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Changing Patterns of Governance in Tanzania: A Reflection on the Local Government Reforms Since 1990

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Introduction

Since the turn of the twenty-first century, a centralized system of governance has proved a failure in most of the countries of Sub-Saharan Africa (Wunsch and Olowu, 1990). Global economic and political changes in the late 1980s presented another challenge for these countries to transform their centralized systems into liberal and democratic systems of governance. In response to these challenges, Tanzania initiated a wide range of social, economic and political reforms in mid-1980s and early 1990s. Among objectives of these reforms is to change the existing patterns of governance in order to allow for democratic participation in all aspects of the societal fabric. This article reflects on this process of changing the existing patterns of governance and its prospects. It focuses on the local government reforms, which were initiated in the 1990s. Without prejudicing what has been done so far, the article argues that prospects for these reforms will depend, to a large extent, on the political commitment to implement the changed patterns of governance. It begins with a theoretical framework of local government in order to appreciate the context and content of these reforms.

What is Local Government?

There is no consensus among theorists and practitioners of local government on a single, precise and all encompassing meaning of the term "local government." Likewise, the practice of local government varies from country to country in both developed and developing world. It is assumed that the reader of this article is quite familiar with the varied interpretations and practices of local government. However, for the purpose of this discussion, there shall be a brief recap of some of the main interpretations, which apply to local government in Tanzania.

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The first is "the political interpretation." According to this interpretation, local government refers to a political sub-division within a country. The primary objective of such sub-division is to facilitate governance of the country. In general, a sub-division may consist of a provincial (regional), district (urban and rural), "mtaa" (street) and village units. In this context, local government could correctly be viewed as another level of government, which is subordinate to the national or central government. How do the national and subordinate levels relate to each other in matters of power-sharing and governance? It is subject to the patterns of governance provided in the constitution. In the case of Tanzania, Article 2(20) of the Constitution, 1977, provides for the existence of such a political division.

The second interpretation is the "decentralist approach", which views local government as another form of democratic decentralization. Herein, concentration of powers in a single center is reversed by decentralizing them to local government units/institutions. In this context, local government refers to territorial distribution of powers. That is, powers and authority are dispersed through a geographical hierarchy of the state, and institutions as well as processes through which such dispersal takes place (Smith, 1953).

The value-added interpretation perceives local government in terms of its value to democracy. That is, local government is a condition for a nation's democracy as well as a political educator. As a condition for a nation's democracy, it is argued that when local government is healthy that is an indicator of democratic governance because it offers opportunities for a wider as well as greater participation of people in the actual business of governing (Wilson, 1948; Panter-Brick, 1953). As a political educator, local government is valued as a training ground for political education and political leadership. It provides extra opportunities for political participation in both electing and being elected to local offices, for people who, otherwise, would have few chances to act politically between national elections (Mill, 1961). Furthermore, through local government, citizens learn to recognize what Maddick (1963) calls the specious demagogue, and thus avoid electing incompetent or corrupt representatives. Local government provides a forum to debate issues effectively, relate expenditure to income, and think for tomorrow. Tracing back to Bentham's vision of a sub-legislature constituting a nursery for the supreme legislature, Mackenzie (1961) viewed local government as a valuable training ground for national legislations.

There is yet another interpretation of local government as a political system. This interpretation has been influenced by the systems theory. Accordingly, local government forms a sub-system of the larger political system of the state. As a sub-system, the *raison d'être* of local government is both political and functional. Politically, local governments have the character of representativeness, which is manifested through the elected councilors; and is vested also with powers to make by-laws and raise revenues through taxation. Functionally, local governments carry out, with their own staff, and at times in partnership with the centre, specified functions on behalf of the centre (Norton, 1980).

Articles 145 (1 and 2), and 146 (1 and 2) of the Constitution of the United Republic of Tanzania provide for establishment of local governments as sub-systems, with both representative and functional characteristics. Nevertheless, the local government, which is being addressed by reforms, has a combination of features from all interpretations reviewed above.

What Is Local Government Reform?

