

The Autonomy, Operational Environment and Challenges of Township Authorities: A Case of Local Government Authorities in Tanzania

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Abstract: For the past 20 years, Tanzania has been implementing Decentralization by Devolution (D by D) aimed at transferring decision-making powers, responsibilities and resource mobilization from the Central Government to the Local Government Authorities (LGAs). Township Authorities (TAs) are among such LGAs established under the Local Government (District Authorities) Act No 7 of 1982. The law establishing TAs give the authorities mandate to fulfil their obligations as autonomous body corporate. However; there have been complaints in different forums that TAs are choked in their operations by the existing organizational arrangement of the parent District Councils (DCs). The administrative and operational experiences of several TAs seem to deter the very intention of the law that establishes them, hence affecting their effectiveness in fulfilling their obligations. The purpose of this study, therefore, was to understand how the local government policy and legal framework as well as the operational environment support the autonomy and functions of Township Authorities in the study areas. Using qualitative research approach, data was collected through documentary review, focus group discussion, and in-depth interviews with purposely selected samples of leaders of the studied Councils; and then data was analysed qualitatively. The findings show that contrary to what the law requires and local government policy aspires, the autonomy of TAs is truly marginalized due to several factors. Also, although TAs' relevancy was positively endorsed by most respondents, the operational environment seems unsuitable for TAs' functions and growth. This situation is attributed to the adverse relationship between TAs and their parent DCs as well as the organizational structure of DCs that does not encourage autonomous endeavours of TAs. Moreover, a plethora of challenges were identified as strangulating performance, growth, and graduation of TAs into Town Councils. Eventually, this report proposes what can be done to address this alarming situation.

Keywords: Autonomy, Operational environment, Challenges, Township Authorities, Tanzania

1.0 Introduction

For the past twenty years, Tanzania has been implementing a process of Decentralization by Devolution (D by D) following the 1998 Local Government Policy that advocated local government reform. The D by D process entails the transfer of decision-making powers, functional responsibilities, and resource mobilization from the Central Government to the Local Government Authorities (LGAs). The major aim of decentralization is to empower the people through their LGAs by enabling them to make and implement decisions in line with locally determined priorities using all resources available under their control.

Apart from District and Village Councils, Township Authorities (TAs) are among three Local Government Authorities established under Section 4 of the Local Government (District Authorities) Act No 7 of 1982, [CAP 287 R.E 2002] hereinafter to be referred as the Act. Like the other two authorities; TAs become autonomous body corporate, once established according to the Local Government laws. However, operational and organizational arrangement of the DCs as well as the geographical boundaries of TAs seems to facilitate administrative loopholes that choke the effectiveness of TAs' functions and service provision to the citizenry. This study, therefore, aimed at understanding the status of autonomy, operational environment, and challenges facing TAs in selected LGAs of Tanzania as well as identifying relevant suggestions for improving the situation of the said Authorities.

1.1 Background and Justification

Township Authorities (TAs) are among District Authorities established by the Local Government (District Authorities) Act, [CAP 287 R.E 2002]; others being the Village Councils and District Councils. TAs are established under Section 13 of this Act. Establishment of these bodies involves a certain consultative process between the responsible Minister and relevant District Council as stipulated in the law. The Minister responsible for Local Government in consultation with the respective District Council (DC) is empowered to establish Township Authorities in places or areas where he sees it desirable for the purposes of creating or developing an effective and efficient system of local government by issuing an order published in the Government *Gazette*. The Minister is also empowered to vary the boundaries of any Township Authority.

Creation of Local Government system in Tanzania is a constitutional requirement. As it can be inferred from Article 145 of the Constitution of the United Republic of Tanzania of 1977 (the Constitution), establishment of the Local Governance system in Tanzania is constitutional matter, the purpose of which is provided for under Article 146 (1). The Constitution requires LGAs to engage and involve the people in the planning and implementation of development programmes within their respective areas and generally throughout the country. The reading of these two Articles (145 & 146) of the Constitution implies that duly established LGAs have to be autonomous.

Like other LGAs, after being duly established, Township Authorities become body corporate; hence under their own names they can enter into contracts, can sue and be sued, as well as acquire and dispose of property (Section 19 of the Act). The basic powers and responsibilities of Township Authorities, entities which are common to several District Authorities, are listed under Section 111 of the Act. In essence, the powers and responsibilities aim at improving service delivery to the community through their participation in governance as stipulated in Article 146 (1) of the Constitution.

1.2 Statement of the Problem

The Local Government legislation establishes TAs as autonomous bodies with full powers within their areas of jurisdiction, since each duly established LGA is an independent Local Government Authority free from other Local Government Authorities. Legally, TAs are body corporate of a concurrent jurisdiction to other District Authorities within their areas of establishment under the law. At the moment, Tanzania has several TAs scattered in some District Councils. These TAs are expected to adequately deliver services as required by the spirit of the Constitution, laws and the D by D policy.

However, the administrative and operational experiences of several TAs seem to deter the very intention of the legal and policy framework that establishes them, hence affecting their effectiveness in providing adequate services to their citizenry. In a number of LG forums and capacity building sessions conducted with the DC's and TA's leaders, there has been an outcry regarding the marginalized roles and powers of TAs. The voices of TAs' stakeholders seem to indicate that Township Authorities are incapable of exercising their autonomy, and that District Councils in which a Township Authority exists treat Townships as their subordinate. Besides this concern, there are certain pieces of law that allows Townships to be constrained as they are subjected to some restrictions and approvals of the District Councils¹. This study, therefore, aimed at verifying whether the purpose of the decentralisation policy and the law that requires LGAs to be autonomous is evidently being fulfilled in the selected TAs.

