



AFROBAROMETER *Briefing Paper*

TANZANIAN CITIZENS ASSESS THE PERFORMANCE OF PARLIAMENT AND CONSIDER ITS RESPONSIBILITY FOR LEGISLATION AND OVERSIGHT

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The key roles of legislatures are drafting, enacting (passing, amending and repealing) laws and exercising oversight over the executive branch of the government. In a democracy, legislators perform these roles as representatives of the people. In order to perform its essential functions, the legislative body, in this case the Parliament of Tanzania, must be a strong institution of countervailing power to limit the discretion of the executive authority and ensure that the executive exercises its mandate in a transparent and accountable manner. In so doing, the parliament exercises “horizontal accountability” which refers to the oversight that certain branches of government are supposed to exercise over other branches of government. The legislature is an essential branch of government that should provide “horizontal accountability” and is necessary for representative democracy. There is evidence that stronger legislatures are good for democracy.¹

By Stephen Mwombela

INTRODUCTION

In 1995, Tanzania held its first multi-party general election after three decades of single party rule. This ushered in the first multi-party Parliament even though the ruling Chama Cha Mapinduzi (CCM) still maintained a substantial majority. Regular multiparty parliamentary election have occurred since 1995. Yet, the persistent sentiment among the

Tanzanian public is that the Parliament of Tanzania is essentially a rubber stamp for the executive (i.e., the president).

This briefing paper examines the way Tanzanians perceive the National Assembly and its functioning in the post-multiparty election era (i.e., since 1995).

¹ Fish, Steven M., 2006. *Stronger Legislatures, Stronger Democracies*, Journal of Democracy Volume 17, Number 1, January 2006.

Prior to 1995, it can be argued that the elections had some democratic trappings; however, in a true democracy the political process is inclusive of opposition contestation and allows for the full participation of all citizens regardless of ideology, political affiliation, ethnicity/tribe, religion or any other criteria that may be used to disenfranchise any group or segment of society.

In recent years, there have been indications, from parliamentary deliberations, that the Parliament is becoming more assertive in performing its functions. In part this can be attributed to the presence of energetic and young opposition members of parliament (MPs) who have ushered in a new culture of exercising oversight over the executive. This passion has also been embraced by some MPs of the ruling party (CCM), who do not want the electorate to perceive their CCM representatives as mere party hacks while the opposition captures the public eye by being active representatives.

The following uses Afrobarometer data from five survey rounds conducted between 2001 and 2012 to examine Tanzanians' evaluations of the parliament's performance over time as well as respondents' support for legislative autonomy vis-à-vis the executive.² In addition, the question of whether the executive (President) should be answerable to the legislature (Parliament) or vice versa was added in Round 4 and 5 to measure people's perception about the direction of accountability – the President to the Parliament or whether the President should not have to be accountable to any other institution. Since this briefing paper is looking at citizens' evaluations of parliamentary performance, it makes sense to examine citizens' opinions about the performance of the countervailing institution the president.

² The Round 1 (2001) survey data was excluded because the wording of the parliamentary performance question was different from the successive surveys. Also the question of who should make laws was not asked in Round 1

The following also looks at the issue of trust in different branches of the government and courts of law (the judiciary) which is an important determinant of how citizens perceive their government's performance.³

AFROBAROMETER SURVEYS

The Afrobarometer is a comparative series of public attitude surveys, covering 35 African countries in Round 5 (2011-2013). It measures public attitudes on democracy and its alternatives, evaluations of the quality of governance and economic performance. In addition, the survey assesses the views of the electorate on critical political issues in the surveyed countries. The Afrobarometer's main goal is to produce scientifically reliable data on public opinion in Africa while strengthening institutional capacities for survey research, and sharing research findings to inform policy and practice. The Afrobarometer also provides comparisons over time, as five rounds of surveys have taken place from 1999 to 2013. Previous Afrobarometer surveys were conducted in Tanzania in 2001 (Round 1), 2003 (Round 2), 2005 (Round 3), and 2008 (Round 4).

