al., 2010; Morley & Lussier, 2009) and the history of the University of Dar es Salaam (Kimambo et al., 2008). Whilst these are important matters, appraisal of the overall governance of HE institutions is lacking. In reviewing the governance frameworks of public universities in Tanzania, this paper attempts to address this gap.

University Governing Board/Council

University boards have been established to take over roles and responsibilities formerly performed by ministries and other organs (Kretek et al., 2013; Paradeise et al., 2009). With a few exceptions such as French- and Portuguese-speaking universities in SSA where governing boards are made up only of internal university representatives (Saint, 2009), most university boards now have both internal and external members (Kretek et al., 2013; Salter & Tapper, 2002; Taylor, 2013). Internal members typically include university administrators, academic and non-academic staff and students, whilst external members are drawn mainly from the government (such as senior officers in the ministry of education and ministry of finance) and the private sector. In some SSA countries, such as Botswana, Ghana, Kenya, Namibia and Zambia, foreigners are included on governing boards to bring in international experience (Saint, 2009). In SSA, Saint (2009) also notes the inclusion of local government (e.g., Sierra Leone), workers' unions (eg., Zimbabwe), explicit targets for women (e.g., Tanzania), secondary-school associations (eg., Ghana), donor agency representatives (e.g., University of Cape Town) and student representatives.

In fact, the general trend is for increasing numbers of external board members (Fielden, 2008), partly owing to a belief that external members are more objective and can align university graduates with the needs of the economy, labor markets and employers (Bleiklie & Kogan, 2007; Saint, 2009). Similarly, Shattock (2013) attributes this trend to an assumption that lay governors are likely to be more experienced and effective than internal management in addressing strategic issues. Advocates of corporate governance also argue that a higher percentage of external members increases a board's effectiveness in supervising management (Beasley, 1996; Fama, 1980; Fama & Jensen, 1983). In line with HE reforms that generally emphasize stakeholders' representation, most universities around the world have attempted to increase the proportion of external members on their governing boards. For instance, quotas for specific categories of external members are now in place in France and Italy, and the boards of some universities in Switzerland, Netherlands, Austria and Portugal comprise only external members (Kretek et al., 2013).

Differences are also noted in various aspects of universities' governing boards. For instance, in terms of the number of board members, Denmark recommends 11 board members, Australia and New Zealand suggest eight to 12, and British universities provide for 12 to 24 (Fielden, 2008). In SSA, Saint (2009) found the lowest number at the University of Technology in Mauritius with 11, and the highest at Agostinho Neto University in Angola and the University of Zimbabwe with more than 40 (Saint, 2009). In selected European universities, Kretek et al. (2013) observed a maximum number of 28 (France) and a minimum of five (Netherlands and Portugal). Despite these differences, the trend appears to be towards smaller boards with increased external stakeholder representation.

With regard to appointing members, Saint (2009) notes that in French-speaking SSA countries, board members are university employees who serve based on their positions in the university, whereas in English-speaking SSA countries, board members are appointed by various people, such as the head of state, prime minister or minister of education, and senior officers are also designated board members. In some European countries, academic senates are involved in selecting board members, and in others, the university leadership and the ministry for education are authorized to select and appoint board members (Kretek et al., 2013). Regarding term of office, Saint (2009) notes that in SSA countries appointments are for either three or four years, with the exception of Ghana (two years) and Zambia (five years). There are also variations in the selection of board chairs, frequency of meetings and decision-making processes. Given these differences between countries and between institutions in the same country (Bleiklie & Kogan, 2007), this paper analyzes these aspects in the context of public universities in Tanzania.

University Senate

Different arrangements are made for university senates depending on whether institutions subscribe to a bicameral or unicameral governance structure. For the former, the senate is the senior academic body, operating in parallel with the university governing board, whereas for the latter, the senate is regarded as the senior decision-making body, with some responsibility for academic matters assigned by the central governing body (Jones et al., 2004). The role of university senates has changed and been debated over time (Birnbaum, 1987, 1989; Brown, 1970; Jones et al., 2004; Minor, 2004; Mortimer & Leslie, 1971; Núñez & Leiva, 2018; Pennock et al., 2015), and in either case, their roles tend to reflect the institution's particular approach.

Birnbaum (1989) identifies that senates have "manifest" and "latent" functions. Manifest functions identified by Millett (1962) include establishing institutional objectives, approving and reallocating budgets, expanding and developing sources of income, supervising the university administration, establishing the requirements and characteristics of academic programs, regulating and assessing the conduct and performance of the academic body, and assessing academic programs. Latent functions include those that the senate carries out as part of the university culture, which are mainly symbolic in nature (Birnbaum, 1989).

The university governance literature gives examples of these two main functions. For example, in Canada, where a bicameral system is dominant, in addition to dealing with academic matters, most university senates play roles relating to research policy, strategic planning, budgeting and advancement policies (Jones et al., 2004; Pennock et al., 2015). However, final approval of decisions relating to these roles is granted by the governing board. Similarly, the University of Chile's senate plays various roles, including approving amendments to and interpreting university statutes, ratifying the university's draft annual budget and debt guidelines previously approved by the university council, expressing opinions on managing the university's debt and relevant assets, approving new and modified academic degrees and professional diplomas, requesting information on the university's administration, approving calls for consultations and wider discussion of issues within its competence, and approving the removal of a dean following a university council ruling (Núñez & Leiva, 2018).

Elsewhere, in the United Kingdom, Shattock (2013) reports a reduced power of senates on academic matters and budget allocation. This is similar to Australia, where senates' oversight of academic and budgetary matters has been reduced and greater attention is being paid to quality assurance (Rowlands, 2013; Vilkinas & Peters, 2014). An extreme case is noted in Portugal, where some senates have been abolished and others, with a small number of members, have been redefined as advisory bodies to university rectors (Magalhães et al., 2013; Magalhães & Amaral, 2007). Taken together, these observations suggest that the roles of university senates change over time, reflecting overall university governance in a particular context.

In terms of composition, faculty members are usually highly represented in university senates. In Canada, for instance, in 2004 faculty members accounted for about 44 percent and students for about 18 percent of total membership (Jones et al., 2004). Jones et al. (2004) also note that, in addition to other categories of members, such as government appointees and representatives of the university board, affiliated colleges and alumni, most university senates include *ex officio* positions for senior university administrators such as the university president, vice president, deans and other senior administrators (see also Pennock et al., 2015). Although external stakeholders such as alumni and government representatives are now usually included in university senates (Bleiklie & Kogan, 2007; Saint, 2009), in some jurisdictions they are made up entirely of members internal to the university. For instance, at the University of Chile, where the senate was created in 2006 as a tripartite body, it includes only three categories of internal members, namely faculty, students and non-academic staff (Núñez & Leiva, 2018).

The average size of senates also depends on their member constituencies, which differ across countries and between institutions within the same country. In Canada, for instance, the average size was 61 members in 2004 (Jones et al., 2004), which had increased to nearly 77 by 2012, with the largest senate having over 200 members and the smallest fewer than 25 (Pennock et al., 2012). On the other hand, the University of Chile's senate has only 36 members, comprising 27 academics, seven students and two non-academic staff. In the overall university governance literature, other aspects of senates also vary, such as terms of membership (tenure), chairmanship, decision-making processes, senate committee systems, and meeting arrangements (Austin & Jones, 2015; Jones & Oleksiyenko, 2011; Pennock et al., 2015). This paper presents these and other aspects of the senates of public universities in Tanzania. In doing so, it contributes to the literature on university senates, which has attracted scant attention by university governance scholars worldwide.

Brief Background of Public Universities in Tanzania

National Governance Framework of Universities

The United Republic of Tanzania (URT), commonly known as Tanzania, was formed from the union of two former countries (Tanganyika and Zanzibar) on April 26, 1964. Tanganyika and Zanzibar had obtained their independence from the British on December 9, 1961 and December 10, 1963 respectively. In the general context of HE, two entities are involved in its overall governance in Tanzania, namely TCU and the National Council for Technical Education (NACTE). TCU is responsible for regulating universities, while NACTE regulates all tertiary education and training institutions other than universities and their affiliated

colleges. Prior to the establishment of TCU in 2005, universities in Tanzania were regulated and administered by the ministry for HE. During this period, the structure and administration of public universities were governed by acts of parliament. For instance, UDSM was governed by the University of Dar es Salaam Act, 1970, and SUA's affairs were regulated under the Sokoine University of Agriculture Act, 1984. The UA2005 repealed acts relating to individual public universities and established TCU as the regulatory body for HE institutions across the country. As in other public-sector reform initiatives, the ministry for HE remained in charge of overall policy formulation and the direction of HE institutions.