1.3 Study Objectives and Research Questions

1.3.1 General Objective

The general objective of this study was to understand how do the policy and legal framework as well as DCs' operational environment support the autonomy and functions of Township Authorities in the studies Councils.

1.3.2 Specific Objectives

In order to attain the main objective, this study focused on the following specific objectives:

- i. To understand how does the organizational structure of the District Councils support the autonomy and functions of Township Authorities.
- ii. To learn the extent to which DCs' and TAs' leaders consider the relevancy of the Autonomy of Township Authorities
- iii. To find out how the relationship between District Councils and Township Authorities (as concurrent jurisdictions) practically works.

1.4 Research Questions

In order to achieve the above stated objectives, this research will address the following questions:

- i. How does the organizational structure of the District Councils support the autonomy and functions of Township Authorities?
- ii. How do DCs' and TAs' leaders consider the relevancy of the Autonomy of Township Authorities?
- iii. How does the relationship between District Councils and Township Authorities practically work?

1.5 Conceptual Framework

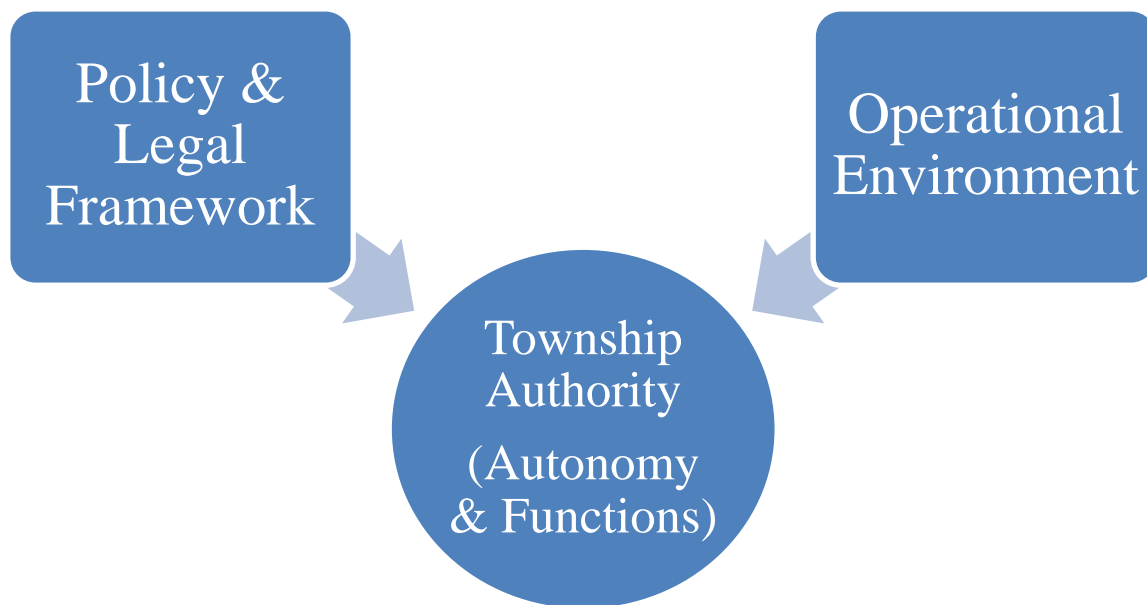
In many parts of the world, the term "Township" refers to a kind of rural settlement with some urban features or administrative subdivision of a local government. Often, townships are small towns located in rural districts or in the periphery of major cities. A township is too small to be recognized as a full-grown town and yet too urban to be considered a rural village, hence it has to be put

¹For example, at the very beginning an order made by the Minister when establishing a Township Authority need an approval of the DC under Section 15

in a transition period towards maturity through a certain kind of administrative arrangement. For that matter, some countries in the world put townships under the custodian or lower administrative level of a county, district, or region (like Taiwan, India, Australia, etc.). However, some countries like, New Zealand, have made Townships obsolete; as the land is divided between two administrative categories of a local government; either the land belongs to the city (urban land) or to the District (rural land).

In Tanzania, the law declares that a township be governed by a body called a Township Council (Act No 7, 1982). Also, the Local Government Reform Policy (LGRP) of 1998 (LG Policy) puts emphasis on implementation of decentralization by devolution. On the one hand, a TA is given an autonomous space to administer its affairs in terms of policy and legal requirements; but on the other hand, there exist stipulations in the law requiring a TA to operate under supervision of the District Council, in which the TA is located. The way TAs are parented by DCs depend largely on the discretion and tendency of DC leaders. In this context, therefore, a TA in Tanzania is simultaneously succumbed between policy and legal requirements to be autonomous entity as well as to be a subordinate of the parent DC operationally. This kind of arrangement can be conceptually illustrated as Figure 1.5 below depicts.