Local government reforms are not novel in Tanzania. Since independence in 1961, there have been about five major initiatives for reforming the local government and its institutions. Thus, the current local government reforms need not be seen as a panacea. What is distinct, though, from the previous initiatives, is that current reforms have a government policy-framework, which provides a vision, mission and strategy for the reform process.

According to this policy, the current local government reform programme is envisaged to be a national-building strategy for mobilizing local resources and participation for the purpose of economic as well as social development. Likewise, the reforms have been ushered by the on-going democratization process in the country. The local government reforms are, therefore, seen as supporting and consolidating the democratization process rather than as routine structural and organizational changes. The ultimate goal of the reform process is empowerment of people through their democratically elected institutions at all levels. The new patterns of governance are expected to be manifested through these institutions.

The Context of the Local Government Reform

Initially the Local Government Reform was one of the components of the Civil Service Reform Programme (CSRP), which was initiated in the early 1990s. The component was reformulated to constitute a separate reform

programme for several reasons. First, introduction of multiparty politics in 1992 necessitated changes in the representativeness of the local government councils, as well as, in the local government system as a whole, in order to accommodate these political changes.

Second, the liberalization of social services and initial results from the social sector reforms showed far-reaching implications on the existing local government system and its institutions. Third, the implementation of the CRSP resulted in the retrenchment of about 1/3rd of the civil service, "hiring-off" of some of the functions of the central government, and so on. This called for, among other things, changes in central-local government relations. These reasons, by and large, provided for the contextual impetus for initiating the Local Government Reform Programme in 1996.

The Content and Scope of the Reforms

In essence, the on-going local government reform process entails a substantial transfer of decision making powers and responsibilities from the central to local governments. The aim of such a transfer is to enhance the democratic participation of the civil society through their institutions in economic and social development as well as to improve the capacity and efficiency of the local authorities in service delivery. The overall objective of the reform, as set out by the Government's shared vision for local government, is to establish a local government system built on three pillars.

The first pillar is "a unitary local government system." Tanzania (Mainland) is constitutionally a unitary state under one government of the United Republic (Article 1, 2(2) of the Constitution). The new local government system is, therefore, expected to reinforce the constitutional unitary system of government. To that effect, all local governments (authorities) will be governed by the same government laws enacted by Parliament. They will operate with discretionary powers within a national context of legislation and regulations enacted by Parliament including guidelines issued by the Government. They will also be obliged to follow national priorities as set out in national legislation and development plans. Above all, they will be subordinate to the central government in areas of national importance, including national policy making, national security law as well as order, national institutions, foreign relations, and so forth

(URT/LGRP, 1999b). In brief, under this pillar, the local governments do not represent any level of the central government nor a sub-system of the larger political system. At best they are authorities of defined geographical areas, with defined jurisdictional powers.

The second pillar is the "holistic" principle on which the new local government system is to be based. According to this principle, the local councils are to be the highest political authority within areas of their jurisdiction, but under the national and legal framework. They will have an overall responsibility for their finances, administration, organization, and service delivery. In addition, all local councils will be multi-sectoral in social and economic development within areas of their jurisdiction (URT/MRLGR, 1998b).

The third pillar is the "flexibility" of the new local government system. Until then, all local government authorities are subjected to a uniform system of administration, organizational structure, and performing the same obligatory and permissive functions as provided in the laws. Under this pillar, they will be empowered to adapt their own committee system, set up their own administrative structures and political priorities, depending on socio-cultural and economic needs of the areas under their jurisdiction. However, this flexibility has to be exercised within the national framework.

The three pillars are to be cemented by carrying out four main types of decentralization. These are political, financial and administrative decentralization, and the changed central-local relations. Political decentralization involves devolution of powers and rule-setting for councils, their committees, their chairpersons and so forth. This type of decentralization aims at cementing the "holistic" pillar by integrating the previously centralized or deconcentrated services sectors into the councils, which will be the focal development fronts and political bodies within areas of their jurisdiction. It is expected that political decentralization will lead to creation of real and multi-functional local authorities within the framework of the national legislation (URT/MRLG, 1998b).

