GRAPPLING WITH THE DEMOCRATIC TRANSITION: PARLIAMENTARY ACCOUNTABILITY AND THE HOUSE OF REPRESENTATIVES OF ZANZIBAR, TANZANIA

Submitted in fulfilment of the requirement for the degree of
Doctor of Philosophy in Politics

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STATEMENT OF ORIGINALITY

The thesis contains no material which has been accepted for the award of any other degree or diploma in any university or other tertiary institution and, to the best of my knowledge and belief, contains no material previously published or written by another person, except where due reference has been made in the text. I give consent to this copy of my thesis, when deposited in the University Library, being made available for loan and photocopying subject to the provisions of the Copyright Act 1968.

(Signed):………………………………………………………………………. 
DEDICATION

This Thesis is dedicated to my late Father and Mother

And

My Family: My Wife Safia and my children Ahmad, Fahmy, UmmyAyman, Khayrat and Abdul-Samad
With the greatest love and affection
ACKNOWLEDGEMENTS

I put the name of the almighty God above everything which deserves a space in this acknowledgement, for his blessing and guidance that have always been the essence of my academic and non-academic success.

There are a good number of people and institutions that have both knowingly and unknowingly helped in the accomplishment of this study by their suggestions, opinions and materials support. It is not possible to mention all of those who have provided some form of support in this work. I would like to take this opportunity to thank them all. However, there are some people and institutions that deserve special mention and expression of thanks from me.

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None of the persons mentioned above, however, should be held responsible for the views expressed in this study. The responsibility for any weakness, error, or omission remains entirely mine.
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<td>Afro-Shiraz Party</td>
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<td>CCC</td>
<td>Construction and Communication Committee</td>
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<td>CCM</td>
<td>Chama cha Mapinduzi</td>
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<td>CPA</td>
<td>Commonwealth Parliamentary Association</td>
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<td>CUF</td>
<td>Civic United Front</td>
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<td>DPP</td>
<td>Director of Public Prosecutions</td>
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<td>LHRC</td>
<td>Legal and Human Rights Centre of Tanzania</td>
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<td>LSP</td>
<td>Legislative Support Programme</td>
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<td>MHRs</td>
<td>Members of the House of Representatives</td>
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<td>MP</td>
<td>Member of Parliament</td>
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<td>NEC</td>
<td>National Executive Committee</td>
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<tr>
<td>OAU</td>
<td>Organisation of African Union</td>
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<td>PAC</td>
<td>Public Account Committee</td>
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<td>SPOs</td>
<td>Senior Public Officials</td>
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<td>TANU</td>
<td>Tanganyika African National Union</td>
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<tr>
<td>TEMCO</td>
<td>Tanzania Elections Monitoring Committee</td>
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<tr>
<td>TPDC</td>
<td>Tanzania Petroleum Development Corporation</td>
</tr>
<tr>
<td>UNDP</td>
<td>United Nations Development Program</td>
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<tr>
<td>URT</td>
<td>United Republic of Tanzania</td>
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<tr>
<td>ZEMOG</td>
<td>Zanzibar Elections Monitoring Group</td>
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<tr>
<td>ZLSC</td>
<td>Zanzibar Legal Service Centre</td>
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<tr>
<td>ZNP</td>
<td>Zanzibar Nationalist Party</td>
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<td>ZPPP</td>
<td>Zanzibar and Pemba People’s Party</td>
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ABSTRACT

The introduction of a multiparty political system in Tanzania in the early 1990s signalled a major step towards establishing a democratic polity. This democratic transition aimed to create an environment for political participation at all levels of politics, to enhance political accountability of elected leaders, to foster responsible leadership, to aid in consensus building, and to enhance civil liberties. A consequence of realising these aims in practice would mean a significant shift in the relationships between the executive and legislative branches of government. That is, the process of democratisation would result in scaling back the significant powers vested in the Executive during a one-party system and relocating them appropriately among the other organs of the government, specifically the legislature. One key indicator of this shift is the extent to which the legislature has been empowered to hold the executive accountable. Even in well-established democracies, the task of ensuring that the executive is accountable to the legislature is not that simple and consensus has not been reached on the extent to which the legislatures are able to fulfil this task effectively. Shortfalls such as constitutional and procedural weaknesses, lack of transparency, and informational inaccessibility together with the phenomenal proliferation of state activities in modern times have made enforcing legislative accountability very complex.

The problem tends to be more severe in new democracies like Tanzania due to its historical experiences of poor economic conditions, social unrest, corrupt leadership, and deep political and social divides. Although recent studies have noted some gains in a number of countries in Africa, very little attention has been paid to the issue of parliamentary accountability of the executive in Tanzania. The situation in Tanzania is complicated by the fact that its political system also includes Zanzibar which has its own parliamentary system that in many respects exercises a significant degree of autonomy. The present study examines the impact of democratisation on Zanzibar’s political system and in particular on the relationship between the executive and the legislature. The primary aim was to identify the extent to which the powers of the House of Representatives of Zanzibar have been enhanced to hold the executive accountable. While the study examined the changing systemic arrangements, in particular constitutional changes, its main focus was gaining an understanding of the
ways in which those directly involved in the legislature—the elected and appointed members and the senior officials of the parliament—interpreted the nature and effectiveness of these changes. In so doing, the study identified various factors influencing the ability of Zanzibar’s legislature, the House of Representatives, to hold the executive accountable. These factors include an ongoing constitutional imbalance of power between the two branches of government, technical and organisational constraints, and a highly charged political atmosphere within the House (mirroring a history of political conflict within Zanzibar society).

The study found that the democratic reforms have improved the legislative accountability of the Executive in Zanzibar. However, although the House of Representatives has gradually been improving its powers and capacity, the Executive is still extremely powerful. Many areas in which the House has been empowered to oversee the working of the Executive are still very indistinct and not clearly stipulated within the Constitution. By contrast, the powers of the Executive over the House are clearly expressed in the Constitution. Nevertheless, the parliamentary system in Zanzibar has moved from its subordinated position within the now defunct one-party system where it was little more than a rubber stamp for executive pronouncements. After 20 or so years of democratisation the Zanzibar parliament has become a key organ of government. Thus this study’s findings contribute to the scholarship on democratic transitions, in particular to discussions on the nature of the legislature and its powers, and perhaps most importantly, to the ongoing practical development of the institutions of democratic governance in Zanzibar (and Tanzania).
INTRODUCTION

Though elections are liberal representative democracy’s means for keeping its rulers answerable to citizens, they occur only periodically. In the period between elections other institutions take on this role, and chief among them is the legislature (Barkan 2009; Close 1995). However there is no real consensus about the extent to which the legislature in representative democracy is able to fulfil this role effectively. But it is reasonable to suggest that in principle, the legislature remains a major mechanism in both parliamentary and presidential systems of holding democratically elected governments accountable during their tenure, and that “stronger legislatures mean stronger democracies” (Barkan 2009; Fish 2006).

In Africa, the prospects for the liberal representative democracy (and by extension legislative accountability) had already raised the concerns of several scholars (Mwakyembe 1995, xix; Hill and Whichelow 1964, 15) as early as the 1960s following sweeping constitutional reforms which made substantial inroads into the Westminster style of government left by the British colonialists when granting independence to their former colonies. Many of these newly independent countries opted for more or less republican constitutions which not only weakened the central authority of the parliament in the policy formulation and decision-making processes but also tremendously increased the powers of the executive branch of government. Further changes involving the introduction of one-party systems meant that democracy and democratic accountability became marginalised in many African countries.