Figure 1.5: Conceptual Model of the Study



Source: Researcher's Model, 2020

Based on this model, Autonomous functioning, performance, growth, and maturity of any TA depends on these two major factors: The policy and legal framework governing TAs and the operational environment in which TAs operate. The policy and legal framework includes the Constitution, laws and LG Policy. In Tanzania, the following pieces of law speaks to TAs: Local Government (District Authorities) Act No 7 of 1982, Local Government (Urban Authorities) Act No 8 of 1982, Local Government Finance Act No 9 of 1982, Urban Authorities (Rating) Act of 1989, Regional Administration Act No 19 of 1997, and Public Services Act No 8 of 2002.

The term operational environment, as per this study, denotes: 1) the effect of DC's organizational structure on a TA's autonomy and functions, 2) the working relationship between a DC and a TA, and 3) the perceptions of DC's and TA's leaders towards TA's relevancy. These three sub-factors can affect the autonomy status, functions, and even the growth of a TA. It is important to note here that TAs are not established to remain the same forever, they are established to be groomed into Town Councils (as provided under section 20 of the Act). According to Tanzanian law, the state of a TA is transitional one, since a TA has to graduate into a full Town Council. Thus, another big question that could be asked is that: do the policy and legal framework and operational environment truly facilitate the graduation process of TAs?

2.0 LITERATURE REVIEW

2.1 General features of Tanzanian LGAs

Currently, Tanzania-Mainland has a total 184 both urban and district authorities. Under District Authorities there are 16 Township Authorities and 12,300 Village Councils (Kiliba et al, 2015). Although the LG policy and law envisages devolution of powers to all LGAs including TAs, the situation is that DCs are more powerful than lower level LGAs - TAs and Village Councils (Max, 1991). This fact was noted in the Inception Report that was written by Kiliba et al (2015). It says:

However, it must be noted that the District Councils possess more powers than the Village and Township Councils. For example, a District Council approves the by-laws made by Village and Township Councils under its administrative area. Also, a District Council formulates district plans and budgets, which include all lower layer Councils (p...).

LGAs are hierarchically divided into two levels. The DCs and Urban Authorities are considered as high level LGAs, whereas TAs, Wards, and Villages are seen as low level LGAs. Information from the responsible Ministry shows that, by year 2015, Tanzania-Mainland had 3,834 Wards; 3,939 *Mitaa*, and 64,691 Vitongoji (Kiliba, et al, 2015).

According to Article 146 (2) (a)-(c) of the Constitution of URT (1977), all LGAs have three mandatory functions aside many others: i) Maintenance of law, order and good governance, ii) promotion of economic and social welfare of the people in their jurisdiction, and iii) ensuring effective and equitable delivery of qualitative and quantitative services to the people within their areas of jurisdiction (TAs must also fulfill these functions in their respective areas).

2.2 A Brief note on Tanzanian LG Reforms

Tanzanian government embarked on Public Service Reforms in 1990, leading to political reforms in 1992, when the multi-party democracy was re-introduced in the country. The reforms envisaged LGAs that will be more effective by inculcating a number of properties such as making them: 1) strong, effective, and autonomous institutions; 2) democratically governed; 3) empowered to provide efficient services to the people; 4) embrace participatory development; 5) capable of conducting activities with transparency and accountability; and 6) institutions that reflect local demands and conditions.

Thus, a Reform Policy Paper was issued in 1998 with the following main agenda: i) addressing past problems that constrained the performance of the Local Government Authorities in the country; ii) strengthening local authorities while transforming them to be effective instruments for social and economic development at local level in their areas of jurisdictions.

2.3 Autonomy of LGAs in Tanzania

Autonomy is a very crucial aspect of any local government authority globally. According to Adeyemo (2005), local government autonomy is an amount of freedom that a local authority has in decision making regarding political, administrative, and economic affairs of its area of jurisdiction. In this regard, Mzee (2008) states that: "There is no consensus as to what constitutes autonomy in local government, but it is generally accepted, that local governments must possess enough power to enable them to perform their activities freely without interference from the central government" (p.7). Lack of such decision powers renders a local entity incapable of serving its people adequately. According to De Visser (2005), so as to function autonomously and effectively, a local government entity must have the following four elements: democracy, financial powers, decision-making powers, and specific mandatory functions distinct from those performed by central government organs.

Regarding financial powers of LGAs, Katunzi and Mfungo (2020) established from CAG Report of 2020 that LGAs can only sustain 13% of total recurrent expenditure implying that 87% of their recurrent expenditure comes from central government in form of grants. This high level of LGAs' financial dependence on Central Government has been observed for several past years. In such a scenario, whereby the level of financial dependence is so high, the autonomy of Tanzanian LGAs is questionable. This situation raises questions whether D by D policy is effective in empowering LG system in Tanzania.

Concerning the autonomy to make decisions, Mzee (2008) has the opinion that LGAs in Tanzania lack certain powers to make decisions in certain functions entrusted to LGAs. This is especially vivid in some functions of local government which somehow overlaps with that of the central government. For instance, there are certain services like water and energy provision that are administered by agencies under the central government. Also, the function of maintaining law, order, and good governance (ensuring peace and security) attracts a huge participation of central government organs. According to Mzee (2008), other functions that attract involvement of central Ministries include, primary education, grave removal, issuing of liquor licenses, and urban planning and development.