The repeal of the individual university acts required existing public universities to apply to TCU for a charter in the manner prescribed under the UA2005. In particular, according to Section 25(2) of the UA2005, granting of a charter is vested in the President of the URT. This is normally exercised after a university has applied to TCU for a charter and TCU has inspected it and is satisfied that its aims are consistent with advancing university education in Tanzania, provided that the university complies with the provisions of the UA2005 and the Universities (Chartering, Registration and Accreditation Procedures) Regulations, 2006. TCU then submits a draft charter to the minister for HE, who submits it to the President with positive recommendations, and if the President is satisfied that it will benefit the advancement of university education in the country, he grants the charter to the university. In light of these procedures, unsurprisingly, all universities that existed before 2005 were granted charters in 2007. All public universities in Tanzania are accredited by TCU.

Establishment and Profile of Public Universities

The history of public universities in Tanzania can be traced back to the establishment of the University of Dar es Salaam (UDSM), which began as an affiliate college of the University of London in October 1961 (UDSM, 2019a). In 1963, University College Dar es Salaam (UCD) became a constituent college of the University of East Africa, together with colleges in Nairobi (Kenya) and Makerere (Uganda), and during this early post-independence era, these colleges were very dependent on the "British system of higher education, with the University of East Africa taking the place of the University of London" (Kimambo, 2008, p. 154). In 1970, the University of East Africa was dissolved, and the University of Dar es Salaam in Tanzania, the University of Nairobi in Kenya and Makerere University in Uganda were constituted as independent universities in their respective countries (Bisaso, 2017; Kimambo et al., 2008; UDSM, 2019a). The University of Dar es Salaam was established by the University of Dar es Salaam Act No. 12 of 1970 with effect from July 1, 1970 (URT, 1970).

At various times since its establishment, UDSM has grown to include major disciplines such as humanities, social sciences, medicine, agriculture, engineering, lands and architectural studies, and commerce and management (UDSM, 2019a). As a result of the government's desire to expand higher learning institutions in the country, in 1984, the Faculty of Agriculture became the Sokoine University of Agriculture (SUA). Also, in 1991, the Faculty of Medicine became the Muhimbili University College of Health Science (MUCHS), and in 1996, the Ardhi Institute became the University College of Lands and Architectural Studies (UCLAS) (Kimambo, 2008). MUCHS and UCLAS were later transformed into independent universities as Muhimbili University of Health and Allied Sciences (MUHAS) and Ardhi University (ARU) respectively (UDSM, 2019a). Thus, UDSM, as the oldest university in the

country, has at various times pioneered and championed the establishment of public universities in Tanzania.

In 2005, the University of Dar es Salaam Act No. 12 of 1970 was repealed by the UA2005, and in 2007 UDSM was granted a charter. In what many consider to have been an attempt to regain its previous disciplines and maintain its idea of being a comprehensive university, UDSM recently established a College of Agriculture and Food Technology (COAFT), School of Acquatic Sciences and Fisheries Technology (SOAFT) and Mbeya College of Health and Allied Sciences (MCHAS), and also introduced two new undergraduate programs (B. Architectural and Bsc. Land Survey) into the College of Engineering and Technology (UDSM, 2019b). Currently, UDSM has two constituent colleges (Dar es Salaam University College of Education and Mkwawa University College of Education), seven campus colleges, four schools, six institutes, two libraries, four professorial chairs, 14 centres, two administrative bureaus, four consultancy bureaus, two independent companies (University Computing Centre and Dar es Salaam University Press) and ten administrative directorates (UDSM, 2019b).

Similarly, Mzumbe University (MU) started in 1953 under British leadership in Tanganyika, as a local government school to train chiefs, native authority staff and councillors (MU, 2017). Following Tanganyika's independence in 1961, the school was elevated to offer training to central government officials, rural development officers and local court magistrates. In a government attempt to expand higher learning institutions, in 1972, the school was merged with UDSM's Institute of Public Administration to form the Institute of Development Management, and in 2001, it was further transformed into a fully-fledged University (MU, 2017) through the enactment of the Mzumbe University Act No. 21 of 2001. This Act was repealed by the UA2005, and in 2007, Mzumbe University was granted a charter. It currently offers degree and non-degree programs in business- and management-related areas on three campuses in Morogoro (main campus), Dar es Salaam and Mbeya (MU, 2019).

The history of the Ardhi University (ARU) can be traced back in 1956 when the colonial Government of Tanganyika established Surveying Training School offering land surveying technician certificate courses. The school was established at the present location of Mgulani Salvation Army Camp in Dar es Salaam. In 1958, the school was moved to the present location of the University. In 1972, the then School became Ardhi Institute which offered two-year diploma programmes in the fields of Land Surveying and Land Management and Valuation. In the same year a three-year Diploma program in Urban and Rural Planning was introduced. The Ardhi Institute was affiliated to the University of Dar es Salaam and became a constituent college of the University known as University College of Lands and Architectural Studies (UCLAS) with effect from 1st July 1996. Finally, Ardhi University came into being as independent university and was chartered in 2007. As of January 31, 2020, ARU had four (4) academic schools, one (1) institute, four (4) centres, and one (1) bureau.

In contrast, the Open University of Tanzania (OUT) was established in 1994 by the Open University Act No. 17 of 1992 and became operational in 1993 (OUT, 2019). OUT received a charter in March 2007, following the UA2005. It offers degree and non-degree programs for both undergraduates and postgraduates through open and distance learning in about 32 regional centers and 10 coordinating centers, including two in Kenya (Egerton and the

College of Human Resource Management in Nairobi), one in Namibia (Triumphant College) and one in Malawi (College of Distance Learning in Blantyre) (OUT, 2019). It currently has five faculties and two institutes, and about 81 study centers across the country (OUT, 2019).

The University of Dodoma (UDOM), another of Tanzania's public universities, was established in March 2007 after being chartered under the UA2005 (UDOM, 2019). UDOM identifies itself as a comprehensive university offering study programs in a broad range of fields, and the first academic program commenced in September 2007 in four schools, namely Education, Humanities, Social Sciences and Informatics (UDOM, 2019). It currently has 14 schools and seven colleges and is the largest university in Tanzania, with a student population of 40,000 when operating at full capacity (UDOM, 2018, 2019).

More recently, the Nelson Mandela-African Institution of Science and Technology (NM-AIST), Mbeya University of Science and Technology (MUST) and Moshi Cooperative University (MoCU) have been established as public universities and were granted charters between 2013 and 2015. NM-AIST was established in 2013 as one of a network of pan-African institutions of science and technology located across the continent, founded by Nelson Mandela with the overall aim of training and developing the next generation of African scientists and engineers in order to develop the continent through the application of science, engineering and technology (NM-AIST, 2019). It has been accredited by TCU and is mainly involved in postgraduate and postdoctoral studies and research in science, engineering and technology in five schools (NM-AIST, 2019).

Similarly, MUST was established in 2013 as a result of the transformation of Mbeya Institute of Science and Technology (MUST, 2019), which had in turn been established in 2004 out of Mbeya Technical College (MTC), which had begun in 1986 (MUST, 2019). MUST currently has two campuses, Mbeya Campus (headquarters) and Rukwa Campus College (MUST, 2019). MoCU experienced a similar evolution. It came into existence in 2014 as a result of upgrading the status of Moshi University College of Co-operative and Business Studies, which was a constituent college of SUA (MoCU, 2014). It was granted a charter on February 23, 2015 (MoCU, 2017). Its history can be traced back to 1963, when Co-operative College Moshi started to provide training to the country's co-operative sector (MoCU, 2017). In 1964, Co-operative College Moshi was legally established through the Cooperative College Act No. 32 of 1964, and it operated until 2004 when it was transformed into a constituent college of SUA (MoCU, 2017). Currently, in addition to its head office in Moshi, it has one teaching center at Kizumbi and 13 regional offices (MoCU, 2017).