However, the introduction of multiparty systems in almost all African countries has reenergised some legislatures to become effective in enhancing legislative accountability of the Executive. Hence, as suggested by Barkan (2009, 01) African legislatures matter in the context of multiparty politics and democratisation due to the fact that they remain strong mechanisms for achieving horizontal as well as vertical accountability of the rulers to the ruled. Also, examining and viewing democratic transitions from a legislative perspective in new democracies is significant for the reason that the legislature remains as an essential part of liberal
representative democracy. And the fact is that at least in theory, many countries that currently embarked on democratisation have opted for liberal representative democracy and legislatures have become prominent parts of the process.

On attaining independence in 1963 Zanzibar, like many other former British colonies, inherited a Westminster style of government in which the parliament featured as the key political authority within the Independence Constitution. As Rhodes and Weller have observed, the Westminster system varies considerably in practice, but its key elements include: the concentration of political power in a collective and responsible Cabinet; the accountability of ministers to parliament; constitutional bureaucracy with a non-partisan and expert civil service; an opposition acting as a recognised executive in waiting as part of the regime and; parliamentary sovereignty with its unity of the executive and legislature (Rhodes and Weller 2005, 7). The Independence Constitution of Zanzibar provided for a parliament consisting of 31 elected members. The executive powers were vested in the Sultan as head of State, while a Prime Minister as head of government was appointed by the Sultan. The Prime Minister was to be a leader of the party which had a majority representation in the parliament. Also, the parliament was sovereign and had direct control over the actions of the Executive through the principle of ministerial responsibility. This political system was a typical example of an implanted Westminster as described by Rhodes and Weller (Rhodes and Weller 2005, 3) in that it inherited British constitutional arrangements as part of decolonisation process. Only minor changes were made to the system to suit local political environment.

However, the implanted system did not last long. A revolution in 1964 led to the abrogation of the Constitution and the abolition of the parliamentary legislature. In its place emerged a Revolutionary Council which combined legislative, executive and judicial authority. It was to be a further 15 years before a new constitution was enacted. This new post-revolution constitution in 1979 paved the way for the establishment of the House of Representatives as a sole legislative organ in Zanzibar for all non-union matters within Tanzania. But by this time Zanzibar was not only already under a one-party political system but also a hybrid system of government in which the Cabinet, though entirely drawn from the parliament, was not directly
accountable to the parliament, largely as a consequence of the union with mainland Tanganyika to form the United Republic of Tanzania. During the single-party system the parliamentary authority in Tanzania became largely subordinate to the control of the Executive and the ruling party (Wanyande 1995; Mwansa and Cranford 1979; Thoden Van Belzen and Sterkenburg 1972; Tordoff 1965). Similarly, the House of Representatives of Zanzibar had turned into a place where hard questions were left unasked and credible answers were not given. The Executive was not scrutinised in any meaningful manner. Members of the House of Representatives were scared of being disciplined and punished by the strong party organs such as the National Executive Committee, NEC, (Mgaya 1990, 62; Mwakyembe 1985). As a result the Executive was often left to pursue whatever it wanted with little opposition.

The introduction of the multiparty system in 1992 heralded radical changes to the political landscape of the House of Representatives. Far reaching constitutional amendments were made in order to enhance the power of both the National Assembly (Union Parliament) of Tanzania as a whole and the House of Representatives of Zanzibar. The aim was to make them truly the supreme state institutions with the capacity to exercise control and supervisory functions over the Executive’s activities (Tambila 2004). However, it is not clear to what extent the House of Representatives has been freed from less obvious constraints on its authority. This is due to the fact that this area is the most unexplored terrain of Tanzanian politics and in particular in Zanzibar. Having been regarded as a rubber stamp institution during the period of a single-party system, the role of the parliament seemed to draw little academic interest. Relatively few studies have been conducted on the relationship between the legislature and the executive. Those few studies which have been done in this area in Tanzania, such as Kilian (2004), Kelsal (2003), Donge and Livigha (1990), and Okema (1990), mostly focused on the Union Parliament of Tanzania of which Zanzibar is a part. In most of these studies the recurrent theme has been on the relative power between the Parliament and the Executive i.e. how much power did the Parliament have vis-à-vis the Executive. The issue of executive accountability, though part of these analyses, remained a secondary consideration.
The present study aims to correct this deficit by investigating the current working of the House of Representatives of Zanzibar in the context of Tanzania’s transition to democracy. This transition is regarded, in theory at least, as a process in which Tanzania aims to transfer sovereignty from the party to the Parliament (Kelsall 2003, 62). One indicator of the sovereignty of the parliament would be its capacity to oversee the working of the government in ways that hold its actions accountable to the parliament. Hence accountability is the concept that provides the means to explore the changing relationship between the House of Representatives and the Executive. However, the concept of accountability is not straightforward and there is considerable scholarly debate over its definition, scope and meaning. This issue is taken up in more depth in the next chapter but here it is necessary to note briefly that in this thesis accountability is a political issue concerning the “relationship between an actor and a forum, in which the actor has an obligation to explain and to justify his or her conduct, the forum can pose questions and pass judgement, and the actor may face consequences” (Bovens 2007, 450). Indeed, as Mulgan (2003) has noted, consequences or sanctions must form a part of the concept of accountability. This is basically an agent-principal relationship that is concerned less with “whether the agents have acted in an accountable way, but whether they are or can be held accountable ex post facto by accountability forums” (Bovens 2010, 948).

Hence the key questions in this study are:

1. How have the democratic reforms in Tanzania:
   - Affected the parliamentary authority of the House of Representatives in Zanzibar?
   - Enabled the House of Representatives in Zanzibar to provide effective oversight of the Executive?

2. What might be the key factors affecting the ability of the House of Representatives in Zanzibar to hold the Executive government accountable?

These questions and developments in Zanzibar must be seen in the context of the democratisation process in sub-Saharan Africa. This will provide a background context to enable a clearer understanding of how the process has stimulated political
accountability in this period of transition. However, it is important from the outset to appreciate that there is no single recipe for democratic transitions; different countries have attempted to democratise using different methods and have ended up with more or less the same democratic institutions but with varying degrees of democratic quality and achievements. As Schmitter has suggested:

Many countries having left from different points of departure and chosen different modes of transition have been ending up, not with the same type of democracy, but with similarly stable and consolidated institutions. Why should there not be multiple ways of exercising political accountability and translating that accountability into improvements along the various measures of quality according to which democracy can be assessed? (Schmitter 2004, 59).

It is thus possible for African countries to develop mechanisms of political accountability despite having different points of departure depending on the nature and historical background of their transitions to democracy. Some countries such as Congo, Burundi and Rwanda have started their journey to democratisation without a stable political environment while others like Tanzania, Zambia, Malawi and Ghana have had a less bumpy road. Thus, the latter countries may be better situated to develop mechanisms of political accountability more smoothly than the former. Also, while different points of departure might mean that political accountability may have multiple interpretations, nevertheless all countries at least in theory, share a common assumption that all public office holders must be held to account for their deeds. The problem of accountability might be more severe in new democracies with historical experiences of poor economic conditions, social unrest, and deep political and social divides. This is the case with the political system in Tanzania which has experienced varying degrees of political clientalism, corruption, misuse of power by executive officials, executive control of the legislature, and weak parliamentary opposition (LHRC 2008; Kilian 2004; Kelsall 2003). These characteristics render the task of democratisation difficult in Tanzania and by extension, in Zanzibar.