2.4 Township Authorities in Tanzania

2.5.1 Policy and Legal Framework for TAs

Township Authorities are governed by several pieces of legislation. The key clause for the creation of these bodies is provided in the Article 145 of the Constitution of URT (1977) that says: "there shall be established local government authorities in each region, district, **urban area**, and village in the United Republic". Townships are in essence urban areas often scattered in rural districts. Section 4 of the Act gives the Minister responsible for LG a responsibility to "work for development of meaningful democratic local government in the district authorities". Also, Section 13 of the Act empowers the Minister to establish TAs through an order published in the government *gazette*. A township with at least 500 households or 9000 residents qualifies to become a TA (Max, 1991).

According to the law, once a TA is formed, it becomes a body corporate, thus entitled to perpetual succession and common seal, capable of suing and being sued, capable of purchasing, holding, and alienating movable and immovable property. This provision speaks to the autonomy of TAs in conducting their mandated affairs and executing authorities conferred by the same law. The autonomy is expected to be demonstrated through both legislative and executive powers that TAs have. The Township councils have to fulfill legislative functions (e.g. making by-laws), while Township Executive Officer (TEO) is obliged to carry out executive functions (Specific functions of TAs are stipulated in the second schedule of the Act). The Township council members include: 1) Chairmen of the *Vitongoji* within the township area; 2) three members appointed by the district council; 3) the Member of Parliament representing the constituency within the TA; 4) women special seats members represented in the township authority, whose number should not exceed a quarter of the council; 5) the Township Executive Officer, who acts as the Secretary to the council, but without voting powers.

However, According to the Act, each TA has to operate under the supervision of a DC in which TA is located. Among several functions of DCs, two of them speak about handling TAs as follows: 1) Ensuring, regulating and coordinating development plans, projects and programmes of villages and township authorities within their areas of jurisdiction; and 2) regulating and monitoring the collection and utilization of revenues of village councils and township authorities (see Part V of the Act). Thus each DC is empowered to regulate and coordinate development plans of its township authorities. Also, a DC has to regulate and monitor collection and utilization of revenues collected by township authorities. The law gives DCs a regulatory and monitoring roles and not operational roles in areas under TAs' jurisdiction.

On the other hand, the 1998 LG policy and the subsequent LGRP that seeks to achieve D by D serve as vivid efforts by the government of Tanzania to ensure that LGAs (TAs inclusive) are empowered to democratically conduct their businesses, but with accountability, transparency, and through participatory approaches. The snag, however, is that there exist certain legislative stipulations that counteract the very purpose of the LG laws, policies, and LGRP.

Furthermore, it is vital to note that, since TAs are characterized by urban texture, their physical development are guided by Urban Planning Act No 8 of 2007, together with respective Regulations of 2018 and any other urban planning guidelines. Requirements for spatial planning and land development service for TAs are exactly the same as that provided in Urban Authorities. To what extent TAs in Tanzania are adequately administered in conformity to all these policy and legal requirements? This an intriguing question. However, there is a scarcity of studies and literature that could have shed light on actual status, performance, growth process, and challenges of TAs in Tanzania.

2.5 Operational Environment for TAs and respective Challenges

There is a scarcity of written materials or research papers discussing this matter. This study will be of its own kind in the sense that it attempts to extract and document what is really taking place at the ground on aspects of effects of the DCs' organizational structure on TAs status and functions, the kind of working relationships that is practically taking place between DCs and TAs, and whether TAs are considered as relevant bodies either in their DCs or at large. Also, the research attempts to document challenges facing TAs as obtained from the informants.

RESEARCH METHODOLOGY

3.1 Introduction

This chapter describes the research design, participants, data collection instruments, variables, as well as data collection and analysis procedures employed in this study.

3.2 Methodological Approach and Research Design

This research employed a qualitative methodological approach whereby a case study design was applied. Morrow and Smith (2000) suggests that the purpose of qualitative research is to understand and explain participants' meaning. A case study method selects a

small geographical area or a very limited number of individuals as subjects of study.² This methodological approach was opted in this study due to its relevancy, especially considering the explorative nature of the study, aimed at understanding the participants' opinions regarding the subject matter.

3.3 Sampling Techniques and Participants

This research used a non-probability, convenience and purposive sampling techniques. Non-probability sampling is a technique by which samples are gathered in a process that does not give all the participants or units in the population equal chances of being included. Convenience sampling is a type of non-probability sampling where researchers focus on target cases / population that meet certain practical criteria, such as easy accessibility, geographical proximity, availability at a given time, or the willingness to participate are included for the purpose of the study (Muijs, 2004).

Two Regions – consisting of DCs that have TAs were selected conveniently. Eventually, two District Councils were visited. Also, participants were purposely selected, who could give the responses due to their positions and experience. Hence, eleven (11) leaders were selected in from the first District Council,. Similarly, fifteen (15) were selected from the second Council. Several reasons necessitated application of the convenience sampling of study locations and purposive sampling of study participants. First, the techniques allowed researchers select cases that were easily accessible, and involved such participants that were readily available and who seem conversant with the subject matter. Also, scarcity of financial and time resources is another reason why convenience and purposive sampling was deemed appropriate. Study participants were mainly leaders (including both elected and appointed) of the selected DCs and TAs.