Afrobarometer surveys use a common survey instrument and methodology. The instrument asks a standard set of questions that permits systematic comparison in public attitudes across countries and over time. The methodology was based on a national probability sample of 2,400 adult Tanzanians selected to represent all adult citizens of voting age, allowing for inferences with a sampling margin of error of +/-2% at a 95% confidence level. The sample was drawn randomly based on Probability Proportionate to Population Size (PPPS), thus taking account of population distributions, gender

³ Questions regarding citizens' perceptions of the judiciary's performance were not included in the same way as parliament and presidential performance.

as well as rural-urban divides. The sampling process ensured that every adult Tanzanian citizen had an equal and known chance of being selected in the sample. Fieldwork in Tanzania was conducted by REPOA Policy Research for Development between 28 May and 30 June 2012.

PERFORMANCE OF THE PARLIAMENT AND PRESIDENT

Performance of the Parliament

Afrobarometer surveys in Tanzania conducted in 2003, 2005, 2008, and 2012 suggest that Tanzanians' perception of the Parliament has been fairly consistent over the years with about an average of 63% of citizens approving of the parliament's performance. This shows that generally there are more Tanzanians who approve of the Parliament's performance than disapprove. While the 61% approval rating in 2012 may not seem high to some,

the approval ratings of some of the legislatures of the more established democracies of the world are even lower⁴ than the approval ratings of the Parliament of Tanzania.⁵ Figure 1 shows how Tanzanians have assessed the performance of the Parliament since 2003.

Performance of the President

The President has experienced a fairly high job approval rating since the first Afrobarometer survey was conducted in Tanzania. Citizens have also assessed the president's performance more favourably than the parliament's performance throughout this time. However, as Figure 2 illustrates, the 71% performance approval rate in 2012 is a sharp 19 percentage point drop from 2008. The president's performance rating in 2012 was also the lowest recorded in the period of 2001 to 2012.

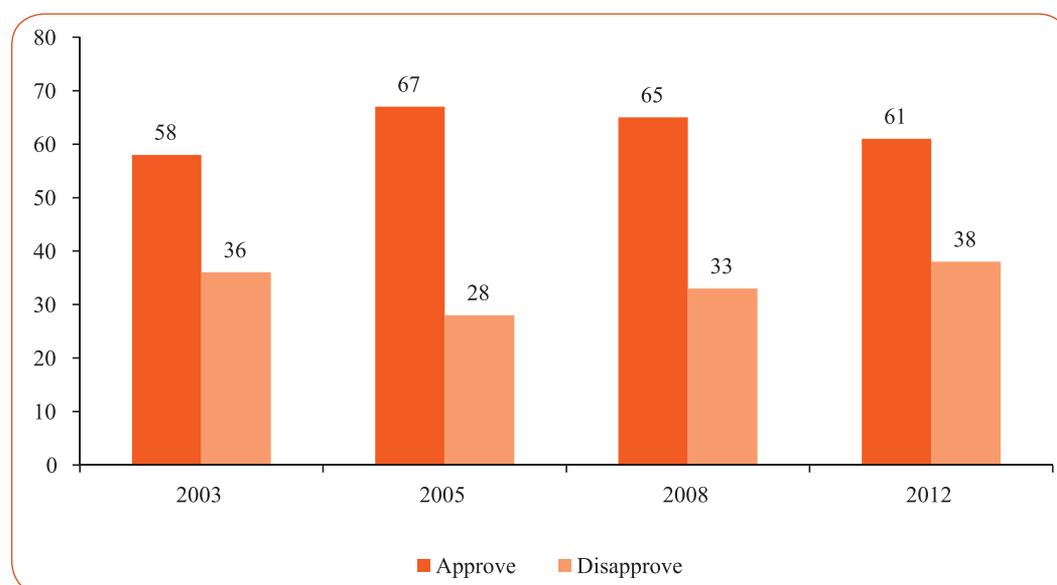


Figure 1: Assessment of the Parliament's Performance, 2003-2012

Question: Do you approve or disapprove of the way that the Parliament has performed its job over the past twelve months, or you haven't heard enough about them to say? (% "approve" and "strongly approve"; % "disapprove" and "strongly disapprove")

⁴ UNDP and IPU Global Parliamentary Report: The changing nature of parliamentary representation accessed August at http://www.undp.org/content/dam/undp/library/Democratic%20Governance/Global_Parliamentary_Report_English.pdf

⁵ The approval rating of the Congress of the United States of America for example was 15% for the period of January - September 2013. Source: U.S. Congress Approval Remains Dismal accessed August 2013 at <http://www.gallup.com/poll/163550/congress-approval-remains-dismal.aspx>