Two public universities are not covered in this study. These are the State University of Zanzibar (SUZA) and Mwalimu Julius K. Nyerere University of Agriculture and Technology (MJNUAT). SUZA, which is located in Zanzibar (the other part of the Union), has been accredited and is currently offering degree and non-degree programs. However, as of January 31, 2020 it had not yet been chartered (TCU, 2020). HE is a Union matter, and therefore TCU's mandate also applies in Zanzibar. Similarly, as of January 31, 2020, MJNUAT, which is located in Musoma region, was neither accredited nor chartered. Instead, it has been given a provisional licence which does not permit it to admit students (TCU, 2020). Since these two public universities have no individual charters, they were not included in this study. Therefore, this review covers only ten public universities, as shown in Table I.

Table I: List of Public Universities Studied

Name of University	Approved Acronym	Chartered Year
University of Dar es Salaam	UDSM	2007
Muhimbili University of Health and Allied Sciences	MUHAS	2007
Mzumbe University	MU	2007
University of Dodoma	UDOM	2007
Ardhi University	ARU	2007
Open University of Tanzania	OUT	2007
Sokoine University of Agriculture	SUA	2007
Nelson Mandela-African Institute of Science and Technology	NM-AIST	2013
Mbeya University of Science and Technology	MUST	2013
Moshi Cooperative University	MoCU	2015

Source: Compiled from TCU (2020)

In addition to these public universities, private universities do exist in Tanzania, owned and operated mainly by religious organizations (see Morley et al., 2010). In fact, as shown in Table II, at the end of January 2020, private universities outnumbered public universities.

Table II: Number of universities in Tanzania

Category	Public	Private	Total
Fully-fledged universities	12	18	30
University colleges	4	9	13
University campuses, centres and institutes	3	4	7
Total	**19**	**31**	**50**

Source: Compiled from TCU (2020)

Despite the increasing number of private universities, they are at different stages of registration, and by the end of January 2020, only eight out of 18 fully-fledged private universities, and only one out of nine private university colleges had been accredited and chartered (TCU, 2020). Given the large numbers of students enrolled at public universities, it is of interest to understand their governance arrangements and the potential implications for the provision of HE institutions in the country. It is also important to acknowledge that private universities' charters were unavailable from their websites at the time of analysis, and attempts to acquire them from the universities were unsuccessful. Thus, this study reports only on the governance arrangements of public universities, but since the UA2005 and its regulations apply to all universities, the findings and recommendations of this study will arguably apply equally to private universities in Tanzania.

Data and Methods

In this study, content analysis was used to examine the governance frameworks of public universities in Tanzania. This method has been increasingly applied to studying governance frameworks in HE institutions (Bruckmann & Carvalho, 2014; Niedlich et al., 2019; Saint, 2009; Vaughter et al., 2016). Thus, this study relied on secondary data on governance arrangements in the universities under review. In particular, the study reports university governance at the national/country level and institutional level. In relation to the national

governance, the study reviewed the UA2005 (CAP 346) and the Universities (General) Regulations, 2013 (Government Notice No. 226) published on July 19, 2013. Also, in order to understand university governance and determine the actual governance structures and related arrangements in public universities, the individual charters of each university were reviewed. The legislation and charters provide details relating to councils and senates as the universities' principal governance bodies. As described in detail in the previous section, as of January 31, 2020, there were twelve public universities in Tanzania (TCU, 2020). Of these, SUZA and MJNUAT are not covered in the analysis, and therefore the study covers only ten accredited and chartered public universities in Tanzania (see Table I).

The charters of eight universities were obtained from their websites, and two that were unavailable online were obtained from these universities' administrations. All universities' charters were granted under Section 25 of the UA2005 and contain two main parts, articles and rules. Articles are stipulated in six parts, namely Preliminary Provision (Part I), Establishment of the University (Part II), Administration of the University (Part III), Associations and Organizations (Part IV), Subsidiary Legislation (Part V) and Miscellaneous Provisions (Part VI).

The main focus of the review was on Part III, which deals with the university's administration. In particular, this part provides details relating to the chancellor, VC, deputy VCs, principals, deans and directors. It also provides detailed descriptions of the university council, senate, and constituent, connected and campus colleges, as well as schools, faculties, institutes, libraries, centers and directorates. Detailed descriptions of these are provided in the universities' rules. In particular, Part II (Administration of the University) of the rules has four specific parts relating to the university's chancellor and principal officers, council, senate, and boards and academic committees. Section 43(1) of the UA2005 specifically identifies the council and senate as the two principal governance bodies in every university. Thus, whilst other aspects are loosely covered, the analysis presented in this paper focuses on councils and senates.

The data were analyzed through thematic approach. In particular, relevant texts and details relating to councils and senates were read, and the main concepts, such as roles and responsibilities, membership, and members' appointment and tenure, were documented. This process generated many concepts. The generated concepts were carefully re-examined and given clear definitions and names, and redundant ones were removed, resulting in a total of 22 sub-themes (see Appendix). The sub-themes were linked with each other, and those depicting similar themes were combined. This resulted in three major themes describing governance arrangements of public universities in Tanzania: university governance level at the national/country level, university governing boards or councils, and university senates. These are detailed in the next section. To address the issue of reliability in the content analysis, this study focuses on manifest rather than latent and projective content (Potter & Levine-Donnerstein, 1999).

Findings

University Governance at the National/Country Level

At the country level, TCU is responsible for regulating all universities. According to Section 5(1) of the UA2005, its regulatory functions include auditing universities' quality assurance mechanisms; collecting, examining, maintaining a database and publishing information relating to HE, research and consultancy; considering and making recommendations to the minister for HE regarding the upgrading or downgrading of a university's status; monitoring and regulating universities' general management and performance; considering applications from individuals, companies or organizations seeking to establish universities or programs in the URT and making recommendations to the minister for HE; and setting standards, accrediting and registering all universities (URT, 2005).

Responsibility for the day-to-day operations and management of TCU rests with the executive secretary, who leads the secretariat and is appointed by the TCU's Commission. The executive secretary is assisted by a deputy executive secretary and three directorates, namely the Directorate of Accreditation, the Directorate of Admissions, Coordination and Data Management, and the Directorate of Corporate Services (TCU, 2018). With regard to governance, TCU has a governing board called the Commission, which is the supreme decision-making body consisting of a chair, and no fewer than 15 and no more than 21 members (URT, 2005). The chair is appointed by the President of the URT, and the minister for HE appoints other members of the Commission. The Act requires that at least a third of members are women.

In terms of composition, the Act stipulates the appointment of members of the Commission from the following categories: four VCs of fully-accredited universities in the URT (two from public universities and two from private universities), one VC from a private university in Zanzibar, one member nominated by the Tanzania Private Sector Foundation, a legally qualified member from the Attorney General's Chambers, the Director of Higher Education, one member of parliament recommended by the National Assembly from amongst its members, one member nominated by the Tanzania Association of Employers, one member nominated by Zanzibar's association of employers, the executive secretary of the National Council for Technical Education (NACTE), and one member nominated by the minister for education (URT, 2005). Other members include two members nominated by the minister of the Revolutionary Government of Zanzibar (RGZ) responsible for education (one member representing the RGZ and the other representing the Zanzibar House of Representatives-ZHR); two student members, one representing university students in mainland Tanzania and the other university students in Zanzibar; one member representing the Research Academic and Allied Workers Union (RAAWU); and one member nominated by a nationwide non-governmental organization running a gender network program (URT, 2005).

With regard to tenure, with the exception of *ex officio* members, members serve three-year terms of office and are eligible for reappointment. In terms of the frequency of meetings, the Commission is required to meet at least once every three months, and the quorum for any meeting is half the members. In order for the Commission to effectively undertake its oversight roles, the Act also established and assigned roles and functions to three committees

of the Commission, namely the Accreditation Committee, the Grants Committee and the Admissions Committee.