3.4 Data collection Procedures

Data collection through interview and FGD took place in the month of February, 2020 in case Councils; whereas document review was carried out in March and April 2020. The study employed three main data collection methods in different combinations in the two Districts. For instance, in-depth interview and documentary review was used in the first Council whereas, structured interview, focus group discussion (FGD), and documentary review methods were used in the second Council. Documents that were reviewed include laws that govern establishment and operation of LGAs, some minutes, and reports of DCs and TAs. Focus group discussion was held in the second Council only, involving three participants who were working in one office. An interview guide (interview protocol) developed by the researchers was employed to illicit responses from all study participants (except three mentioned above), so as to hear in their own voices regarding the matters under study. However, the interview did not focus on demographic characteristics of the participants, but rather on substantive research questions to each participant.

These semi-structured questions sought four types of information: (1) participants' factual knowledge about how the DC's organization structure support the autonomy and functions of TAs, (2) participants' general assessment of the relevancy of TAs' autonomy, (3) participants' views about how the relationship between a DC and TAs works, and (4) participants' views about existing challenges facing TAs currently.

3.5 Data Analysis

Content analysis methods were used to analyze qualitative information that was collected from participants and from the documents that were reviewed. In qualitative analysis, sub-themes were generated under each *a priori* theme (a substance that was asked for in each research question) posed in the interview guide. For Kilosa District, tables of sub-themes were generated for each research question. For the case of Manyoni district, no table was generated to summarize resulting sub-themes. Eventually, Data Matrix of findings from two different cases was created for comparative analysis that helped generate common emerging issues of the study.

The trustworthiness of the study was enhanced by the scrutiny of accuracy of transcripts, codes, and emerging sub-themes. Also, researchers employed member checking, peer review, and triangulation of data from different sources (documents and interview) as a way to enhance study trustworthiness.

4.0 FINDINGS AND DISCUSSIONS

4.1 Introduction

This chapter presents the findings of the study based on the five research questions, which were framed in line with the five objectives of the study. This section contains a combined presentation for both studied councils.

²Zainal, Z., *Case study as a research method*, Faculty of Management and Human Resource Development ,Universiti Teknologi Malaysia (2007) p. 1

4.1.1 Research question 1: How does the organizational structure of the District Council support the autonomy and functions of Township Authorities?

Views of most participants from both district councils vividly indicate that the structures of both DCs do not support nor recognize the autonomy of TAs in any way. Certain functions of TAs are restrained due to the DC's interventions. For instance, TAs in the first DC are neither allowed to collect their own revenues nor given required operational and development budgets. Some officials in the second DC believe that DCs should not support the autonomy of TAs since TAs are seen as mere sections/units/departments of DCs.

Moreover, the findings vividly indicate that several DC leaders do not give TAs a due respect they deserve as legally established authorities. In the first DC, for example, some respondents said that operations and growth of TAs are deemed as a matter of DED's discretion. This means that, where the DED is willing, TAs may be given enough support to operate and grow. In fact, some respondents in the council argued that "the structure favours the DC more than TAs as it considers TAs as babies to be groomed by the DC". Furthermore, in terms of budget, all visited TAs are totally dependent on respective DCs. They are not even recognized in the DCs' budget and finance systems such as PlanRep. Some respondents posited that there is a mismatch between what the law stipulates about TAs and the prevailing operational arrangement. The summary of sub-themes from both DCs is presented in Table 4.4.1.

Table 4.4.1 Comparative list of Sub-themes for RQ 1 from the District Councils

No	First DC	Second DC
1	The DC's structure is unsuitable for TAs' autonomous operations and growth into TCs	The organization structure of the DC does not support the autonomy of TAs in anyway
2	TAs are neither allowed to collect their own revenues nor given required operational and development budgets	The organization structure and management of the DC does not recognize the autonomy of the a TA
3	Lack of support from immediate superior authorities to enable TAs function and grow into TCs	Township Authorities are not autonomous once established, but they become part of District Councils.
4	TA s' growth depends more on the goodwill / discretion of the prevailing DED.	The organisation structure of the DC does not and should not support the autonomy of MTA since MTA is like a department within MDC.
5	Few Councilors representing TAs in the FC are overpowered	Status of a TA is not clear, it lacks the features of a department because it has a representative council (Township Council); and it lacks the features of a DC since it is not independent as it is under the control of the DC."
6	Selfish elements affect the operations and growth of TAs	The DC never considers MTA as a legal entity, and it never considers it as autonomous.
7	The structure favours the DC more than TAs as it considers TAs as babies to be groomed by the DC	TAs are not autonomous, they are just a part of the DC like a section. Budget wise MTA is dependent on the DC. They are not even recognized in the budget and finance systems such as PlanRep.
8	Mismatch between the legal provision that requires TAs to be autonomous and the existing operational arrangement	

4.4.2 Research Question 2: What are the perceptions of DCs' and TAs' leaders on the relevancy of the autonomy of the Township Authorities?

According to opinions of most participants, both the autonomy and existence of TAs are relevant for the DCs. It was reported that TAs are relevant for service provision, control the [physical] urban development, administer land management, improve health services, and facilitate their own growth into Town Councils. However, some respondents expressed their concerns that senior organs

(DED, DC and DDC) do not support the TAs autonomy agenda due to fear of losing revenue sources and relocation of DCs Headquarters.