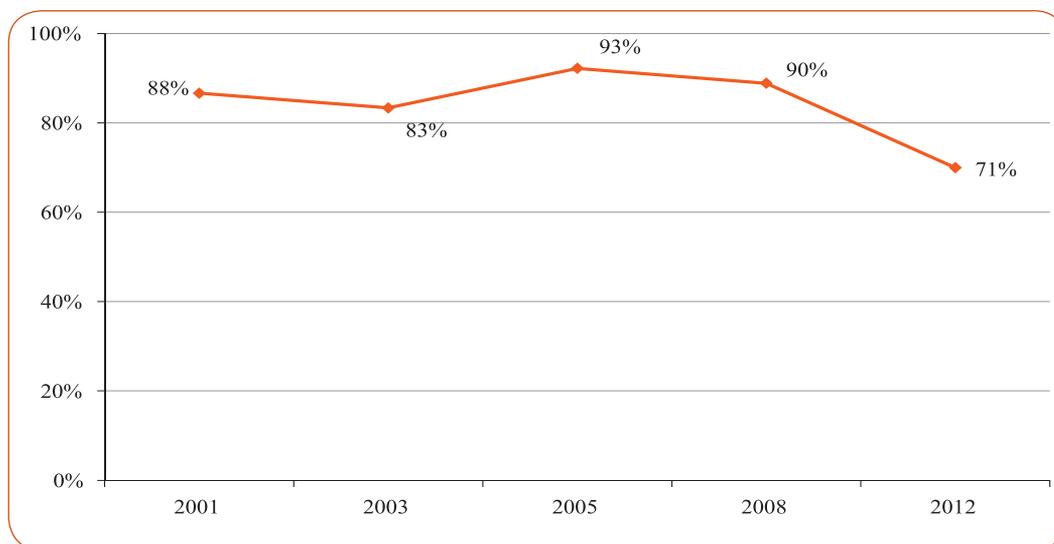


Figure 2: Approval of the President's Performance, 2001-2012

Question: Do you approve or disapprove of the way that the President has performed his job over the past twelve months, or you haven't heard enough about him to say? (% "approve" and "strongly approve")

TRUST IN THE PARLIAMENT, PRESIDENT, AND THE COURTS OF LAW

Trust in the Parliament

Over the course of three Afrobarometer surveys rounds (2003, 2005, and 2008), absolute majorities of Tanzanians have expressed high trust in both the parliament and the president. Even so, the level of trust in the President has been consistently higher than the trust of the parliament until 2012. In 2012, more Tanzanians expressed trust in the parliament (76%) than the president (74%) (Figure 3).

Trust in the Courts of Law (Judiciary)

In contrast to declining levels of trust in the parliament and president from 2008 to 2012, trust in the judiciary has remained steady since 2008. Trust in the judiciary (i.e., the courts of law) has remained at similar levels at 74% in 2012 and 73% in 2008. Although trust in both the parliament and president was higher than courts of law in 2008, the recent decline in trust has meant that all three institutions – parliament, presidency, and courts of law – garner similar levels of trust (i.e., between 74 to 76%).