University Governance at the Institutional Level

University Governing Boards/Councils

Councils are universities' and their constituent, connected and campus colleges' governing bodies and principal policy-making organs. According to the governance frameworks reviewed, a university's council has overall responsibility for the management and administration of properties, funds and other assets, as well as general control over the conduct of its affairs. In all public universities, the chair of the council is appointed by the President of the URT, as per Section 44(3) of the UA2005. With the exception of ARU, where the council chair holds office for a period of three years, the chairs of all other public universities examined hold office for a period of four years from the date of appointment and are eligible for one additional term of four years. NM-AIST, MUHAS and UDSM provide for a position of vice chair, who is elected from amongst the members of the council, and any member elected as vice chair is expected to hold office for a renewable term of one year only. The tenure of other non-*ex officio* council members is three years, and they may be re-appointed consecutively for a further term of three years. In some charters (ARU, MUHAS, OUT, SUA and UDSM), retirement of these other members is specified as the last day of June every third year, in others it is the last day of the third year (MU), and others are silent on this issue (MUST and SNM-AIM). In the latter case, members are supposed to hold office consecutively for three years before retirement.

The tenures of the VC and deputy VCs, who are the only *ex officio* members of the council, are five years and four years respectively, and they can be reappointed consecutively for one further term. Therefore, apart from the council chair, the VC and deputy VCs can be considered to be the longest serving members of the council. However, it is important to note that the VC's and deputy VCs' status in the council differs somewhat across the public universities studied. Whilst most are regarded as *ex officio* members, the VC of MUHAS is a full member of the council rather than *ex officio*, as are the VC and two deputy VCs of NM-AIST. Different arrangements are also noted in the status of deputy VCs, who are regarded as *ex officio* members of the council at MoCU, UDOM, SUA and MUST, but not at UDSM, MU, ARU and OUT. However, even where deputy VCs are not *ex officio* members, the universities' individual charters necessitate their presence at council meetings to assist the VC, but with no voting rights.

Governance frameworks provide for diverse numbers of council members. UDSM, for instance, has a minimum of 15 and a maximum of 21 members, including the VC who is an *ex officio* member. A similar arrangement was noted at ARU. In contrast, the charters of MUHAS, UDOM and OUT each stipulate a minimum of 11 and a maximum of 21 members, a position promulgated in the UA2005. The individual charters of the remaining public universities do not specifically state the required number of council members. However, counts of the list of members to be included in the council suggest that most of these universities have a minimum of 18 and a maximum of 21 members. In addition to the specific number of council members, the individual charters of SUA, UDSM and MUHAS also state

that no less than 75 percent and no more than 80 percent of council members should be from outside the university, with the remaining members drawn from within the university.

With regard to membership, the analyzed governance frameworks show that members of the council are drawn from various roles, bodies and institutions. These include the ministers for HE and for finance, the Parliament of Tanzania, and the workers' council, senate, convocation and student organizations. To accommodate the collegial nature of universities, some members of the council are nominated/elected by the university's VC, and some by the Committee of the Vice Chancellors and Principals of the Universities and University Colleges of Tanzania. Also, in addressing the issue of the union between Tanganyika and Zanzibar, the councils of all public universities in mainland Tanzania provide for representation by the ZHR and/or the RGZ. For instance, two members of OUT's council are provided by the RGZ's minister for education.

In general, the reviewed governance frameworks show that the nominating bodies are similar across all public universities, with a few exceptions depending on the nature of a particular university. For instance, since NM-AIST is intended to serve regional interests, some of its council members are appointed by various regional bodies such as the Secretariat of East African Community (EAC), and one member appointed by the VC represents international advisory bodies. Similarly, as the name suggests, NM-AIST focuses primarily on science and technology, and therefore the minister for science and technology is also empowered to appoint some members of the council. At MUST, too, the permanent secretary of the ministry for science and technology is a member of the council, and the minister for science and technology is also empowered to elect one member.

The highest representation of sectoral ministries was noted at SUA, where ministers responsible for livestock, natural resources and tourism, cooperatives and agriculture are each required to appoint one member to the university council. Since this university deals primarily with advancing knowledge relating to agriculture, these ministries are regarded as key stakeholders requiring representation in the council. Similarly, at MUHAS the minister for health is required to appoint one member to the council. Furthermore, the treasury registrar is a member of UDSM's council, while professional bodies, the commissioner for budget in the ministry for finance, and the permanent secretary of the President's Office Public Service Management (PO-PSM) are included in MU's council. The Congress of Trade Unions is also represented in SUA's council. In most cases, members other than the chair are nominated by relevant individuals, bodies or institutions and officially appointed by the minister for HE. This is the case for all public universities except NM-AIST, where appointments are made by the minister for science and technology. In general, the nature of representation of council members is partly responsible for their large number.

In addition, gender and student representation appear frequently in the governance frameworks of the public universities studied. This is in line with Section 22(2)(b) of the UA2005, which requires clear statements in draft charters on gender and opportunities for people from disadvantaged groups. In response, the charters of the public universities studied also recognize the issue of gender, or more specifically the presence of women in the council. For instance, ARU's charter stipulates that not less than a third of council members must be women. It specifically provides for one female member elected by the National Assembly,

one elected by a students' organization, and one elected by the senate. A similar arrangement was noted in MU's charter, which requires one of the two members of parliament representing the National Assembly to be female, as well as one of the two members elected by the university's convocation. These requirements were found in almost all public universities in Tanzania in this study.

However, unlike other universities' charters, MUHAS has no mandate for specific members to be women. Instead, one representative from the gender dimension committee is included as a member of the council. A similar practice was also noted in MUST's charter, which states generally that "both men and women shall be equally eligible for holding any office in the University and for membership of any of its constituent bodies" (MUST, 2013, p. 32). In addition to gender representation, students are also represented in councils. At all the public universities studied, leaders of students' organizations automatically represent their fellow students. For instance, MU's charter clearly stipulates that the president of the students' organization must be appointed as a member of the council. On the other hand, ARU's charter provides that two members of the council shall be elected by the students' organization. Apart from gender and student representation, the councils of the public universities studied also have representations by various other bodies and individuals, including trade unions, staff associations (both academic and administrative), convocation, the private sector and the Committee of Vice Chancellors and Principals.

In terms of meetings, the councils of all public universities are required to meet no fewer than four times per financial year, and additional meetings are allowed when circumstances warrant it. In any case, the secretary to the council is required to give no less than 14 days' notice of the time and place of a meeting. While 14 days may be regarded as an appropriate norm for most public universities in Tanzania, ARU's charter requires only seven days: *"The Secretary of the Council shall give to each member not less than seven days notice of the time and place of any such meeting"* (ARU Charter, 2007, p.70). In this context, there is a need to establish the rationale for AU's differing approach in this regard and its related consequences for the overall oversight functions undertaken by council members. Individual members of councils can ask the chair to call a meeting, provided that the request is made by at least ten members, and meetings of this nature must be conducted within 30 days of such requests being made to the chair in writing. Different arrangements exist when the chair is absent from the URT or unable for any reason to act as chair. The charters of UDSM, MU, MUHAS, SUA, SNM-AIST, MoCU and MUST allow vice chairs to call meetings if the chair is absent for such reasons, whereas those of ARU, UDOM and OUT give their VCs power to hold such meetings. While the latter may be considered more convenient, it may potentially weaken the council's oversight role and its duty to oversee and supervise the VC's conduct.

Council decisions are based on majority votes, and in the event of a tied vote, the chair, vice chair or temporary chair (if both the former are absent) presiding at any meeting of the council has a casting vote in addition to a deliberative vote. Circulars are also allowed, and in such cases, decisions are made through written expressions of the views of the majority of council members. However, members have a right to defer any matter for consideration at a proper council meeting. The charters of most public universities studied state that a quorum requires the presence of a third of the members in office. However, MU's and SNM-AIST's charters require no less than half of members in office for a quorum. At SNM-AIST, this requirement

applies equally to the council, senate and committees. The individual charters also stipulate that if a quorum is not present within half an hour of the appointed time for the meeting, the members present may adjourn it to another time within 14 days. Remuneration of members of the councils, senates, convocations and governing boards of public universities is prescribed by the council and approved by the minister for HE, apart from at NM-AIST, where the minister for science and technology has discretion in this area.