Table 4.4.2 Comparative list of Sub-themes for RQ 2 from KDC and MDC

No	1 st DC	2 nd DC
1	Existence of TAs is relevant	The autonomy of TAs is very relevant, in order to improve health services in the district.
2	Importance of TAs lies in their role to provide services, control urban development, and grow into TCs	MTA should be autonomous with a separate health department or health section as well as a budget, this would eventually lead to the improvement of health services and facilities which are currently inadequate.
3	Even though TAs need to graduate into TCs; senior organs (DED, DC and DDC) do not support the agenda	Making MTA autonomous would assist in grooming the same as a step towards establishing a functional and experienced Town Council.
4	Fear of losing revenue sources and DC HQ relocation triggers the reluctance to support graduation of TAs	The autonomy of MTA is very relevant, MTA needs to have full mandate in town planning and land management issues since most land planning challenges are within township area.
5	Transition period of TAs to become TCs should be regulated to a tune of 3-5 years	The autonomy of MTA is very relevant; most residents and businesses are located within MTA also most social service challenges in the district.
6	The law that established TAs had good intention, but implementation is problematic	There is a great danger of allowing MTAs to become independent since all major and potential revenue sources of MDC are located within the boundaries MTA, in fact If MTA becomes a separate entity, then MDC would lose even its headquarters since they are within MTA.
7	TAs can be merged in the DC as they tend to be extra burden for the DC	All revenue sources located with the Authority are grabbed and managed by the District Council. MDC is not willing to leave the TA as autonomous.
8		If ...MTA becomes autonomous, MDC will face strong financial hardships, MDC will lose its own source revenues. There is no point in making township authorities autonomous.

For instance, one participant of 2nd DC had this to say: "If ...MTA becomes autonomous, MDC will face strong financial hardships, MDC will lose its own source revenues. There is no point in making township authorities autonomous". Moreover, a few respondents had the opinion that, perhaps, TAs should be wholly merged into DCs, to avoid extra burden of running two separate entities. Some participants admitted that the law had good intention, but its implementation has become problematic. Summary of findings of both councils are posted in Table 4.4.2.

4.4.3 Research Question Three: How does the relationship between the District Council and Township Authorities work?

Majority of participants from both DCs asserted that the relationship between DCs and TAs is not a good one, even though the relation was seen as like father to child. Others went further to say that the relationship is not supportive for TAs growth into TCs. Also, a few participants perceived this relationship as a kind of master-servant one. For instance, one respondent of 2nd DC had this to say: "The two authorities are both legal entities, which should each be independent in operation. However, in practice, MDC controls MTA in everything". In fact, some participants attributed this poor relationship to the following reasons: the DCs' organizational structure, relationship being guided by DED's discretion, and DCs' craving for revenues collectable in TAs areas. Nevertheless, for two Departments of 1st DC (Education and Land), it was reported that the relationship is not bad. The Land Department seems to have a good working relationship with KTA. But for the Education Department, the situation is quite different. The department is disconnected from TAs, as District Education Officers work directly with the Ward Education Officers bypassing TEOs' office. The summary of findings from both DCs is posted in Table 4.4.3.

Table 4.4.3 Comparative list of Sub-themes for RQ 3 from 1st DC and 2nd DC

	1 st DC	2 nd DC
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1	The relationship between the DC and TAs not a good one	There are no any principles governing the relationship between the two authorities; the TA here is not a separate entity. It is just a part of the DC like a section.
2	The relationship is not supportive for growth of TAs into TCs	MDC is like a father and MTA is a daughter, hence the relationship among the two is father-daughter relationship.
3	The structure itself facilitates bad relationship	MDC exercises all controls towards MTA and supervises service provision as per standards within the Council.
4	Relationship is based on DED's goodwill	The two authorities are practically in a master-servant relationship.
5	The crave for money/revenue collections taints the relationship	The two authorities are both legal entities which should each be independent in operation. However, in practice MDC controls MTA in everything.
6	Selfish interests taints relationship	The purpose of establishing MTA was good; to improve service delivery to an emerging urban economy in a part of the rural district, but the practice is contrary.
7	Relationship not that bad, though disconnected (education office)	
8	Relationship not that bad (land office)	
9	It is a kind of parental relationship (DC posing as a patron of TAs)	

4.4.4 Research question four: What are the Issues facing Township Authorities?

Several issues were reported by participants in both DCs. Whereas 1st DC mentioned seven issues, 2nd DC reported four issues. From 1st DC, the following issues were reported: 1) DC's organizational structure not suitable does not facilitate autonomy of TAs, 2) TAs denied their money by the DED's office, 3) certain practices of some DC leaders discourage good relationship between the DC and TAs, 4) TAs deliberately not supported to graduate into TCs, 5) All important TAs' revenue sources have been grabbed by the DC, 6) there is a need to revise LG law especially regarding TAs, and 7) there is a need for training DC's and TAs' leaders. Four issues raised by 2nd DC include: 1) Inadequate financial resources for 2nd TA, 2) Absence of the autonomy for 2nd TA, 3) TA not recognized in DC's Financial Management System, and 4) absence of graduation time for TAs. The summary is presented in Table 4.4.4.