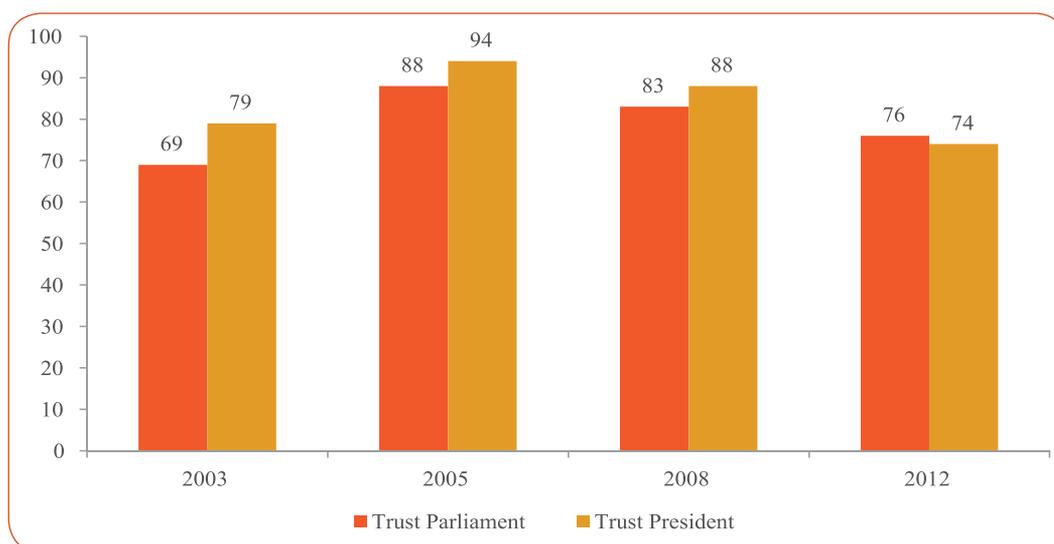


Figure 3: Trust in the Parliament, the President, and the Judiciary

Question: How much do you trust the President, or you haven't heard enough about him to say? (% "somewhat" and "a lot") Question: How much do you trust the Parliament, or you haven't heard enough about them to say? (% "somewhat" and "a lot")

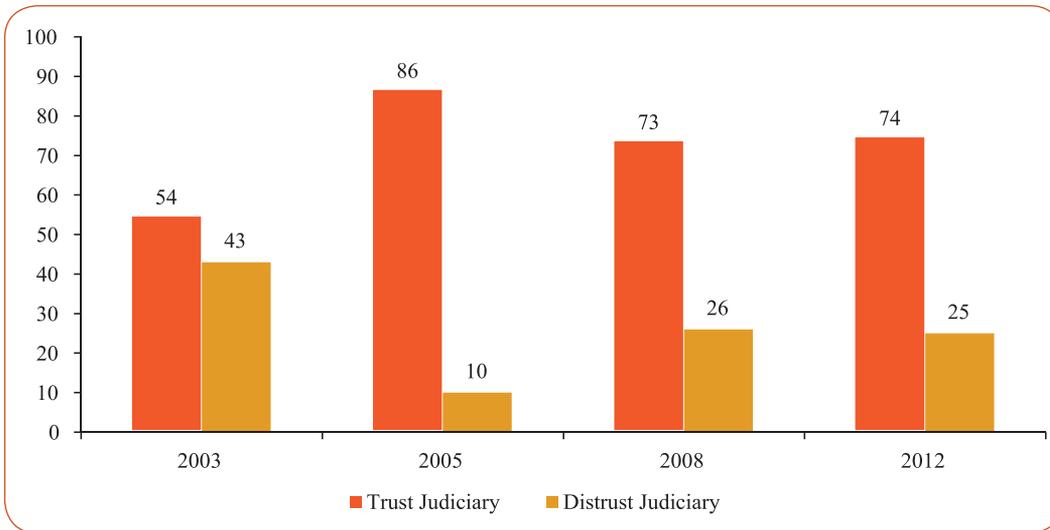


Figure 4: Trust in the Courts of Law (Judiciary)

Question: How much do you trust the Courts of law, or you haven't heard enough about them to say? (% "somewhat" and "a lot"; % "not at all" and "just a little")

PARLIAMENT'S RESPONSIBILITIES AND EXECUTIVE OVERSIGHT FUNCTION

Responsibility for Law-making in Tanzania

In 2012, the majority of Tanzanians (69%) felt that the parliament should make laws and not the president (Figure 5). This marks a significant 11 percentage point decline from 2008 in the proportion of Tanzanians who felt that the parliament should have the primary law-making authority.

Conventional wisdom would expect that more and not less people would feel that the legislature should be the branch of government with the prerogative of making laws. The recent decline in support of the parliament's law-making authority may suggest that some underlying factor has changed since 2008 to return the level of support to the levels registered in 2005 and 2003 (i.e., between 65% and 70%).