University Senates

Like other universities worldwide, the charters of all public universities in Tanzania require a university to establish a senate, the main functions of which include regulating the content and academic standards of university provision, and making by-laws relating to admission, examination and academic audits. University senates are also responsible for approving the syllabi of any programs leading to the conferment of a university award. Various arrangements exist with regard to members of the senate. UDSM and ARU stipulate that no less than 80 percent and no more than 85 percent of members must be drawn from within the university. This is similar to MUHAS, where no less than 75 percent and no more than 85 percent of members are drawn from among the university's senior academic and administrative staff. However, the charters of UDSM, ARU and MUHAS do not specify an exact number of members, but give the council power to determine the number. In this respect, UDSM's charter states that the number and categories of *ex officio* members must not be reduced. The other public universities studied neither provide guidance on the minimum and maximum, nor specify the exact number of members for their senates.

As specifically stated in the charters of UDSM, ARU and MUHAS, most senate members, even in other public universities, are internal staff of the university, normally including the VC as chairman, the deputy VCs, the principals and deputy principals of affiliated colleges and campus colleges, the dean of students, the deans of schools and faculties, the directors of institutes, libraries and academic centers, and heads of departments. Interestingly, NM-AIST's and MUHAS's charters allow two professors from their institutions to be members of the senate. An extreme case is OUT's charter, which provides only for internal members, apart from two members appointed by the chair of the council, who may also be academic or administrative staff of the university.

Like councils, apart from internal members, membership of senates to some extent also includes representation by various individuals, bodies and institutions, such as student organizations, sectoral ministries, other universities and stakeholder organizations. In particular, the senates of most public universities in Tanzania are made up of members representing the ministry for HE, the council, and VCs of accredited public and private universities. In addition to these, which are common to most public universities, and also similarly to councils, the ministry for science and technology is represented in the senates of MUST and NM-AIST, and the ministry for health is represented in MUHAS's senate. MU also has members representing professional bodies and the Higher Education Students Loans Board (HESLB).

Similarly, the charters of NM-AIST and SUA state that the executive director of HESLB must be a member of the senate. UDSM and MUST also allow the inclusion of a member representing TCU. Importantly, unlike other public universities, SUA requires representation

of disabled students in its senate. With the exception of NM-AIST, external members of the senate are normally appointed by the council, following their nomination, election or recommendation by the individuals or institutions whom they represent. At NM-AIST, the VC appoints all members of the senate. With the exception of *ex officio* members, members of the senate serve three-year terms, and may be eligible for re-appointment for a further three-year term.

Discussion and Conclusion

The governance frameworks of the public universities in Tanzania analyzed in this study reveal the government's decreasing control over university affairs and universities' increasing autonomy in internal decision making. This is manifested in the UA2005, which established TCU as a regulatory body and repealed acts of parliament relating to individual universities enacted before 2005. Universities' increased autonomy is also reflected in their individual charters. For instance, the repealed University of Dar es Salaam Act No. 12 of 1970 stated that the President of the URT was chancellor and head of the university (URT, 1970). In the current legislation, the chancellors of all public universities are required to be people of outstanding integrity, with academic and administrative experience, and the President no longer plays any role. The charters of MUHAS and MU do allow the possibility of a President of URT being chancellor, but this is not evidenced in practice.

In general terms, as observed by Saint (2009), in SSA countries the direct involvement of heads of state in university affairs has generally decreased. Nevertheless, chancellors are appointed by the President, and allowances accruing to the position of chancellor are approved by the President after being proposed by the university council. Also, all chairs of the councils of public universities are appointed by the President. Similarly, other council members are officially appointed by the minister for HE after being elected or nominated by relevant individuals, bodies or institutions. These instances confirm the argument of various scholars (e.g., Ajayi et al., 1996; Mok, 2010) that university autonomy does not necessarily mean complete independence from the state.

In fact, according to Van Vught (1995), "steering" by the state continues through a combination of incentives and accountability mechanisms. In Tanzanian public universities, this is exercised through various reports that universities are required to submit to governmental bodies. For instance, as part of financial accountability, the charters of all public universities require their approved annual budgets to be forwarded to the minister for HE and the chancellor for information. Public universities are also required to keep proper accounts and be audited by the Controller and Auditor General (CAG) of the URT, and the minister for HE is required to present to the National Assembly copies of the accounts prepared by the university, a copy of the auditor's report, and a copy of the VC's report prepared at the end of each financial year. To enhance accountability, various parliamentary committees, such as the Parliamentary Accounts Committee, the Public Investment Committee and the Parliamentary Budget Committee, are also required to examine university operations in their respective areas and report to the National Assembly for deliberation.

Similarly, direct governmental involvement in appointing the principal officers of public universities has been reduced. At the University of Dar es Salaam, prior to 2005, the VC, chief

academic officer and chief administrative officer were appointed by the chancellor, who was the President of the URT, and the repealed Act did not specify any detailed arrangement for such appointments. The terms of office of these positions were not stipulated, but were left to the chancellor (President) to determine: "*Vice Chancellor shall hold office for such period and on such terms and conditions as the Chancellor may determine*" (URT, 1970, p. 6).

Currently, the VCs of all public universities are appointed by the chancellor (not the President) on the advice of the council, normally after consultation with the senate. In practice, a VC is appointed from a list of at least three candidates with outstanding academic qualifications and administrative experience. In terms of tenure, the VCs of all public universities hold office for a term of five years and may be re-appointed for one further consecutive five-year term. Similarly, deputy VCs are normally appointed for four years, with the possibility of a further consecutive four-year term. A similar trend was noted in relation to the membership of university councils. Prior to 2005, the majority of members of public universities' councils were drawn from various government institutions and bodies. For instance, at UDSM, the chancellor, who was the President, was mandated to appoint nine members of the council, including the chair, the VC (*ex officio*) and seven other members. Also, three members were appointed by the minister for HE, one by the minister for finance and one by the minister for economic affairs and development planning.

The influence of co-operatives is also evident in the newly independent Tanganyika, where the General Committee of the Co-operative Union of Tanganyika Limited is allowed to appoint two members. Currently, with the exception of the minister for HE, who is usually allowed to appoint one member of the council, members from most such institutions are seldom found in the councils of public universities. Similarly, the current chancellors of public universities appoint a maximum of two members to the council. In most cases, representation of governmental institutions has been superseded by a number of representatives, including the Committee of Vice Chancellors and Principals, staff associations (both academic and administrative), trade unions and private-sector organisations. This inclusive nature of councils is arguably partly attributable to their desire to include more stakeholders in order to forge support from the community at a time when direct government financing of universities' operations is decreasing (see also Shattock, 2013). Therefore, it is unsurprising that some public universities include representation by the HESLB in their councils or senates in order to be aware of loan mechanisms for students.

It is also important to note the decreasing representation of students in university councils. For instance, the repealed University of Dar es Salaam Act, 1970 provided for five members of students' organizations in the university council. However, the current UDSM Charter (2007) provides for only two members, and in some public universities, only one member (the president) of the student organization represents students in the university council. Previous studies in this area have questioned the role of student representatives in universities' decision-making bodies (Lizzio & Wilson, 2009; Luescher et al., 2016; Menon, 2003, 2005; Planas et al., 2013). In particular, Bleiklie and Kogan (2007, p. 479) warn that "the power of the academic had already been substantially modified from 1960s onwards by the admission of junior academics and students to senates and other decision-making bodies."

In light of the findings of this review of governance frameworks and mixed findings on the role of student representatives in universities' decision-making bodies, further empirical research is needed to investigate the decline in students' representation in the councils of public universities in Tanzania. Similarly, decreasing representation of the senate in the council, from an average of three members prior to 2005 to only one member currently, requires further investigation. This comes at a time of increasing calls to involve academic bodies in universities' overall policy making (Birnbaum, 2004; Lapworth, 2004; Olson, 2009; Taylor, 2013).