Table 4.4.4 Comparative list of Sub-themes for RQ 4 from KDC and MDC

No	1st DC	2nd DC
1	DCs' organizational structure does not facilitate autonomous operations of TAs	Inadequate financial resources
2	TAs are not given back their money by DED thus paralyzing their functions	Absence of autonomy
3	Some practices of certain DC leaders do not facilitate a good relationship between the DC and TAs	Non-recognition in Financial Management Systems
4	TAs not deliberately supported to graduate into TCs	Absence of Graduation Time for Township Authorities
5	Important TAs' revenue sources grabbed by the DC thus devastating TAs' financial capacity	
6	There is a need to revise the LG law and its regulations (especially in clauses related to TAs) [unsuitable legal framework for TAs' autonomy]	
7	Training is needed for leaders of the DC and TAs [inadequate capacity of some leaders]	

5.0 CONCLUSIONS AND RECOMMENDATIONS

5.1 Conclusions

Township Authorities are among LGAs established under the Local Government (District Authorities) Act No 7 of 1982, Chapter 287 R.E 2002. The law establishing TAs grants them mandate to fulfil their obligations as autonomous body corporate just like other LGAs. However, there have been complaints in different LG training forums that TAs operations are often hampered by the existing organizational arrangement of the parent District Councils. This study, therefore, aimed at understanding how do the LG policy and legal framework as well as DCs' operational environment support the autonomy and functions of TAs in 1st and 2nd DCs as perceived by respective DCs' and TAs' leaders. In order to achieve this aim, the study examined two main factors: (1) The policy and legal framework guiding TAs and (2) the TAs' operational environment. Three main issues (sub-factors) were examined under TAs' operational environment: (1) how DCs' organizational structure support TAs' autonomy and functions, (2) how leaders perceive the relevancy of TAs, and (3) how the relationship between parent DCs and TAs work. Moreover, the study sought to identify any other challenge facing TAs.

Two TAs were selected as cases for this study; one case from 1st located in Morogoro Region, and the second located in Singida Region. The qualitative research approach was used to collect and analyze data in order to answer five research questions that were posed in this study.

Findings show that, contrary to what the law says and contrary to aspirations of local government D by D policy, the autonomy of TAs is truly marginalized due to certain factors. Also, apart from a few dissenting voices, the relevancy of TAs' autonomy was positively endorsed by most respondents in the study areas. However, findings indicate that the operational environment surrounding TAs seems unsuitable for their normal functions, growth, and graduation into Town Councils. For instance, it is evident from the study that the organizational structure of DCs is unsuitable for TAs' autonomous functions and growth in TCs. Also, the relationship between TAs and their parent DCs is adverse according to views of most respondents. Moreover, it is evident from findings that the policy and legal framework is somewhat fractured as clauses that grant autonomous powers and functions to TAs have been diluted by other clauses that take the same powers away from TAs. Furthermore, a number of challenges were identified as strangulating performance, growth, and graduation of TAs into Town Councils. Eventually, this report outlines several recommendations aimed at resolving some issues facing TAs.

This study will help readers to understand TAs' autonomy status, operational environment, and challenges affecting TAs functions and growth in selected cases of 1st and 2nd District Councils. On the other hand, it could be opined that the selected cases serve as a reflection of what might be happening in other TAs; and hence, this study will help other scholars to do further inquiry in the remaining TAs in Tanzania, so as to get the full picture of the situation. Besides, the study exposes the fracture of the policy and legal framework governing the existence and functions of TAs in Tanzania, the issue that might need a very closer look by researchers and stakeholders of Tanzanian local government.

5.2 Recommendations

The need for further research

Based on findings of this study, interested scholars can ask several intriguing questions that may lead to more studies. This study, hence, has research implications in a sense that there exists a need to examine more issues surrounding TAs in the country. For example, using the similar study design, it could be intriguing to know the situation of TAs in other Tanzania regions or zones, and thus generating a national picture of the status, operational environment, and challenges facing TAs nationally. Also, it is perhaps important to discern, in the current arrangement, the factor exerting more influence in TAs condition: Is it a legal-administrative structure or practices of individual leaders of DCs? To learn this requires a well designed study. Moreover, other researchers could deeply work on all Township-related policies and legislations to identify gaps, overlaps and contradictions that could lead to harmonization of the whole policy and legal setting affecting TAs. Furthermore, learning how other commonwealth countries are handling TAs could be very beneficial. Thus some people might want to make comparative study of TAs' aspects using selected countries around the globe. Finally, identifying world best practices of administering TAs can be another intriguing area of study.

The need for addressing issues facing TAs

From the study results, there is definitely a need for taking deliberate actions so as to improve the situations of TAs in studied Councils. If nothing is done, the plight of TAs will continue to soar year after year. It is thus recommended that responsible authorities should consider resolving issues surrounding the following eight areas. First, it is vital to rethink the new governance approach that will enable TAs to function independently. Out of the four possible options (see p. 76 above), this work recommends an option that will grant TAs full autonomy under a loose DCs' oversight through a principle known as: "eyes on hands off" principle.

Another area of concern is related to the policy and legal framework in which TAs operate. It is recommended here that all policies and legislations affecting TAs must be reviewed and harmonized aiming at creating a more favourable policy and legal environment for TAs' functions. One issue that needs a serious attention is the degree of autonomy that TAs deserve. Since TAs are given several mandatory functions, and since they are treated as body corporate by the law, it is reasonable if these bodies are granted such a

degree of autonomy, which will be guaranteed by legal and administrative set-ups so as to curb unnecessary interferences from above.