Nature of Democratic Transition in Sub-Saharan Africa
Although the years up to the early 1960s could be described as the years of colonial rule in Africa, and the three decades thereafter as the years of independence and one-party and military rule or authoritarian regimes, the 1990s onward certainly will go into African history books as the years of democratisation in Africa (Msekwa 2004;
Dzimbiri 2000; Ake 1991). The process of democratisation can be understood as part of a trajectory which is placed between authoritarian regime and democratic governance (Conteh-Morgan 1997). It is a transitional process as manifested in countries establishing a form of government in which mechanisms are created to ensure some degree of participation at all levels of politics, responsible leaderships, and civil liberties. It is a move away from coercive rule characterised by political authority being the exclusive preserve of a powerful autocrat, or a small group of intolerant political elites whose interests are quite contrary to the mass of people it claims to represent. Since the end of the Cold War, the institutions of representative liberal democracy and its various values have provided the dominant framework both for the discussions and means for achieving genuine democracy (Carter and Stokes 2002; Held 1993). Liberal representative democracy was promoted as the solution to Africa’s political, economic and social problems (Rugalabamu 1996, 371), and its theories came to dominate democratic discourse everywhere on the African continent (Mpangala 2004, 4). Thus the model (of which there are many contested versions) of liberal representative democracy becomes the starting point for almost every process (and discussion of) democratic reforms in Africa and widely accepted as a suitable model of democracy compared with others such as Marxism’s one-party democracy, or various forms of participatory democracy.

It is difficult to determine the precise time at which an authoritarian regime is breaking down and a democratic entity is emerging. However, the following conditions would indicate when the process might be said to begin: free and fair elections at all levels are held, the establishment of civil liberties, political rights, state institutions that operate according to the rule of law, and intermediate organisations that mediate between the citizens and the state (Dawisha and Parrot 1997, 42). In Africa these conditions were contextualised by the introduction of multiparty politics, abolition of life presidencies, convening of national conferences, greater basic freedoms of the press and of the citizens, and growth of the civil society organisations and social movements (Mpangala 2004, 7; Olukoshi 1998, 8-9). These indicators accord with what many political scientists would regard as outcomes of successful democratic transitions. It also needs to be noted that these indicators approximate the ideals of a democracy, but nevertheless where they might appear in
a given country they entitle that country to be described as a democracy (Lijphart 1984; Dahl 1971). It is also important to note that the idea of democracy has now been almost fully accepted across the globe (Dunn 1979). The myth that democracy is just for a few developed nations in the West has been dispelled. Ordinary people in new democracies at least understand democracy, its meaning and contribution in the socio-economic development of the society (Dalton, Shin and Jou 2007). Over 80% of Africans are in favour of competitive, free and fair elections, but many are well aware that this is not the reality since only 47% think that elections are actually held in a competitive free and fair environment (Diamond 2008, 138-144).

The winds of democratic change emerged after the collapse of communism in Eastern Europe and signalled the end of the Cold War. Challenges to political monopolies grew and people began questioning the legitimacy of the political authority of leaders who ruled without popular mandates (Sharma 1994, 3). This has had a great impact on African political development (Msekwa 2004; Dzimbiri 2000). But it was not just the end of the Cold War that propelled this wave of democratisation. There were other external pressures exerted on virtually every African country, particularly by multilateral and bilateral aid agencies. These agencies made political democratisation an important part of aid conditionality for each recipient country (Msekwa 2004). The hegemony of Western values of democracy could also be interpreted as part of a renewed strategy to consolidate and perhaps extend Western economic and strategic interests in Africa (Ake 1991). The strategic alliances, sought at any cost by the West in its war against communism, became far less useful when the Cold War ended. Even so, the West still found it in its own interests to foster relations with African countries, albeit with a new stress on democratic principles.

However, it was not only external pressures that contributed to these changes: there were other internal factors. These internal pressures varied from one country to another but in general, poor economic performance, corruption, bad governance, and authoritarian regimes were among the internal factors that intensified the pressure for political reforms (Lewis 2008; Msekwa 2004; and Dzimbiri 2000). Challenges to political monopolies and poor governance grew. People increasingly questioned the
legitimacy of the political authority of monarchs, dictators, and military juntas who held no popular mandate (Sharma 1994, 3). In that context, declining economic fortunes have made people more sceptical and critical of their governments. Elites were pressed to deliver on promises of economic growth and prosperity made in order to encourage acceptance of structural adjustment policies supported by international financial institutions. On the other hand new conditions on “good governance” set by external donors and creditors also provided a window of opportunity for African democrats to push for transparency and accountability in their countries. At the same time the world-wide democratic revolution and fight for human rights protection and promotion have contributed to lobbying from outside African countries against regimes accused of encouraging corrupt practices and committing human rights abuses. Even the Organisation of African Unity (OAU) had shifted its emphasis from decolonisation to a priority for economic recovery and good governance. Addressing the 26th OAU summit in 1990, the then OAU Secretary General Salim Ahmed Salim spoke in favour of democratisation stressing that the process should be home-grown despite the fact that African countries could not ignore the global consensus on the value of democracy (Kpundeh 2000).

Although the nature and circumstances vary from one country to another, two basic patterns in the modes of transition to democracy in Africa can be identified: transitions from above where functioning rulers responded to an impending or actual crisis by initiating democratic reforms, and transitions from below as a result of mounting popular pressures from the people, which resulted in national conferences, popular revolutions and pact formations all with the goal of moving towards a more democratic society (Kpundeh 2000). The assumption is that transitions from above, as occurred in Tanzania, would be more promising in terms of their ability to deliver democracy because they tended to be more specific about time-frames, procedural steps, and overall strategies. Transitions from below, which involved countries such as Kenya, Zambia and Malawi, would be plagued with a great deal of uncertainty. However, even in countries in which elites initiated reforms this did not necessarily promote peaceful and democratic change, but rather served to obstruct the entire process (Bakari 2001). Most rulers and their regimes were unlikely to give up their positions of power and advantage voluntarily.
Baregu (1994, 158) categorises African countries into four groups based on the nature of responses of the ruling elites to mounting pressures for democratisation. One group could be described as the reformers who yielded to organised pressures, permitted the formation of competing political parties, and held multiparty elections in which new parties have come to power. Benin, Cape Verde, Mauritius, Sao Tome and Principle, and Zambia belong to this group. A second group could be described as transitionists. Countries like Congo and Ethiopia set up national conferences to work out the details and oversee the transition to democracy. A third group were the resisters, of which Kenya and Zaire were cases in point. Kenya, for example, strongly resisted domestic pressure for change, but the government eventually succumbed due to considerable coercive diplomacy from donor countries. A fourth group, to which Tanzania belongs, comprised the hesitators. In 1990, Tanzania reluctantly allowed an open public debate in the press, while resisting demands for constitutional reform. In March 1991, however, it set up a presidential commission to recommend whether to continue with a one-party system or to adopt a multiparty system, and by May 1992, the national constitution had been amended, setting up a timetable to establish a multiparty system.