Furthermore, current governance frameworks have witnessed the emergence of gender representation in university councils, which was entirely absent from the repealed university acts. Arguably, as contemporary issues, the gender movement and feminism had little influence in most emerging economies during the 1970s and 1980s (Kanji, 2003). Currently, the UA2005 and individual universities' charters provide specific guidance on and emphasize the appointment of women to their councils. In fact, it might be argued, at least from the perspective of governance frameworks, that women are highly represented in the councils of public universities in Tanzania. The role of women on the boards of corporate entities has been much debated (Krishna & Kumar, 2019; Nielsen & Huse, 2010; Terjesen et al., 2016), but less attention has been paid to women in academia (Turner, 2002). Therefore, further research is needed in this area to empirically investigate the actual presence of female council members, as provided for in governance frameworks. Similarly, research on the impact of female members on councils' effectiveness might enhance understanding of the role of women in overall university governance.

The reviewed governance frameworks show a general trend towards smaller university councils with representation of various university stakeholders. In terms of numbers, for instance, the repealed University of Dar es Salaam Act, 1970 provided for about 29 members of the council, whereas the current UDSM charter allows a maximum of 21 members (UDSM, 2007). A similar trend was noted in other public universities. In general, the number of university board members is decreasing worldwide (Fielden, 2008; Saint, 2009). This perhaps addresses a general concern in the extant literature about the effectiveness of universities' councils in view of their large membership (Johansen & Slantcheva-Durst, 2018; Ramabrahmam & Umamaheswararao, 2020). However, with increasing calls for "shared governance" (Lapworth, 2004; Taylor, 2013), there is a risk that the number of members may increase, with a trade-off between the number of council members and the representation of various stakeholders. Thus, in view of the representation of key university stakeholders in the council, further empirical studies are needed to establish an appropriate council size that might guarantee efficiency in HE institutions' decision making in emerging economies.

Similarly, the university governance literature records mixed findings on the effectiveness of external members of universities' governing boards. On the one hand, external members are regarded as effective and as contributing positively to policy making and independent oversight of university affairs (Shattock, 2013; Taylor, 2013). This is attributable to a belief that external governing board members are "likely to be more experienced and effective at determining the future strategic landscape than those actually working in the institutions" (Shattock, 2013, p. 220). In particular, as Taylor (2013, p. 89) suggests, "their technical skills, extra-university experience and detachment from the day-to-day running and pressures of the

university should be important in impartially assessing major strategic issues and they should be unafraid of expressing their views even if (or perhaps especially if) this brings them into conflict with the executive." However, on the other hand, it is claimed that external board members lack the necessary skills and expertise for effective oversight of universities' core functions, such as research (Jameson & McNay, 2013; Shattock, 2013). There is also a popular argument that universities are republics of scholars, and that no one other than the scholars can effectively govern their affairs (Baldridge, 1971; Moodie & Eustace, 2011). Since the majority of current council members are external, in view of current debate on this issue, further empirical studies are needed to enhance understanding of their effectiveness.

The governance frameworks analyzed in this study show that, in contrast to councils, the senates of public universities in Tanzania are composed mainly of internal members. At UDSM and ARU, for instance, no less than 80 percent and no more than 85 percent of senates are internal members. They do have external members, but these are generally few and include sectoral ministries, students' organizations, other universities and key stakeholders. A similar trend has been observed in universities worldwide (Jones et al., 2004; Núñez & Leiva, 2018; Pennock et al., 2015). In fact, this confirms Moodie and Eustace's (1974, p. 233) early argument that "no one else seems sufficiently qualified to regulate public affairs of scholars." In this context, it is important to conduct empirical assessments of the effectiveness of senates' decision making. Since university councils are made up mainly of external members, comparative studies of university councils and senates might shed light on the influence of internal and external members in universities' decision-making bodies.

In terms of roles, the governance literature suggests that senates' power has reduced in relation to other academic matters and budget allocations (Magalhães et al., 2013; Magalhães & Amaral, 2007; Rowlands, 2013; Vilkinas & Peters, 2014). A similar trend was noted in the governance frameworks analyzed in this study, as the senates of public universities focus more on academic-related functions. In this regard, and in view of the paucity of research on university senates (Núñez & Leiva, 2018), further research is required on the roles of university senates in different contexts.

In conclusion, the analysis presented in this paper shows that changes made to university governance frameworks through the UA2005 have substantially increased public universities' autonomy and reduced direct governmental control of universities' affairs. The Act established TCU as a regulator of both public and private universities in Tanzania, and gave greater power to university councils and senates to manage their academic, administrative and financial matters. Unlike prior to 2005, when the chancellor was regarded as the head of the university, chancellors are now titular heads with no executive powers. Similarly, with globalization and the changing nature of universities worldwide, the Act has allowed the inclusion of both internal (staff and employees) and external stakeholders in university governance. Moreover, at the institutional level, day-to-day management of university affairs is left to administrators, led by the VC, who is specifically recognized as the university's chief executive officer. Whilst these observations are promising, detailed empirical analysis is needed to investigate the actual operationalization of the law and individual universities' charters.

This study relied on analysis of the governance frameworks of public universities in Tanzania. It did not seek to ascertain whether the provisions of the governance frameworks reviewed are actually applied, nor whether they have been amended by more recent government circulars issued to public universities. This is partly because, with the exception of three newer universities (MUST, NM-AIST and MoCU), the reviewed universities' charters were granted in 2007. Neither the UA2005 and its regulations nor individual charters provide arrangements for amendments to or repeals of the charters. However, this was not investigated, and the findings of this paper suggest that amendments should be made to incorporate some subsequent changes. Nevertheless, the analysis reported in this study is an important step towards understanding university governance frameworks in emerging economies, which are less represented in the university governance literature overall. Also, the review did not include private universities owing to the unavailability of charters on their websites. In this regard, it is recommended that TCU asks all universities in the country to post their charters on their websites. This would allow comparison of governance arrangements between public and private universities.

Acknowledgements

The author acknowledges partial support for this study from the Worldwide University Network (WUN) as part of a larger project entitled *"A Study of the Role of Governing Boards in African Higher Education Institutions,"* which investigated university governance practices in selected African higher educational institutions in Ghana, Nigeria, Tanzania, South Africa and Mauritius.

References

Agasisti, T., & Catalano, G. (2006). Governance models of university systems—towards quasi-markets? Tendencies and perspectives: A European comparison. *Journal of Higher Education Policy and Management, 28*(3), 245–262.

Ajayi, J., Goma, L., & Johnson, G. (1996). *The African experience with higher education*. Accra, Ghana: The Association of African Universities.

Andoh, H. (2017). The "lost mission" of African universities. *International Higher Education*, *91*, 20–22.

Austin, I., & Jones, G. A. (2015). *Governance of higher education: Global perspectives, theories, and practices*. London: Routledge.

Baldridge, J. V. (1971). *Models of university governance: Bureaucratic, collegial, and political*. R&D Memorandum No. 77, School of Education, Stanford University, Stanford, CA.

Beasley, M. S. (1996). An empirical analysis of the relation between the board of director composition and financial statement fraud. *Accounting Review*, *71*(4), 443–465.

Bingab, B. B. B., Forson, J. A., Abotsi, A. K., & Baah-Ennumh, T. Y. (2018). Strengthening university governance in sub-Sahara Africa: The Ghanaian perspective. *International Journal of Educational Management, 32*(4), 606–624.

Bingab, B., Forson, J., Mmbali, O., & Baah-Ennumh, T. (2016). The evolution of university governance in Ghana: Implications for education policy and practice. *Asian Social Science, 12*(5), 147–160.

Birnbaum, R. (1987). *The latent organizational functions of the academic senate: Why senates don't work but won't go away*. Paper presented at the annual meeting of the Association for the Study of Higher Education, San Diego, CA, February 14–17.

Birnbaum, R. (1989). The latent organizational functions of the academic senate: Why senates do not work but will not go away. *The Journal of Higher Education, 60*(4), 423–443.

Birnbaum, R. (2004). The end of shared governance: Looking ahead or looking back. *New Directions for Higher Education, 2004*(127), 5–22.

Bisaso, R. (2017). Makerere University as a flagship institution: Sustaining the quest for relevance. In D. Teferra (Ed.), *Flagship universities in Africa* (pp. 425–466). New York, NY: Springer.

Bitzer, E. (2002). South African legislation on limiting private and foreign higher education: Protecting the public or ignoring globalisation? *South African Journal of Higher Education, 16*(1), 22–28.