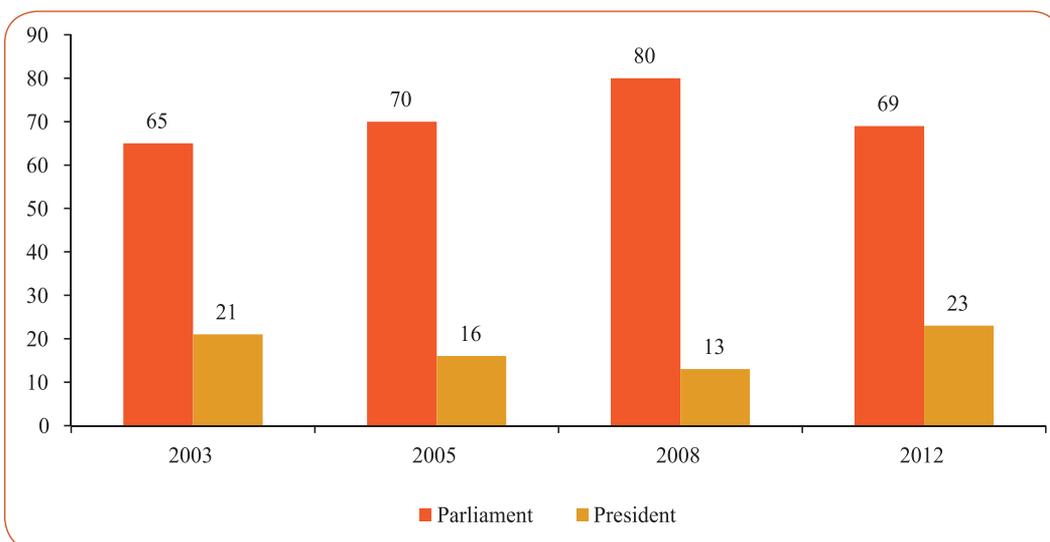


Figure 5: Responsibility for Making Laws: Parliament vs. President, 2003-2012

Statement1: Members of Parliament represent the people; therefore they should make laws for this country, even if the President does not agree. (% "agree" and "agree very strongly") **Statement2:** Since the President represents all of us, he should pass laws without worrying about what Parliament thinks. (% "agree" and "agree very strongly")

Accountability of the President to the Parliament

In 2008 and 2012, Tanzanians were also asked to indicate to whom they think the president should be accountable to once elected to office. The majority of Tanzanians (56%) would prefer that the president be accountable to the parliament (Figure 6). This marks a 10 percentage point decline since 2008 when 66% of Tanzanians felt the same way. Besides free and fair competitive multi-party elections, a democratic system requires that there is a separation of powers in order to limit the possibility of arbitrary excesses by the government. The sanction of all three branches is required for the making, executing, and administering of laws,

which ensures checks and balances so that no branches exceed or abuse their powers. In 2008, Tanzanians' understanding of and attitudes about the authority and responsibilities of MPs – i.e., what MPs can and should be doing – in a multi-party system were considered to be still evolving.⁶ Just as it was in the question regarding the responsibility for law-making, the 10 percentage point decline in the proportion of Tanzanians that thought that the president should be accountable to the parliament is not what conventional wisdom would suggest. This result merits further discussion of the factors that have negatively influenced the citizens' perceptions towards the parliament between 2008 and 2012.