With the democratic reforms in the 1990s, sub-Saharan African countries began to put in place institutional mechanisms with the aim of encouraging political accountability. Institutions such as parliaments and courts, once often no more than the rubber stamps for government decisions, were gradually empowered to scrutinise and challenge executives and other government departments. Civil liberties and political rights began to emerge and be enshrined in many new democracies. Although democratic institutions are still relatively weak and at an infant stage when compared with the West and the more progressive countries in Asia and Latin America, this achievement is significant considering the history of abusive governments in most parts of the continent (Barkan 2009; Prempeh 2008). Between 1990 when Africa’s “second liberation” began up to 1995, over 30 sub-Saharan African countries, including Tanzania, made transitions to democracy or at least were on the way to it (Diamond 2008, 139-40; Mpangala 2004, 8). In much of Africa,
formal constitutional rules to govern and guide the powers to be exercised have been implemented to place limits on different political institutions.

However, some interpretive caution needs to be exercised here because political liberalisation which is a common feature of transitions to democracy in Africa is not to be confused with democratisation. Political liberalisation could be used by authoritarian regimes to create sham democracies. As Kpundeh (2000) observed, this type of liberalisation entails the partial opening up of an authoritarian regime, but falls short of choosing governmental leaders through competitive elections. Kpundeh’s observations note what happened since the mid 1990s in a number of African countries. Events in Kenya and Zimbabwe (and perhaps Zanzibar as part of Tanzania) may justify the assertion that democratic reforms in most African countries remain limited to the introduction of the multiparty system and its elections. It does not necessarily change the regime but rather gives it a legitimacy it would otherwise lack. Multiparty elections, in themselves, do not prevent abuses of power by political leaders, violations of human rights, misuse of public resources, rampant corruption and bad management of public institutions.

Democratisation implies changes that have a particular end point, namely, the creation of regimes that citizens recognise as democratic, with open elections, broad rights to associate and to run for office, freedom of speech, and a clear link between the results of elections or the views of elected representatives and the public policy choices that the governments pursue (Widner 1994, 8). Given the uncertainty that democratic reforms in Sub-Saharan Africa will endure, it is preferable to use the term political liberalisation, since many of the changes stop short of creating fully democratic governments. Although demanded domestically, the push towards democracy usually took place only in conjunction with international pressure. Foreign governments and international organisations used the threat of media attention and reduced economic assistance to force incumbent heads of state to embark on a political liberalisation agenda as distinct from the changes that citizens might have championed.
The ongoing trend of democratic transitions toward liberal or representative democracies and their consolidation is also reversible and some scholars have suggested that it is starting to lose momentum in Africa. For example, Bratton (2007, 98) has become sceptical that democratisation in Africa can produce its desired results. The existence of very powerful informal institutions such as corruption, clientelism, neopatrimonialism, charisma, and trust in “Big Men” often overshadow the formal democratic institutions and undermine democratisation in Africa. It is interesting to note that in Tanzania before the period of transition to democracy, the power of the so-called informal institutions such as clientelism and neopatrimonialism was less dominant, partly because the state was well institutionalised under a strong socialist party and because recruitment and promotion in the system mainly depended on ideological fluency and loyalty to the party and the President. But the introduction of multiparty politics has led to the emergence of these informal institutions which in turn vie for dominance with newly established democratic institutions (Kelsall 2002, 598).

Diamond (2008) offers a similar argument to Bratton by suggesting that the wave of democratisation in Africa has faced strong opposition from well-established single-party and military state systems ruled by a few powerful elites and guided by hierarchical informal networks of patron-client relations rooted in ethnic bonds. Out of six indicators used by the World Bank to determine the quality of governance of a country, Diamond observed that only one, “voice and accountability”, is performed slightly better by most of new democracies in Africa. As for the rest, the rule of law, corruption, regulatory quality and governmental effectiveness, if anything, are relatively worse. He added that the involvement of China as an alternative provider of aid, investment, and resources in Africa gives authoritarian regimes new energy to resist Western pressure for democratic reforms (Diamond 2008, 138-144). Other scholars (Mansfield and Snyder 2007, 5-6) relate failures in the process of democratisation in Africa to the lack of preconditions for democratic politics, such as relatively competent and impartial state institutions. They argue that sequencing democratic changes is a necessary condition to avoid uncertainty in the process, and to democratised peacefully and successfully, a country needs to start its journey by building up effective and competent democratic institutions before embarking on
competitive electoral politics. The institutions which in turn help to construct a sound legal system and a strong mechanism to sustain democratic changes further reduce the risks of civil war, ethnic and sectarian bloodshed and also limit autocrats who resist pressure for democratic change. Mansfield and Snyder cited Great Britain and South Africa among others as examples of old and new democracies respectively, whose paths towards democracy were cleared and smoothed by the formation of effective democratic institutions.

While Kwasi Prempeh notes that African countries have made considerable changes in their political and constitutional landscape, he also notes that the phenomenon of the autocratic regime still exists. He describes this as “president untamed”, and points out that:

Constitutional changes in several African states have brought important new players onto the political scene. Notably, traditional legislative oversight functions have been restored to African’s now representative and multiparty parliaments, and the courts once passive instruments of legitimation for Africa’s “big man”, are now empowered to adjudicate constitutional challenges to executive acts…A growing number of non-governmental organisations are similarly revitalising African civil societies …[But] Still, power in the African state, and with it control of resources and patronage, continues to rest with the president, making the capture and control of the presidency the singular ambition of Africa’s politicians. Presidents in contemporary Africa routinely pronounce “laws” and announce major policy decisions without recourse to parliamentary legislation (Prempeh 2008, 109-110)

For democracy to thrive, a strong commitment is needed from politicians and ordinary citizens to establish credible and effective institutions at national and local levels to control the African presidents who, although constrained by terms of office, have nonetheless not yet been fully tamed (Prempeh 2008, 110).

In Tanzania, and in particular in Zanzibar, the road towards democratisation has had its share of difficulties. The aim of democratic reforms was to open up channels of political representation by creating an environment for political participation at all levels of politics, enhancing political accountability of elected representatives, fostering responsible leadership, and enhancing civil liberty (Msekwa 2004).
However, in Zanzibar for much of the time since 1992, the reforms have been marred by political hostility, state repression and electoral violence (Bakari 2001). The electoral politics have been characterised by conflict between the ruling party Chama cha Mapinduzi CCM and the main opposition party Civic United Front CUF. The climate of mutual distrust and sporadic hostilities has been a key factor in undermining the credibility of the democratic reforms (Bashiru and Hanif 2010; Othman, Mukandala, Makaramba and Per Tidamand 2003). This political failure in Zanzibar was partly due to the political leadership in Zanzibar being determined to maintain the status quo. It has been compounded also by the Union Government of Tanzania which is ruled by the same political party as in Zanzibar, and it has tended to support the undemocratic attitude of the Zanzibar Government instead of helping to find a lasting solution to the political failure (Bakari 2001).

**Representation and Tanzanian Democracy**

Writing specifically about Tanzania, Mushi (2004, 28) has suggested five key principles of representation which have been incorporated into its political system as part of its efforts to democratise. These principles are

- popular sovereignty (ultimate power lies with the people);
- deputation (popular power is exercised by the few on behalf of the many);
- popular consent (representatives are elected by the people on a regular basis);
- governance (decisions made and actions carried out by these deputies are binding on the community); and
- accountability (the people remain the final judge of the performance of the government and its deputies).