Bleiklie, I., & Kogan, M. (2007). Organization and governance of universities. *Higher Education Policy, 20*(4), 477–493.

Bozalek, V., & Boughey, C. (2012). (Mis)framing higher education in South Africa. *Social Policy & Administration*, *46*(6), 688–703.

Brown, R. C. (1970). Professors and unions: The faculty senate: An effective alternative to collective bargaining in higher education. *William & Mary Law Review, 12*(2), 252–331.

Bruckmann, S., & Carvalho, T. (2014). The reform process of Portuguese higher education institutions: From collegial to managerial governance. *Tertiary Education and Management, 20*(3), 193–206.

Cardoso, C. (2019). The challenges facing African universities. *Journal of African Cultural Studies*, https://doi.org/10.1080/13696815.2019.1671812.

Christensen, T. (2011). University governance reforms: Potential problems of more autonomy? *Higher Education, 62*(4), 503–517.

Clarice, A. M., Hough, M. J., & Stewart, R. F. (1984). University autonomy and public policies: A system theory perspective. *Higher Education, 13*(1), 23–48.

Dearlove, J. (2002). A continuing role for academics: The governance of UK universities in the post–Dearing era. *Higher Education Quarterly, 56*(3), 257–275.

Dobbins, M., Knill, C., & Vögtle, E. M. (2011). An analytical framework for the cross-country comparison of higher education governance. *Higher Education, 62*(5), 665–683.

Eisemon, T. O. (1984). Reconciling university autonomy with public accountability: The state, university grants committee and higher education in New Zealand. *Higher Education, 13*(5), 583–594.

Fama, E. F. (1980). Agency problems and the theory of the firm. *Journal of Political Economy, 88*(2), 288–307.

Fama, E. F., & Jensen, M. C. (1983). Agency problems and residual claims. *The Journal of Law and Economics, 26*(2), 327–349.

Fielden, J. (2008). *Global trends in university governance*. Education Working Paper no. 9, World Bank, Washington, DC.

Grant, H. (1983). The erosion of university independence: Recent Australian experience. *Higher Education, 12*(5), 501–518.

Holm-Nielsen, L. B. (2001). *Challenges for higher education systems.* Paper presented at the International Conference on Higher Education, Jakarta, Indonesia, August.

Huang, F. (2018). University governance in China and Japan: Major findings from national surveys. *International Journal of Educational Development, 63*(C), 12–19.

Ishengoma, J. M. (2004a). *Cost sharing and participation in higher education in sub Saharan Africa: The case of Tanzania*. Paper presented at the UNESCO Forum on Higher Education, Research and Knowledge, Paris, France, December 1–3.

Ishengoma, M. J. (2004b). Cost-sharing in higher education in Tanzania: Fact or fiction? *Journal of Higher Education in Africa, 2*(2), 101–133.

Jameson, G., & McNay, I. (2013). *Leadership values, trust and organisational cultures in a period of austerity in English higher education*. London: Leadership Foundation of Higher Education.

Johansen, A., & Slantcheva-Durst, S. (2018). Governing councils and their defining role in the development of campus Greek communities: The case of the University of Toledo, 1945–2006. *American Educational History Journal, 45*(1/2), 1–17.

Jones, G. A., & Oleksiyenko, A. (2011). The internationalization of Canadian university research: A global higher education matrix analysis of multi-level governance. *Higher Education, 61*(1), 41–57.

Jones, G. A., Shanahan, T., & Goyan, P. (2004). The academic senate and university governance in Canada. *Canadian Journal of Higher Education, 34*(2), 35–68.

Kanji, N. (2003). *Mind the gap: Mainstreaming gender and participation in development*. London: IIED.

Kerr, C. (1978). Higher education: Paradise lost? *Higher Education, 7*(3), 261–278.

Kimambo, I. N. (2008). Establishment of the University of Dar es Salaam. In I. N. Kimambo, B. B. Mapunda, & Y. Q. Lawi (Eds.), *In search of relevance: A history of the University of Dar es Salaam*. Dar es Salaam, Tanzania: Dar es Salaam University Press.

Kimambo, I. N., Mapunda, B. B., & Lawi, Y. Q. (Eds.) (2008). *In search of relevance: a history of the University of Dar es Salaam*. Dar es Salaam, Tanzania: Dar es Salaam University Press.

Kogan, M., Bauer, M., Bleiklie, I., & Henkel, M. (2007). *Transforming higher education: A comparative study*. Berlin, Germany: Springer Science & Business Media.

Kretek, P. M., Dragšić, Ž., & Kehm, B. M. (2013). Transformation of university governance: On the role of university board members. *Higher Education, 65*(1), 39–58.

Krishna, M., & Kumar, P. A. (2019). Role of women directors: The reality of diversity in corporate boards—An Indian perspective. *The Management Accountant Journal, 54*(3), 66–70.

Lapworth, S. (2004). Arresting decline in shared governance: Towards a flexible model for academic participation. *Higher Education Quarterly, 58*(4), 299–314.

Larsen, I. M., Maassen, P., & Stensaker, B. (2009). Four basic dilemmas in university governance reform. *Higher Education Management and Policy, 21*(3), 1–18.

Lizzio, A., & Wilson, K. (2009). Student participation in university governance: The role conceptions and sense of efficacy of student representatives on departmental committees. *Studies in Higher Education, 34*(1), 69–84.

Luescher, T. M., Klemenčič, M., & Jowi, J. O. (2016). *Student politics in Africa: Representation and activism*. Cape Town, South Africa: African Minds.

Magalhães, A. M., & Amaral, A. (2007). Changing values and norms in Portuguese higher education. *Higher Education Policy, 20*(3), 315–338.

Magalhães, A., Veiga, A., Amaral, A., Sousa, S., & Ribeiro, F. (2013). Governance of governance in higher education: Practices and lessons drawn from the Portuguese case. *Higher Education Quarterly, 67*(3), 295–311.

Marshall, N. (1990). End of an era: The collapse of the "buffer" approach to the governance of Australian tertiary education. *Higher Education, 19*(2), 147–167.

Menon, M. E. (2003). Student involvement in university governance: A need for negotiated educational aims? *Tertiary Education and Management, 9*(3), 233–246.

Menon, M. E. (2005). Students' views regarding their participation in university governance: Implications for distributed leadership in higher education. *Tertiary Education and Management, 11*(2), 167–182.

Millett, J. D. (1962). *The academic community: An essay on organization*. New York, NY: McGraw-Hill.

Minor, J. T. (2004). Understanding faculty senates: Moving from mystery to models. *The Review of Higher Education, 27*(3), 343–363.

Moshi Cooperative University (MoCU). (2014). *Risk Management Policy*. Moshi Co-operative University.

Moshi Cooperative University (MoCU). (2017). *Students Sports and Recreation Policy*. Moshi Co-operative University.

Moja, T., Cloete, N., & Muller, J. (1996). Towards new forms of regulation in higher education: The case of South Africa. *Higher Education, 32*(2), 129–155.

Mok, K. H. (2008). Varieties of regulatory regimes in Asia: The liberalization of the higher education market and changing governance in Hong Kong, Singapore and Malaysia. *The Pacific Review, 21*(2), 147–170.

Mok, K. H. (2010). When state centralism meets neo-liberalism: Managing university governance change in Singapore and Malaysia. *Higher Education, 60*(4), 419–440.

Moodie, G. C., & Eustace, R. B. (1974). *Power and authority in British universities*. Allen and Unwin.

Moodie, G., & Eustace, R. (2011). *Power and authority in British universities*. Routledge.

Morley, L., Leach, F., Lussier, K., Lihamba, A., Mwaipopo, R., Forde, L., & Egbenya, G. (2010). *Widening participation in higher education in Ghana and Tanzania: Developing an equity scorecard*. Falmer: Centre for Higher Education and Equity Research, University of Sussex.

Morley, L., & Lussier, K. (2009). Intersecting poverty and participation in higher education in Ghana and Tanzania. *International Studies in Sociology of Education*, *19*(2), 71–85.

Mortimer, K. P., & Leslie, D. W. (1971). *The Academic Senate at the Pennsylvania State University*. Report No. 11, Centre for the Study of Higher Education, Pennsylvania State University, University Park, PA.