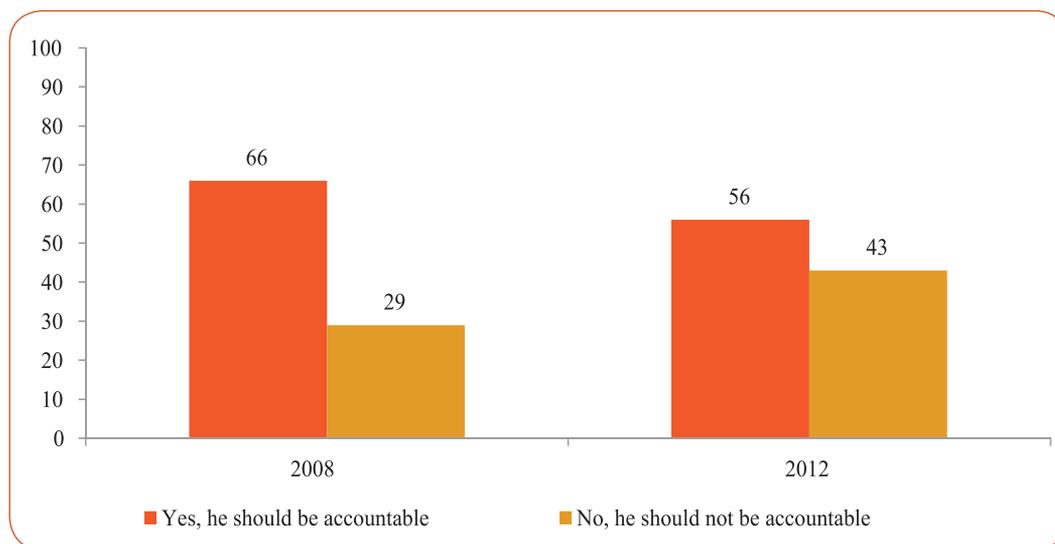


Figure 6: Presidential Accountability to the Parliament

Which of the following statements is closest to your view? Choose Statement 1 or Statement 2. Statement1: The Parliament should ensure that the President explains to it on a regular basis how his government spends the taxpayers' money. (% "agree" and "agree very strongly") Statement2: The President should be able to devote his full attention to developing the country rather than wasting time justifying his actions. (% "agree" and "agree very strongly")

CONCLUSION

Recently, the Parliament of Tanzania has been attempting to assert its oversight power vis-à-vis the executive. There has been a shift in the nature and quality of debates within the parliament in the past decade which suggests that the parliament may indeed desire to hold the executive accountable. Nevertheless, as with the parliaments of any other emerging democracy, the Parliament of Tanzania is expected to undergo some fundamental changes as it learns to adapt to its responsibilities of making laws, representing the citizens, and exercising oversight of the executive. The parliament's assertion of power in Tanzania, where in the

⁶ Chaligha, Amon, 2009. Tanzanians and Their MPs: What The People Want, and What They Don't Always Get, Afrobarometer Briefing Paper No. 59, February 2009.

past the parliament had little if any influence over the executive, signals progress. Researchers such as Joel Barkan, who has conducted a wide-ranging study of legislative development in Africa, suggest that the situation is changing, with parliaments evolving out of their role as rubber stamps for the executive and becoming more effective as watchdogs, policymakers and representatives.

As Tanzania's Parliament adapts to its role in an evolving democratic environment it will require specific resources to be more institutionalized and independent. At the moment, the Parliament has limited autonomy⁸ because its budget is largely determined by the executive. As articulated in an assessment report by senior governance advisor for UNDP Tanzania, Baffour Agyeman Duah, an autonomous parliament requires the necessary interrelated resources to carry out its functions, including capital resources, physical resources and human resources. Capital resources are funds that

support physical, organizational and administrative infrastructure as well as personnel remunerations; physical resources include physical infrastructure (buildings) that provide space for offices and other essential services as well as informational resources such as computers and the Internet; and human resources relates to the professional and skilled⁹ personnel available to meet organizational needs. Endowed with these independent resources and requisite political autonomy parliament may become more effective resulting in increased confidence and trust from Tanzanians. Perhaps with the current Constitutional Review process the parliament's powers vis-à-vis the executive will be further consolidated, thus giving the parliament more influence and making it more institutionalized within democratic principles and practices. As a starting place, the 2012 Afrobarometer survey suggests that majorities want the parliament to have a firmer hand when it comes to law-making and overseeing executive powers.

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⁷ Barkan, Joel, 2009. *Legislative Power in Emerging African Democracies*, chapter 1 (2009)

⁸ Sitta, S., Slaa, W., Cheyo, J.M., & Ashurst, M., 2008. *Bunge Lenye Meno: A Parliament with Theeth*, for Tanzanian. London: Africa Research Institute.

⁹ Agyeman-Duah, Baffour, 2007. *The Tanzanian Legislature: Assessing Organizational Resources and Capacity*, Conference Paper, African Legislatures

ABOUT THE AFROBAROMETER

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The Afrobarometer is produced collaboratively by social scientists more than 30 African countries. Coordination is provided by the Center for Democratic Development (CDD-Ghana), the Institute for Justice and Reconciliation in South Africa (IJR), the Institute for Development Studies (IDS), University of Nairobi, and the Institute for Empirical Research in Political Economy (IREEP) in Benin. Survey implementation in Afrobarometer's work in Namibia is coordinated by the Institute for Public Policy Research. We gratefully acknowledge generous support from the UK's Department for International Development (DfID), the Mo Ibrahim Foundation, the Swedish International Development Agency (SIDA), the United States Agency for International Development (USAID), and the World Bank for Afrobarometer Round 5.

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