These are clearly consonant with the various sets of democratic ideals and indicators that will be discussed in Chapter One. However, these principles raise some basic theoretical and practical issues on questions of representation and decision-making in a parliamentary democracy. The main issue concerns the multiple relationships between the representatives, the electorate, their party, and the government. A number of questions need to be addressed. For example once elected, are representatives free to speak and act according to their consciences, or are they bound by party policies, or do they act in such a way as to secure their re-election to office? Should they behave more like delegates or agents instead of representatives
of their constituents (Mallya 2004, 117)? This is the perennial debate that recalls Rousseau (1968) on the one hand (who favoured a delegate bound by a rigid mandate), and Burke (1774) on the other (who argued for a representative with discretionary authority). Within most accounts of representative democracy it has usually been the Burkean view that has prevailed.

The relationship between the representatives and the represented sits within a wider context that also shapes it (Bratton and Logan 2006; Mushi 2004; Held 1993; Huntington 1991; Lijphart 1984; and Dahl 1971). Political structures, political culture and economic factors impinge upon the efficacy of representation in any political system (Mushi 2004). Under political structural factors Mushi mentions the party system (whether one-party or multiparty), the political system (whether presidential or parliamentary, bicameral or unicameral), the electoral system, and the distribution of powers between the branches of government. The political culture factors include the level of political awareness, expectations, and civic competence among the citizens, the expectations of the political parties, and the MPs’ perception of their role and power. The economic factors relate to the capability of the political system to respond to the demands of the population in terms of the resources needed.

Within this context MPs act with discretion, usually in response to local, national and personal exigencies in fulfilling their role (Meny 1990). However, no representative in Tanzania and in particular in Zanzibar has yet gone so far as to act with total autonomy. Most MPs are constrained by the demands of their party and recognise that failing to act according to the declared party policies can have serious, even career-ending, consequences. In almost all polities, political parties are powerful actors. Tanzania is no exception.

Despite the fact that the principle of popular sovereignty should mean that the loyalty and accountability of representatives should naturally be to the voters, within the Tanzania parliamentary system this principle is compromised by the fact that there is relatively strong executive control over the parliament. Indeed, the introduction of a multiparty system in 1992 has strengthened party discipline in the parliament. In such a system the Executive President, who is himself not responsible to the parliament, can dissolve it while the political parties have strong party whips to
induce members to toe the party line (Liviga 2004). The Whip and the power of the Executive President to dissolve the parliament undermine oversights powers of the representatives which include the power of the purse and the motion of no confidence. Mallya (2004) adds that in Tanzania, where the party central office stands as the top authority to determine which candidates can contest an election, and where independent candidates are not allowed to stand, it is necessary for incumbent MPs to maintain good relations with their parties at the expense of their voters.

**Legislative Accountability in Africa**

Despite the fact that some scholars, notably Diamond (2008), Prempeh (2008), and Bratton (2007), are sceptical on the on-going reforms in Africa, this does not mean that there have not been any gains in African nations, including Tanzania, as a result of the adoption of liberal representative democracy. There has been growing awareness that people can influence policies and sometimes assume political power peacefully. The public bureaucracies are gradually becoming more depoliticised and are adopting more rational approaches (in a Weberian sense), rather than a politics driven methods in decision making. There is also increasing effectiveness and efficient management of public affairs. These in turn improve transparency and accountability that facilitate and promote good governance (Mukandala 2002, 11-12). However, Africans are still suffering massive poverty, human rights violations, corruption, and bad political and economic decisions made by ruling elites. At a global level, Africa is victim of an unequal international economic system (Mpangala 2004). Therefore, Africa should go beyond liberal representative democracy–this does not mean abandoning it altogether–by deepening and widening it to ensure greater local autonomy which will give people power and a say in their own lives, more respect for human rights and the rule of law. Also, as suggested by Mpangala (2004, 10) African democracy should be installed within the context of concrete cultural values and traditions, and way of life of the people of Africa. The transition to democracy in Africa should not be taken as an end to endemic political and socioeconomic problems facing the continent, but rather must be seen as a means to an end (Kelsall 2003; Sandbrook 2000).

In Africa, struggles to demand a form of democracy which suits the needs of its people have begun, and scholars (Msekwa 2006; Mpangala 2004; Mukandala 2002) have tried to suggest its essence as demands by people for greater autonomy for civil
society, greater basic freedoms, and greater observance of human rights, and even increased participation in decision-making processes. Some scholars, as cited by Mpangala (2004, 10), have interpreted these developments as the emergence of democracy of popular masses (Shivji 2000; Anyang’Nyong’o 1989) or people-centred democracy or social democracy (Mafeje 1998) which in addition to electoral democracy also includes empowering the people to ensure the provision of basic social necessities of life, and the raising of the standard of living of the majority.

While competitive elections traditionally stand as an important tool for vertical accountability, the legislature is regarded by many scholars as a key institutional mechanism for realising horizontal accountability (Welzel and Inglehart 2008; O’Donnell 1994). Institutions of horizontal accountability if properly instituted may help to persuade the government and its institutions to reveal to citizens the true conditions of their operation. This information in turn, will enable citizens to exercise accordingly their vertical accountability rights in forthcoming elections (Manin, Przeworski and Stokes 1999).

However, in Africa, the road to legislative accountability may be a long one. Democratic reforms in Africa have difficulty in balancing relations between the executives and the legislatures (Prempeh 2008). Executives continue (largely uncontrolled) to dominate politics and restrain the legislatures from checking and disciplining the public officials, elected and nonelected. Prempeh identifies several factors that have led to this state of affairs. These include: the unwillingness of the legislatures to exercise their oversight role over executives; the nature of constitutional design in many countries provides leeway for executive dominance; and past experience of a single-party system that has left legislatures without a tradition of legislative autonomy and hence sometimes they relinquish their legislative prerogatives to the executives (Prempeh 2008, 110-122). In many cases legislatures are used to shape constitutional designs which empower executives to work unrestrained even if their conduct is against the wishes of the citizens. For example in Ghana, the legislature gave the President the prerogative of establishing or abolishing government offices without its prior permission. Prempeh adds that in some instances, presidents in Africa are involved in appointing the Speakers of the
legislatures which then makes it easier for leaders to interfere with the affairs of the legislatures.

It has become common practice in many countries in Africa for the executives to exercise their prerogative powers of initiating legislation, including the national budget. Legislatures often only have a right of approval, or as has very rarely happened, rejection of the budget or the bills. The legislatures in most cases are handicapped to make any amendment to the proposals, thus marginalising their position in the whole process of policy making. Another setback of constitutional design is in the form of government. Many African countries have opted for “a hybrid” presidential model, although the model sometimes is not directly stipulated in the constitution. This model allows a combination of some elements of presidentialism in which the Executive President and cabinet cannot be removed from office by the legislature through any ordinary procedure of parliamentary censure or vote of no confidence. It also includes some other elements of the parliamentary system in which the cabinet is appointed from among the members of the legislature, who still remain serving as members of the legislature. The situation tends to impede the capacity of the legislature to make decisions which are against the interests of the executive. In some instances of the hybrid system in Africa, the presidents use the opportunity to appoint nearly half of the legislators to hold ministerial positions, as once happened in Ghana and Zambia. As a result, legislators frequently act to support the executive in order to win ministerial appointment instead of serving the interests of their constituencies and the people.