Financial decentralization implies that local authorities will have to adhere to the principles of their financial discretionary powers, that is, powers to levy local taxes. The central government, on the other hand, will have to

honor its obligation to provide local authorities with adequate unconditional grants and other forms of grants. In line with this financial decentralization, local authorities will be free to prepare and pass their own budgets, which reflect their own priorities, subject though to attainment of defined national standards (URT/MRLG, 1998b).

Another type is administrative decentralization. Under the previous local government system, two categories of staff were working with the local authorities. The first category consisted of staff from the central government, representing their respective ministries. They were paid by the central government. The second category were those on the local government payroll. Administrative decentralization aims at de-linking these two categories of staff. What is envisioned here is that the local authorities will have the power to hire and fire their own personnel according to their personnel needs, without though jeopardizing efficiency in quality service delivery. The personnel will be directly accountable to their respective local authorities.

The fourth type of decentralization is the changed central-local relations. The expected outcome of these changed relations is a system of relations of partnership between the central and local governments. The central government will exercise over-riding powers within the constitution in matters of policy making, backstopping, capacity building, monitoring, regulating as well as quality management of public services, legal control and audit. The Ministry responsible for local governments will be responsible for coordination between the line ministries (the social services ministries, in particular) and the local authorities. Whereas, planning and implementing development will be the responsibility of the local authorities in the areas of jurisdiction in accordance with the national policy framework (URT/MRLG, 1998b).

Components of the Reform Programme

The Reform programme has five components. Each of the components aims to contribute to achievement of the above four types of decentralization. The first is the institutional and legal framework. The existing legislation of local governments provides little autonomous space and independence. The reform component, therefore, involves an evaluation and review of laws governing local governments in line with the new policy paper on LGRP with the goal of making amendments. The

proposed amendments, it is envisaged, will create a system of local government where powers, functions and revenues are decentralized from central government to all levels of the local government system. Another expected outcome is changed relations referred to earlier. That is, relations between the central and local government will be based on consultations and deliberations. Administratively, local government will not be subordinate to central government institutions, but will operate within the framework of national legislation, supported and monitored according to provisions of the law. Thus, this component is supposed to address all issues related to political decentralization, central-local relations, and some areas of financial as well as administrative decentralization.

The second component is human resource development. The aim of this component is to improve and strengthen efficiency, including the accountability of human resource use at the local government authority level. In addition, it will establish an administrative structure manned by well-motivated as well as qualified personnel who are recruited and promoted exclusively on a merit-basis. In order to achieve this, the reform programme emphasizes three things. First is developing and implementing staff development systems, including management capacity building. Second is the development and implementation of a new framework for local authorities' management of staff. Third is establishing a training fund to promote manpower training, including development for local authorities' personnel.

Mobilization and control of own revenue sources is one way of exercising independence and autonomy. This is, perhaps, the weakest point of the local government authorities. Financially, they are not self-sufficient. Between 60-70 per cent of their budget requirements depend on central government subsidies. The third component of the reform programme, therefore, deals with finances of the local governments. The reform programme seeks to introduce and establish, among other things, a new financial management system; a new system of revenue sharing between central and local government; a new system of participatory planning and budgeting; and a system of equalization grants. It is expected that all these, if implemented, will expand the revenue base, and thus, make local authorities less dependent on the central government.

The fourth component of the reform programme is governance, which is regarded as the main driving force in changing existing patterns of governance. The reform programme itself does not have its own definition

of governance. It has borrowed from a working definition contained in the National Programme on Governance (NPG), where it is defined as, the exercise of official powers in management of a country's economic and other resources in an effort to increase as well as utilize such resources for the betterment of lives of all citizens. The exercise of powers spells out the conditions and environment for participation by various stakeholders. It is further emphasized that "good governance calls for a system of public management, which is transparent, responsive to popular interests, responsible and accountable. Officials in the exercise of public management are capable, ethical and professional in the interest of the served public ..." (URT, 1999).

In the context of this working definition, outputs of the governance component are expected to be changed patterns in the governance of social, economic, political and administrative activities; with more participation of the civil society, NGOs, CBOs and the private sector in all affairs of the societal fabric. Furthermore, mainstreaming of gender in affairs of local authorities, extending decentralization to the sub-district structures and corruption issues have also been included in the governance component. In short, this component encompasses all three dimensions.