MU (2017). *Corporate strategic plan for Mzumbe University for the planning period 2017/2018 to 2020/2021*. Mzumbe, Tanzania: Mzumbe University.

MU (2019). *Undergraduate prospectus for academic year 2019/2020*. Mzumbe, Tanzania: Mzumbe University.

Mubangizi, J. (2005). Government funding of universities in the new South Africa: Some reflections on legal issues and implications. *South African Journal of Higher Education, 19*(6), 1120–1131.

Musselin, C. (2013). *The long march of French universities*. New York, NY: Routledge.

MUST (2013). *The Mbeya University of Science and Technology charter, 2013*. Mbeya, Tanzania: Mbeya University of Science and Technology.

MUST (2019). *Undergraduate prospectus for academic year 2019/2020*. Mbeya, Tanzania: Mbeya University of Science and Technology.

Niedlich, S., Kummer, B., Bauer, M., Rieckmann, M., & Bormann, I. (2019). Cultures of sustainability governance in higher education institutions: A multi-case study of dimensions and implications. *Higher Education Quarterly*, https://doi.org/10.1111/hequ.12237.

Nielsen, S., & Huse, M. (2010). Women directors' contribution to board decision-making and strategic involvement: The role of equality perception. *European Management Review*, *7*(1), 16–29.

NM-AIST (2019). *Prospectus for academic year 2019/2020*. Arusha, Tanzania: The Nelson Mandela African Institution of Science and Technology.

Núñez, J., & Leiva, B. (2018). The effects of a tripartite "participative" university senate on university governance: The case of the University of Chile. *Cambridge Journal of Education, 48*(6), 749–767.

Olson, G. A. (2009). Exactly what is "shared governance"? *The Chronicle of Higher Education*, 23 July.

OUT (2019). *Prospectus for academic year 2019/2020*. Dar es Salaam, Tanzania: The Open University of Tanzania.

Paradeise, C., Reale, E., Bleiklie, I., & Ferlie, E. (2009). *University governance*. New York, NY: Springer.

Pennock, L., Jones, G. A., Leclerc, J. M., & Li, S. X. (2012). *Academic senates and university governance in Canada: Changes in structure and perceptions of senate members.* Paper presented at the annual meeting of the Consortium of Higher Education Researchers, Belgrade, Serbia.

Pennock, L., Jones, G. A., Leclerc, J. M., & Li, S. X. (2015). Assessing the role and structure of academic senates in Canadian universities, 2000–2012. *Higher Education, 70*(3), 503–518.

Planas, A., Soler, P., Fullana, J., Pallisera, M., & Vilà, M. (2013). Student participation in university governance: The opinions of professors and students. *Studies in Higher Education, 38*(4), 571–583.

Potter, W. J., & Levine-Donnerstein, D. (1999). Rethinking validity and reliability in content analysis. *Journal of Applied Communication Research, 27*(3), 258–284.

Ramabrahmam, I., & Umamaheswararao, G. (2020). The state councils of higher education: A case for strengthening intermediary agencies. In N. V. Varghese, & G. Malik (Eds.), *Governance and management of higher education in India* (Ch. 4). New Delhi, India: Sage Publications India.

Richardson, G., & Fielden, J. (1997). *Measuring the grip of the state: The relationship between governments and universities in selected Commonwealth countries—A discussion paper*. London: Commonwealth Higher Education Management Service.

Rowlands, J. (2013). Academic boards: Less intellectual and more academic capital in higher education governance? *Studies in Higher Education, 38*(9), 1274–1289.

Saint, W. (2009). Legal frameworks for higher education governance in sub-Saharan Africa. *Higher Education Policy, 22*(4), 523–550.

Salter, B., & Tapper, T. (2002). The external pressures on the internal governance of universities. *Higher Education Quarterly, 56*(3), 245–256.

Shattock, M. (2002). Re-balancing modern concepts of university governance. *Higher Education Quarterly, 56*(3), 235–244.

Shattock, M. (2013). University governance, leadership and management in a decade of diversification and uncertainty. *Higher Education Quarterly, 67*(3), 217–233.

Shaw, G. (2018). The relations between the state and the university in Ethiopia: The case of Addis Ababa University since 1950. *Arts and Social Sciences Journal, 9*(2), art. 327.

Sifuna, D. N. (1998). The governance of Kenyan public universities. *Research in Post-Compulsory Education, 3*(2), 175–212.

Slaughter, S., & Leslie, L. L. (1997). *Academic capitalism: Politics, policies, and the entrepreneurial university*. Baltimore, MD: John Hopkins University Press.

Taylor, M. (2013). Shared governance in the modern university. *Higher Education Quarterly, 67*(1), 80–94.

TCU (2018). *Approved organizational structure*. Dar es Salaam, Tanzania: Tanzania Commission for Universities.

TCU (2020). *List of approved university institutions in Tanzania as of 31st January 2020*. Dar es Salaam, Tanzania: Tanzania Commission for Universities.

Terjesen, S., Couto, E. B., & Francisco, P. M. (2016). Does the presence of independent and female directors impact firm performance? A multi-country study of board diversity. *Journal of Management & Governance, 20*(3), 447–483.

Turner, C. S. V. (2002). Women of color in academe: Living with multiple marginality. *The Journal of Higher Education, 73*(1), 74–93.

UDOM (2018). *Undergraduate students' handbook*. Dodoma, Tanzania: University of Dodoma.

UDOM (2019). *Undergraduate prospectus for academic year 2019/2020*. Dodoma, Tanzania: University of Dodoma.

UDSM (2007). *The University of Dar es Salaam charter, 2007*. Dar es Salaam, Tanzania: University of Dar es Salaam.

UDSM (2019a). *Five years rolling strategic plan of the University of Dar es Salaam for the planning period 2020/2021 to 2024/2025*. Dar es Salaam, Tanzania: University of Dar es Salaam.

UDSM (2019b). *Undergraduate prospectus for academic year 2019/2020*. Dar es Salaam, Tanzania: University of Dar es Salaam.

URT (1970). *The University of Dar es Salaam Act No. 12 of 1970*. Dar es Salaam, Tanzania: Government Printers.

URT (2005). *The Universities Act No. 7 of 2005 (CAP 346)*. Dar es Salaam, Tanzania: Government Printers.

Van Vught, F. A. (1995). Autonomy and accountability in government/university relationships (P181). In J. Salmi and AM Verspoor (Eds.), *Revitalizing higher education* (pp. 322–363). Oxford: Pergamon Press.

Vaughter, P., McKenzie, M., Lidstone, L., & Wright, T. (2016). Campus sustainability governance in Canada. *International Journal of Sustainability in Higher Education*, *17*(1), 16–39.

Vilkinas, T., & Peters, M. (2014). Academic governance provided by academic boards within the Australian higher education sector. *Journal of Higher Education Policy and Management*, *36*(1), 15–28.

Wandira, A. (1981). University and community: Evolving perceptions of the African university. *Higher Education*, *10*(3), 253–273.

Wright, S., & Ørberg, J. W. (2008). Autonomy and control: Danish university reform in the context of modern governance. *Learning and Teaching*, *1*(1), 27–57.

Appendix: Development of Themes

S/N	Output (concepts) from review of the university governance legislations and charters	Major themes
1.	Roles and functions of the TCU	University governance at the country/national level
2.	Management structure of the TCU	
3.	Governance structure and processes of the TCU	
4.	Composition of the TCU's Commissioners	
5.	Establishment and roles of the university councils	University governing boards or councils
6.	Appointment and tenure of the council's chairperson	
7.	Position of the vice chairperson of councils	
8.	Appointment and tenure of the members of councils	
9.	Number of the members of councils	
10.	Appointment and tenure of *ex-official* members of councils	
11.	Nominating bodies of the members of councils	
12.	Gender representation in the councils	
13.	Student representation in the councils	
14.	Frequency of the meeting of councils	
15.	Council's decision making approach	
16.	Establishment and roles of senates	University senates
17.	Membership (composition) of senates	
18.	Appointment of the members of senates	
19.	Tenure of the members of senates	
20.	Nominating bodies of the members of senates	
21.	Influence of the internal members (staff) to the senates	
22.	Inclusion of special groups in the senates	