Burnell (2003) links Zambia’s failure of legislative accountability with the constitutional provisions which were set under that country’s hybrid form of government. Burnell argues that the system is more or less closer to a presidential model with delegated powers. The President of Zambia may at any time suspend the parliamentary session or dissolve the National Assembly, initiate legislation, appoint cabinet members from among the MPs, and also can exercise a veto power against any legislation which is passed by the National Assembly. Another impediment to legislative accountability is the predominance of the party system in the National Assembly which has existed since the introduction of the multiparty system in
Zambia in 1991. Although the 2001 elections changed the composition of the National Assembly for the first time when opposition parties secured an overall majority of seats to create a truly competitive party system, other impediments still remain.

In his part Levy (2007) suggests that legislatures have to assume a significant role in boosting horizontal accountability in Africa. He identifies and comments on factors which he suggests cause variation in performance between legislatures in different countries. He finds that the dominant factors include: level of patronage and the give and take behaviour between legislators and executives; differences in legal frameworks which guide the working of the legislatures; resources availability and accessibility to parliamentarians; and the composition of legislatures as defined by the ratio between ‘reformers’, who are always supposed to be young, better educated, and more supported globally, and ‘incumbent authoritarians’. Focusing on these influencing factors, Levy’s research suggests that out of four parliaments in Africa, the Kenyan parliament is more independently assertive, followed by Ghana and Benin respectively, while the Senegalese parliament fares the worst.

Attempts to improve the state of governance in Africa are not likely to succeed in a narrowly focused approach of organisational and public management reforms, rather the attempts should also look to an integrated approach which could address issues such as improvements in systems of accountability which consequently increase pressure for good performance in public sectors (Levy 2007). Improvements can be realised by developing capacities of accountability mechanisms and systems including hierarchical control structures within public bureaucracies, and perpendicular accountable governance structures through which bureaucratic actions are directly checked by political representatives of the people. In building the capacity of accountability mechanisms and systems, African countries should not rely on alleged best practice or a cookie-cutter approach. Country-specific realities such as constitutional structure, and patterns of political, social, and economic backgrounds should be the basis for determining the best approach to fit the process (Levy 2007).
Although the above discussion has revealed that many scholars are of the view that legislatures in Africa are still weak in relation to their executives and hence are pessimistic in terms of their power to enforce accountability (Prempeh 2008; Kilian 2004; and Burnell 2003), there are legislatures, though not many, which have become very vibrant and participate effectively in the policy making process and consequently are able to be an effective counterweight to the powers of the executive. Legislatures in Africa are arguably more powerful and autonomous today than at any time since independence and their power tends to increase as they develop the capacity to expand their authority (Barkan 2009, 2).

The few studies that have been done in this area in Tanzania reveal that in spite of the introduction of multiparty politics, the Union Parliament in Tanzania is still overwhelmingly controlled by one party due to the fact that in all parliamentary elections, the ruling party has consistently gained a two-thirds majority (LHRC 2008; Kilian 2004; and Kelsall 2003). Unlike in the single-party parliament in which an intraparty mode of political rule guided the behaviour of the legislators and created a set of compelling incentives for an intra-elite competition for policy influence and institutional autonomy, interactions among legislators in the multiparty parliament are primarily guided by an inter-party mode in which an MP’s party affiliation comes first before anything else (Kilian 2004). The behaviour of MPs and government ministers is largely influenced by their membership in a party. Through party discipline, party members are expected to support the party line on almost all issues in the parliament. Cabinet ministers and MPs from the majority party would then have incentives to cooperate in designing institutional arrangements that would benefit a dominant party (Kilian 2004). This situation tends to reduce the autonomy and effectiveness of the parliament to uphold government accountability. This is despite the fact that the democratic transition in Tanzania was preceded by changes to the national Constitution and the Standing Orders of the Union Parliament, and enactment of relevant legislation (Kelsall 2003). According to Msekwa, the then Speaker of the Union Parliament, the changes aimed to enhance the sovereignty of the parliament and to make it more effective in supervising the affairs of the government (Msekwa 2004).
However, subsequently, in both parliamentary and presidential elections, the opposition parties have been outnumbered by the incumbent party Chama cha Mapinduzi (CCM) – the revolutionary party. Other factors that acted to impede a more accountable functioning of the Union Parliament include a shortage of resources—financial, material, and human—to support MPs to carry out their oversight role. A multiparty parliament also introduced the discipline of strong party whips which tends to control radical MPs, particularly from the ruling party, thereby reducing the opportunities for criticism of the government. As a result, some observers, including parliamentarians themselves, claim that the last single-party parliament 1990-1995 performed relatively better than the multiparty parliament (Gasarasi 2004; Kilian 2004). They contend that the multiparty parliament lacks the rigour and drama of the 1990-1995 parliament to the extent that its debates are seen to be dull and boring with a lack of critical analysis and automatic approval of legislation. Indeed some have concluded that the multiparty parliaments (1995-2000, and 2000-2005) are a sign of parliamentary decay and decline (Kilian 2004, 197).

The Parliamentary Watch Annual Report published by the Legal and Human Rights Centre of Tanzania (LHRC) provided additional support for Kilian’s views. It noted that a number of problems confronted the Union Parliament of Tanzania such as the unhealthy majority enjoyed by the ruling party, partisan politics, contradictory provisions of the Constitution which provide for overlapping authorities between the Executive and the Parliament, the relative weakness of opposition parties, and the misuse of parliamentary powers. The ruling party in Tanzania still enjoys an absolute majority in the Parliament and the Cabinet Ministers and Deputy Ministers make up almost 20% of all MPs. This has implications for the effective performance of the Parliament. Further, the LHRC report has indicated that the ruling party uses its majority in the Parliament to threaten anyone who tries to criticise the working of the Parliament and to silence opposition members who question the poor conduct of the government (LHRC 2008, 35). The LHRC also noted that the Parliament is vested with the constitutional power to make its own Standing Orders for its effective operation. The Parliament, for so long dominated by the ruling party, thus has the capacity to misuse its power for making rules to curb MPs from questioning or criticising the judgements of the President in power (LHRC 2008, 34). However,
while scholars have pointed out weaknesses of the Union Parliament, most of them have acknowledged that by all accounts the multiparty parliament has performed relatively better than during a one-party system (LHRC 2008; Msekwa 2004; and Tambila 2004). Although the changes were not totally satisfactory, they slightly sharpened the teeth of the Parliament. Apart from constitutional and structural reforms which have been regarded as key factors which have helped improve the multiparty parliament, scholars also have pointed out that the existence of opposition parties within the parliament as another factor which enhances effectiveness of the parliament. In a parliamentary democracy, one main responsibility of the Opposition is to ensure that the policies and actions of the Executive are subjected to constant scrutiny and challenge.

In Zanzibar, there has been no serious study of this issue. But in the period following its incorporation into the national polity of Tanzania, it has had a mixed record in which its government and the rule of law were less than optimum. The initial constitutional reforms in 1979, 1984 and the subsequent introduction of multiparty democracy in 1992, were welcomed by the people of Zanzibar. These reforms were consistent with the view that the legislature embodies the popular will and in some way must have the institutional means to hold the executive branch of the government politically accountable. However, it was thought that the House might be facing more challenges than the Union Parliament given that it was established just 30 years ago. And since the inception of multiparty politics the House has endured several interparty conflicts between the two main rival parties: the ruling party CCM and the main opposition party CUF. In addition, in Zanzibar public complaints have been increasing in recent years concerning the lack of responsiveness of the leaders with respect to their actions and decisions (Nassor 2003). Given that this is unexplored terrain in Tanzanian politics, and in particular in Zanzibar, the central focus of this study is designed to consider the extent of the effectiveness of the House of Representatives of Zanzibar, in the period of democratic transition in Tanzania in enhancing the legislature’s power to hold the executive accountable.