A restructuring of the local government is the last, though not least, component of the reform programme. It involves a review and redefinition of the roles, structures, size and functions of the local government as well as changing the current legal and institutional framework. The restructuring component is expected to lead to highly autonomous as well as democratic local authorities; and enhancing the effectiveness of these authorities in delivering quality social services in a sustainable manner.

Prospects of the LGRP

A reflection on the prospects of the LGRP is a difficult task, if not an impossible one. The programme itself is an ambitious one. All components are to be implemented simultaneously, while management capacity and human resources at district level pose major constraints. In addition, there are other underlying factors.

First, implementation of the reform programme is in three phases. Each phase will take on board 35 urban and district councils, except the third phase, which will include all the rest of the councils. There are presently 114 urban and district councils (2003). Lessons from the first phase could have been a good starter for reflecting on the prospects of the programme. But its implementation, which was to start in July 1999, was derailed for about a year due to technical and funding problems. In fact, actual

implementation of the preliminary work activities started in mid-June, 2000, when research for this article was being completed.

The second factor is dependence on donor funding. The actual costs of the reform programme are yet to be known. The initial estimated total costs of the reform programme for July 1999-2004 is US\$ 64.3 million. These cost estimates exclude the costs of the following: (a) any down-sizing to be made in the councils; and, (b) infrastructure development in the councils, which it is anticipated will be funded through donor-funded sector programmes. The total indicative costs required in phase one implementation of the reform are at US\$ 8.1 million based on preliminary estimates in the programme action plan. In addition, it has also been estimated that actual average implementation costs of the in-depth changes is around US\$ 130,000 per council (URT/LGRP, 1996: 38-39, 42).

During the launching of the reform programme, several donors made indicative pledges to support it. It is estimated that about 1/3rd of the required funds were mobilized through pledges. Donor-funding was inhibited by the inconclusive debate between the government and donors on funding modalities; that is, common basket versus earmarked funds. Thus, most of the LGRP components have had no committed donor funding, affecting, therefore, their planning and implementation. However, this was later resolved by agreeing on basket-funding arrangements. Nonetheless, financial sustainability of the programme is not fully guaranteed because the programme is not included in the government's annual budgets.

A third factor relates to ambition versus reality. The reform programme is gigantic in terms of scope, magnitude, and content. Added to this, is the misconceived notion of a reform, that it can be programmed into phases and be fit into a number of years rather than looking at it as a gradual process of change, characterized by forward and backward movement. In other words, designers of the reform programme have been too ambitious, trying to overhaul and change the administrative system, structure, behavior and operations of all councils within a period of 3-4 years. This is an ambition, which has no grain of reality. Lessons from the CRSP should have been used as an inspiration in counteracting such ambition. As a result, this ambition has put great pressure on the management systems responsible for implementing the reform programme. The systems have been crippled by inadequately trained staff, inadequate resources, and changing hands of institutions from PMO to the Ministry of Regional Administration and Local Government; and, presently, to the President's Office.

Euphoria of Reforms

Finally, there is the euphoria of reforms. In mid 1985 and early 1990, Tanzania initiated and has been implementing massive structural adjustment reforms. These include the public financial sector, parastatal sector, public administration sector, social sector, land, and now the local government, reforms. The implementation of all these sector reforms has been almost concurrent. These reforms are being carried out amidst severe national budget constraints and a debt crisis. Consequently, the government's capacity to adequately finance all these reforms is extremely dismal. This means implementation of the local government reforms, like all other reforms, is wholly donor-funded. The effects of this are already seen. Since the launching of the reform programme, only a few components of the have been implemented. Apparently, these components contained donor-vested interests in the local government, and hence, it was possible to get donor funding for their implementation. In short, these constraints do not only impede implementation of the reforms according to the planned agenda, but also they cast doubts on the prospects of the reform programme.

Conclusion

Local government in Tanzania has been a system in distress. Since its inception, it has been changing hands from one administration to another, each having a vision different from the other. Likewise, since independence, the system has undergone a series of reforms with a brief period of hibernation.