Then it is important to reset the institutional arrangement in such a way that the organizational structure of a parent DC must enable TAs within to function with a maximum possible level of independence in all aspects of an LGA. Regarding financial sources and management, it is recommended that the autonomy of TAs should include powers to plan, budget, mobilize, and manage financial resources to the extent that TAs' budgets are recognized in the DCs' and National budget systems. Thus it is important to introduce budget vote number for TAs as well. Also, TAs' revenue sources and resources must be respected by other levels of the government. Another contentious area affecting TAs performance and growth surrounds the relationship between a TA and a parent DC. Thus this study recommends that revised legal and administrative set-ups must ensure a conducive relationship between a parent DC and a TA exists. Hence, stakeholders of TAs should meet to jointly create principles that will guide relationship between the two local organs. Moreover, practices of leaders from DCs or higher authorities must be closely monitored to check all unnecessary fractious actions.

Findings revealed that there is minimum support provided by DCs and other district and regional leaders in promoting growth of TAs into TCs. Therefore, it is hereby recommended that all higher levels (DC, RS, and Ministry) should provide maximum support enabling TAs to perform well, grow, and timely graduate into TCs. Also, so as to control growth and graduation process, a timeline should be introduced, whereby a TA must be required to remain in that status for period of 5-7 years, after which that TA must graduate into a Town Council.

Furthermore, it is assumed here that a certain section of challenges facing TAs is attributed to insufficient leadership capacities of the DC and TA leaders. Hence, there is a need to initiate a systematic training programs tailored for those leaders for enhancement of their governance and leadership skills. On top of that, it is recommendable for all DCs having TAs to create mechanisms that will help differing leaders in DCs to make dialogue and reach consensus.

REFERENCES

- Chaligha, A. (2008) *Local Autonomy and Citizen Participation in Tanzania: from a Local Government Reforms Perspective* Dar es Salaam: Mkuki na Nyota Publishers.
- Creswell, J. (2007). *Qualitative Inquiry and Research Design: Choosing Among Five Traditions*. Thousand Oaks, CA: Sage Publications.
- Danga, M.M.; Kadilikansimba, P.B.; Kaudunde, I.J. (2019). Factors Influencing Local Government Authorities Own Sources Revenue Collection in Tanzania. *International Journal of Academic Accounting, Finance & Management Research*. Vol 3 (12)
- De Visser, J. (2005) *Developmental Local Government: A Case Study of South Africa* Antwerp: Intersentia.
- Dörnyei, Z. (2007). *Research Methods in Applied Linguistics*. New York: Oxford University Press.
- Goodfellow, T. (2017). Central-Local Government Roles and Relationships In Property Taxation, *ICTD Summary Brief 12*, Institute of Development Studies (IDS). Brighton, UK. Retrieved on 14 November 2020, from https://opendocs.ids.ac.uk/opendocs/bitstream/handle/20.500.12413/13527/ICTD_APTI_Summary_Brief_12.pdf
- Katunzi, M. Z. and Mfungo, B. D. (2020). Engaging Small Taxpayers in The Enhancement Of Revenue Collection for Local Government Authorities in Tanzania: A Meta-Analysis Study. *International Journal of Creative Research Thoughts (IJCRT)*, ISSN:2320-2882, Volume.8, Issue 9, pp.3397-3402, September 2020, Available at <http://www.ijcrt.org/papers/IJCRT2009435.pdf>
- Kiliba, K. E. et al. (2015). *Report on Local Government Reform Training Programme In Tanzania - Osaka Training*. Held between 11 March and 28 April, 2015 in Osaka Japan.
- Mashala, L. Y. and Kisumbe, A. K. (2020). Talent Development Practices and its Implications On Leadership Quality in Local Government Authorities in Tanzania. *Journal of Public Administration and Governance*, Vol 10(3). MacroThink Institute.
- Max, J. A. O. (1991). *The Development of Local Government in Tanzania*. Dar es Salaam: Educational Publishers and Educators.
- Mnyasenga, T. R. (2017). *Legal Framework of Central-Local Government Administrative Relationship and Its Implication on the Autonomy of Local Government Authorities in Mainland Tanzania*. A Thesis Submitted in Fulfillment of the Requirements for the Degree of Doctor of Philosophy of Mzumbe University. Retrieved on 14 November 2020 from <http://scholar.mzumbe.ac.tz/handle/11192/2168>
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- Mzee, M. M. (2008). *Local Government In Tanzania: Does the Local Government Law in Tanzania Give Autonomy to Local Government?* A LLM Degree Dissertation, University of the Western Cape, South Africa.
- Njunwa, K. M. (2018). Understanding Politico-Administrative Relations in Local Governments in Tanzania: A case of Tanga City Council. *Journal of Public Administration and Governance*. Vol. 8 (2). Macrothink Institute. Retrieved on 14 November from <https://www.researchgate.net/publication/326013071>.
- URT (1977). The Constitution of URT of 1977
- URT (1979). Local Government Election Act No 4 1979.
- URT (1982). Local Government Legislation Acts No. 7, 8, 9 of 1982
- URT (1999). Local Government Laws (Miscellaneous Amendments) Act No 6 of 1999.
- URT (2002). Public Service Act no 8 of 2002.
- Warioba, M. M. D. (1999). *Management of Local Government in Tanzania: Some Historical Trends And Insights*. Research, Information and Publication Department. Mzumbe, Tanzania
- Warioba, M. D. and Warioba, L. (2012). *Local Government Reforms in Tanzania*. Mzumbe University, Mzumbe, Tanzania
- Zainal, Z. (2007). *Case Study as a Research Method*. Faculty of Management and Human Resource Development, Universiti Teknologi Malaysia