Conceptual Framework
Legislatures in new democracies, particularly in African countries, have experienced remarkable reforms in the past two decades to prevent political and non-political
power holders from abusing their powers given by the people. However, the reforms still have not yet enabled the legislatures to gain the upper hand over the executive arm of government. A brief recapitulation of the literature establishes that the main setback in the legislative performance can be summarised into two parts: weaknesses in institutional and structural set-up and a lack of enduring legislative democratic norms and values. Although no study in Zanzibar has drawn this conclusion, it is likely that its House of Representatives is characterised by some of the same problems. This thesis focuses on the first of these to examine the accountability relationship between the House and the executive.

Close (1995, 5) has suggested that a study of this nature basically should adopt an institutional approach that is substantially state-centred. But showing the legislature in its full political context demands going beyond institutional description to identify and trace the development of the array of forces that affect political life. Hence, this thesis is not a typical legislative study which examines the functioning of the House as an end in itself. Rather it aims to examine the extent to which institutional and structural factors affect the ability of the House of Representatives of Zanzibar to exercise effective accountability (in the sense noted above). The focus was with the constitutional framework, organisational pattern of the House and the availability of adequate resources including material, financial and human resources. Also, the study examined the extent to which institutionalisation of a legislative democratic culture, norms and values affected the performance of the House of Representatives of Zanzibar. Indicators here included the degree of tolerance in the House, the degree of the partisan politics in the House, independence of the House in making its decisions, and the extent of freedom of expression of the members of the House. The examination was in the context of democratic reforms which have taken place in Tanzania since 1992 when the multiparty system was officially introduced. These factors and their interrelationships are represented in Figure 1.1.
From the above model we can postulate that the pattern of the institutional setup has a great impact on the effectiveness of the House of Representatives to render the Executive accountable. Three sets of indicators are established here for analysis. First is the availability of adequate resources (human, financial, and material) that may lead to the effective performance of the House. It is of critical importance to have qualified members’ staff who act professionally and are capable of providing administrative and procedural assistance to the House. However, having competent staff alone does not ensure effectiveness of the House. The House also needs to be adequately resourced with funds in order to be able to spend more time for thorough scrutiny of the Executive. More money also leads to availability of more facilities such as computers, transport, and library facilities for research.
Another independent variable under an institutional setup is the legislative framework. For legislative accountability to be enhanced, adequate power must be given to the House to enable it to be the supreme organ of the government. The power may be in terms of privileges, rights and immunities enshrined in the Constitution, or detailed in specific parliamentary acts such as the Parliamentary Act on the Immunities, Powers and Privileges of the House of Representatives, or the Standing Orders of the House or some combination of all three. The organisational arrangement of the House is also an independent variable which may impact on the performance of the House. Leadership patterns, composition of the House, budgetary autonomy, and the criteria required for one to qualify to become a member of the House are essential to enable the House to perform its accountability function.

Another important area of investigation concerns the influence of the legislative democratic culture-norms and values. Effective performance of the House may to some extent depend on the behaviour of the House and the way the members of the House observe the democratic norms and values of legislature. Within this context three other factors were examined. One is the extent to which deliberations within the House are based on consensus-building rather than partisan politics. In order to reduce the domain of partisan politics in the House, members should adopt the culture of consensus-building, tolerant behaviour and respect among each other.

Independence of the House is another factor which may lead to effective performance of the House. One would expect that, in order for legislative accountability to work properly, the House and its members need to be free from the influence of any outside forces while making its decisions. Any interference from outside the parliament, especially from the executive arm of the government, may inhibit its effectiveness. The same applies for freedom of expression. Members of the House should work without any external influence, motive or force which may make them act differently from usual. The combination of the above sets of institutional, structural, and cultural factors are important for the effective performance of the House in upholding accountability of the executive.
Method of Inquiry
The thesis was informed by a qualitative research approach (Gergen and Gergen 2002; Schwandt 2002), principally employing the method of interpretive analysis. Interpretive analysis is an appropriate methodological approach because it “does not prescribe a particular method of creating data” but rather “prescribes a particular way of treating any type of data” (Bevir and Rhodes 2002, 157). It can also be applied to the meanings embedded in archival and policy documents, parliamentary records, and other sources including the secondary scholarship. Further, it takes seriously “the meanings embodied in political activity” (Bevir, Rhodes and Weller 2003, 192) making it ideally suited for examining the meanings expressed in (and by) the views, practices and perspectives of the political actors themselves.

Data were developed from several sources: library and archival repositories, direct observation of the parliamentary members and staff, and a field survey. Searches in library and archives produced primary and secondary evidence. Of particular relevance were parliamentary documents and reports, the Constitution of Zanzibar, the Standing Orders of the House, Hansard reports and other related publications. Documents held in publicly accessible repositories such as the House of Representatives’ files, the Zanzibar Archive, relevant government archives and so on were examined. Similarly, documents held in research institutions such as the University of Dar es Salaam, the Research on Education for Democracy in Tanzania (REDET) of the University of Dar es Salaam, and the Zanzibar Legal Service Centre (ZLSC) were also examined. In the case of these types of documents the following questions were posed before a decision to use any of this material was made: Who collected the data? What were the sources of the data? Were the data collected appropriately? When was it collected?

The qualitative data gained from the questionnaire informed the analysis of political accountability in Zanzibar. The data enabled key aspects of the accountability issue to be explored. In particular it provided a means to explore how the members of the House of Representatives and the Executive perceived the factors affecting the accountability of the Executive to the Parliament and the extent to which they felt that this relationship had changed following the introduction of multiparty politics in
Zanzibar. This source of data enriched the final findings of the study. The questionnaire was not intended to provide statistical data for the thesis, but to provide a means to develop a greater understanding of political accountability, as an issue, from the perspective of those involved in the decision-making process within the Zanzibar Parliament and political system. The questionnaire also served as a recruitment tool for participants for the follow-up interviews. Key ideas, themes and insights that emerged from the qualitative survey data were then used to develop the interview questions. The semi-structured, open-ended approach of these interviews allowed participants freedom to develop an account of their experiences and to express their understanding of how political accountability works (or could be made to work).

The content of the questionnaires for this study was developed to enable the researcher to collect only the minimum information needed which is relevant to the purpose of this study. Each question in the survey had an explicit rationale for inclusion. The respondents were mostly requested to provide information regarding their experience, insight, and knowledge of legislative accountability. The respondents—members of the House of Representatives and Senior Public Officials—were served with a Swahili copy of the survey as some of them were non-English speakers. It was intended that the questionnaire would be sent by mail to the respondents. When actual field work started, the Speaker of the House of Representatives advised that due to the sometimes erratic postal service and the intermittent reliability of the email system in Zanzibar that it would be more prudent to distribute the questionnaires through the registry offices of the relevant institutions.

Non-participant observation also was used in the sense that the researcher attended various sessions of the House of Representatives and observed their deliberations. The main purpose of these observations was to collect data relating to parliamentary procedure and the behaviour of the members of the House during deliberations. Specifically, the researcher observed the pattern of members’ contributions to motions and issues tabled by the government and how those contributions conformed (or not) to partisan politics and executive discretion. In addition, the researcher
observed the way in which the Speaker presided over the House deliberations. One advantage of observation in this study was that the researcher’s ongoing daily presence in the House while it was in session meant that for the most part the respondents were unselfconscious about being observed and hence they behaved in a natural manner, thus enabling an insight to be gained into actual, not pretend, behaviours (Burns and Bush 1998). During the observation, the researcher had the opportunity to have conversations and follow up discussions with some respondents to clarify some important issues which emerged during interviews.