However, the current reforms seem to rejuvenate the distressed system. It is now constitutionally protected, even though its constitutional status is still obscure under the unitary system of government. There is a national policy, which defines, how vaguely it may be, the intentions and position of the government towards local governments. Furthermore, in contrast to the previous reforms, issues such as central-local power sharing, democracy and governance, legal framework and the like, are for the first time being seriously addressed in the current reform programme agenda. It is, therefore, indicative from these reforms that the government intends to recreate new government institutions, which will meet the challenges of the 21st century.

Nonetheless, the reforms are still faced with a number of challenges. As discussed earlier, the long-term viability of the reform programme requires that the government provide adequate resources not only for the reform programme but also to the local government authorities themselves. These requirements have to be reflected in the annual budget of the ministry. Furthermore, the national budget constraints are acute. The debt servicing

payments are a major element in the budget. Indirectly, the level of debt payments sets limits for local government reforms. Another factor creating uncertainty is whether or not economic growth will be sustained through increasing the revenue base of the government. The reform programme is conditioned by sustained economic growth and the multi-lateral negotiations on debt payments.

Another challenge involves the amended legal framework. The reform programme was expected to be implemented in three phases such that by the year 2001 all councils had to be involved in profound changes. However, at the end of the process, the central government will have a strong grip on local government affairs because the new amendments treat local government as a holistic system. According to this principle, local government councils will be responsible for local government finance, administrative organization and service delivery. All these taken together, will not mean full autonomy because the local councils will still be subordinate to higher level organs regarding development planning, financial issues and by-laws. An equally important observation is that the amendments set a separation of elected democratic powers from the executive ones, more precisely, between roles of administration and political machinery at the local level in order to enhance the role of local councils. It means a shift from a bureaucratic control culture to a democratic negotiation culture. The realization of this depends on the political will of the central government, regional and district technocrats in accepting this shift of power as well as on the adequate financial resources of the local authorities. Past experiences do not seem to support this line of thinking.

There are signals that the reform programme has the political support at the level of national leadership. The enactment of amendments of the principle local government laws with full support of the opposition parties in parliament is an indication of this political support. However, financial constraints of the government mean that operationalization of this support with budget allocations may be difficult. Equally challenging is the legitimacy of the reform programme, which has not been popularized to citizens and local government institutions. Previous restructuring experiences have raised skepticism among citizens. Their involvement and commitment to the reform programme is, therefore, a crucial condition for its success.

Finally, the reform programme's action plan and budget divide the restructuring of local authorities into three stages. Each stage involves equally sized batches of local authorities with one third of local authorities

entering the reform process in each year. The advantage of the phased implementation is that more resource can be allocated to each local authority, and it provides an opportunity for assessment of the changes. Thus, the first batch of 35 local authorities are geographically scattered between all 20 regions. This means all 20 regions will be involved in the reform process right from the first year onwards. The regional task forces of the reform programme will have to deal with local authorities, which are in the reform process in a given year. They will also have to deal with those of which are not in the reform process during the interim period of two years. In other words, the regional administration will need to deal with two kinds of local authorities. That is, reformed and unreformed local authorities simultaneously.

Lessons from the previous reforms (1972 and 1984) have shown that administrative reforms such as the current one require detailed mobilization of resources, capacity building at the institutional level, training and sensitizing the public in order to make a real impact including gaining their support. Management and sub-components dealing with human resource development have not yet taken off ground due to lack of donor funding.

The current reforms have a sense of vision and direction in terms of what the position and role of local government is expected to be within the framework of the unitary system of government. The reforms are gigantic and too ambitious, addressing the political, administrative and financial aspects of local governments. The prospects of the reform programme depend on a number of factors. However, the most critical are availability of adequate funds, management capacity of implementing institutions at all levels, political will and commitment to implementation within a political environment characterized by issues on multiparty politics, good governance, civil society, democracy, transparency, accountability, human rights, and gender. Most of these issues are superficially addressed in the reform programme agenda. For example, on the issue of local government and human rights, the new land acts, local government, good governance - the reform programme agenda is silent. Therefore, it is proposed that these issues be further researched during the on-going local government reforms.

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