Interpretation of information collected from observation of the House’s sessions was guided by the requirements of the Standing Orders of the House and Constitutional provisions governing the working of the House. This meant that the interpretation focused on how or if attitudes and behaviours of the members and the Speaker of the House during deliberations conformed to the requirements of the Standing Orders and other legal provisions and, to a lesser extent, to legislative democratic norms and values. Findings which were obtained from these observations were used to supplement and complement findings from other sources. Each technique acted as a check on the findings obtained by the other (Burns and Bush 1998).

The participants in this study were selected from five strata within the political system which include leadership of the House (the Speaker, the Deputy Speaker, Leader of Opposition, and the Chief Whips from the ruling and opposition party), all other members of the House of Representatives; senior employees of the House; members of the Cabinet; senior employees of public service departments; and leaders of the main political parties in Zanzibar, CCM and CUF. Judgmental sampling methods were applied to secure sampling elements from the stratum which involved employees of the House. This enabled the researcher to deal with only a specific number of respondents with the particular systemic characteristics that identified them as important for the study (Kumar 1997, 161), namely they were involved directly in the management of the House. Based on this method, the Clerk (Secretary) of the House and his assistants, secretaries of the Standing Committees of the House, and senior officials of the House were asked to participate.
Limitations of the Study
A few problems emerged in the course of collecting data for this study. The main constraint was the secrecy and confidentiality that surrounds many aspects of the political system of Zanzibar. It took more than a month to process the research clearance to conduct field work in the House of Representatives of Zanzibar and other government institutions. Some key informants, particularly Cabinet Ministers, were very busy and this limited the opportunities for them to be interviewed. Consequently their turnout for interview was below expectation. In other situations, sheer bureaucratic red tape and last minute cancellations by some respondents of scheduled interviews were a frequent source of frustration. In yet other instances, missing or misplaced files or records as well as withholding of required information under the guise of confidentiality was also a rather regular phenomenon. In addition to that, given the sensitivity of the political climate and small geographical size of Zanzibar in which all people know each other, the researcher opted not to use some primary data specifically collected during observations due to the sensitive nature of its contents. The data of this nature were only used when documentary and other existing sources were available to support and supplement their contents. These shortcomings have at least slightly affected the process of data collection. Nevertheless, while the researcher acknowledges these shortcomings, the data that was available, and the multiple methods of data collection to enrich its reliability and validity, has meant that the final findings have not been adversely affected.

Organisation of the Chapters
Chapter One discusses relevant theoretical issues of representative democracy and political accountability. It explores democracy and representation in an historical perspective in order to situate the relationship between democracy and political accountability and to show that the principle of political accountability is fundamental and essential in democratic consolidation. Further, it discusses some experiences from new democracies. Finally, it surveys some of the controversial issues which have emerged in current debates on accountability. This lays the basis for exploring the central issues in this study of political accountability in the Zanzibar political system in the context of a transition to multiparty democracy.
Chapter Two is devoted to a discussion of Zanzibar’s political history in the context of parliamentary sovereignty. It begins with a brief overview of the historical development of the legislature in Zanzibar during the colonial period with the aim of understanding the colonial contribution and impact on the consolidation of parliamentary democracy after independence. The core focus of the chapter is upon the period of the one-party politics in Tanzania and its implications for the legislative accountability of the Executive. This will also involve some discussion of the background and nature of the Union of Tanzania and the forces behind the introduction of one-party system. For it is in this context that the system of government of Zanzibar is formed and it provides the necessary backdrop for a discussion of the place and status of the legislature after Zanzibar’s 1964 Revolution and, following its creation in 1980, the working of the one-party House of Representatives of Zanzibar. The chapter will thereby clarify the legacy which has been left by the one-party system and the 1964 revolution which in one way or another slows down progress of the present efforts to democratise Zanzibar’s political system.

Analysis of the democratic transition in Zanzibar and Tanzania as a whole is presented in Chapter Three. It examines the nature of the transition and looks at key constitutional changes and structural reforms which took place in Tanzania immediately following the introduction of the multiparty system. It discusses steps which were taken by the ruling party and the Union and Zanzibar Governments to guide the transitions in order to try to keep the process within its control. Discussion and analysis on the founding multiparty elections in Zanzibar and the impact this made to the working of the House of Representatives are also explored. This chapter gives a foundation to understand the nature and character of the democratic reforms in Tanzania and Zanzibar and their impacts on the legislative accountability.

Chapter Four provides further discussion of the reforms taking place in Tanzania and specifically in Zanzibar after the introduction of the multiparty system. The focus here is on specific reforms to the Executive-Parliament relationship. It examines how reforms on the systemic nature of relationships between the House and the Executive and the representative character of the House have been improving progressively
since the introduction of the multiparty system, albeit the Executive still maintains a significant number of votes which may be used to influence the House’s decisions. The Chapter concentrates on reforms to the Legislative-Executive power relationship and the Committees system of the House in order to set the stage for further discussion and analysis in subsequent chapters concerned with evaluating and assessing the strengths and weakness of the reforms in enhancing effectiveness of the House in its accountability role.

Chapter Five deals with the power of the House of Representatives versus the Executive. It evaluates how the constitutional as well as structural reforms made since 1992 have managed to influence changes in the working of the House of Representatives. Discussions on the current Executive’s powers of dissolution, appointment of senior public officials including the Clerk of the House, powers to establish or remove public office without prior consultation with the House, and the power to control information are given and analysis is provided on how these powers continue to hamper the House from holding the Executive accountable. Furthermore, analysis is provided on how the Executive has benefited from the current state of partisan politics within the House of Representatives to exercise more influence over decisions taken by the House. Also, it examines how the ruling party at the Executive level has grappled with trying to maintain its dominance in the House in the changed environment of multiparty politics. In doing so, the focus is on information provided in the surveys and interviews with the Members of the House of Representatives, Senior Officers of the House of Representatives, and the Executive and other documentary data collected in the House and other public institutions in Zanzibar and Tanzania.

Like any other institution, effective performance of the House of Representatives depends among other things on the availability of sufficient resources allocated specifically for the House activities. Also, the effectiveness depends on the ability of the House to determine and control its own resources. In Chapter Six, a detailed account is provided on the availability of resources and degree of freedom of the House to determine and control its resources. In addition, the Chapter examines the power of the Executive to control resources over the House of Representatives.
Discussion in this Chapter focuses on both constitutional and institutional constraints in order to understand clearly their impact on the availability of adequate resources for the House and how it would affect its ability to oversee the functions of the Executive.

In combination these chapters enable the research questions of this study to be answered. To recapitulate, these questions are:

1. How have the democratic reforms in Tanzania:
   - Affected the parliamentary authority of the House of Representatives in Zanzibar?
   - Enabled the House of Representatives in Zanzibar to provide effective oversight of the Executive?

2. What might be the key factors affecting the ability of the House of Representatives in Zanzibar to hold the Executive government accountable?

Discussion of these answers is undertaken in the final chapter. This will enable some conclusions to be drawn about the nature of executive accountability in Zanzibar’s parliamentary system in the context of multiparty democracy. This will also provide a basis for suggestions about future directions for research.