

# Selected Experiences of the Use of the Village Assembly in the Governance at the Grassroots Levels in Ludewa District Council in Tanzania

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## Abstract

This study attempted to find out whether the local government reform crusade i.e. campaign began by the government of Tanzania since 1990s has actually resulted into promotion of accountability, participation and transparency in village governance in Tanzania. The study specifically concentrated on looking the extent village assembly influences village governance (accountability, transparency and participation) in the two selected village of Ludewa Mjini and Ludewa Vijijini village. The experience has revealed that to some extent village assembly influence accountability, participation and transparency in village governance. However, the study has found that village leader's accountability and transparency are largely influenced by civic education level, active participation and accessed of information of village assembly members.

**Keywords:** Local government, Village governance, village assembly, accountability, transparency

## 1. Introduction

Following the restoration of the abolished local government authorities in 1982, the Government of Tanzania adopted a number of measures to improve the capacity of these governments to make them meet the expectations and objectives outlined in the Constitution of the United Republic of Tanzania and the local government legislation. There are different initiatives carried out by the Government to ensuring that the re installed local government authorities are growing in strength and meeting the constitutional and legal goals that were mandated to perform. One of the key initiatives taken by the Government was by the introduction of administrative, legislative, institutional and sectoral reforms in the Government. The reforms played the significant and substantial impact to local government management in Tanzania.

Two major reform policy documents were paramount in local governance in Tanzania were drafted. The first document was the Local Government Reform Agenda whereas the second document was the Policy Paper on Local Government Reform. In 1996 the government adopted the Local Government Reform Agenda which among other things in governance aspect the paper focused at empowering local authorities in shaping and planning reformed local government systems, enhancing accountability and transparent in local government institutions, strengthening the influence of local residents through their elected leaders and civic groups in their respective local authorities. That led to the publication of the Policy Paper on Local Government Reform in 1998 that formally pitched the Government to the actual realisation of the Articles 145 and 146 of the Constitution. The Policy commits the Government to the adoption of the policy of decentralisation by devolution commonly known as the D-by-D (Cowi, 2008).

Few studies on the impact of local government reform programme on the governance which have been done in Tanzania have not directly indicated the extent the two reforms have influenced governance at the grass root level in Tanzania. For instance, Fjeldstad (2001) and Repoa (2007) have assessed citizen participation in the decision making process. Other studies (See for instance Oliver, 2013 and Howard, 2012) have focused on assessing participation of women in the local elections. Moreover, a number of studies have explored citizens' satisfaction with service delivery in local government authorities (Pollit, 2009; Kiria, 2009 and Repoa, 2008).

The main objective of this study was to find out the extent to which the village assembly influences village governance particularly in three areas namely; accountability, participation and transparency of the village institutions. The paper starts by looking at the legal framework of local government and its institutions in Tanzania, then it looks the structure, governance and functions of village assembly, after that the relationship between village governance elements and villages assembly has been addressed. The methodology of how the study was been conducted has been explained as well and the last part is the finding and discussion of the study before concluding.

## 2. The legal framework of local government in Tanzania

Local government authorities in Tanzania exist constitutionally and legally, it is established under article 145 (1) of the Constitution of United Republic of Tanzania of 1977. The Constitution stipulates that there “shall be local government authority in each region, district, urban area and village in the United Republic of Tanzania” (Constitution of URT, 1977). On the type and designation of the local government, the Constitution further explains that it will be the role of the parliament of united republic of Tanzania to prescribe. Article 146 (1) of the Constitution of the united of Tanzania provides the purpose of establishing local government that is to transfer authority from the central government to the local people. The transfer of authority to the local people is meant to help them to engage in different matters such as planning and implementing different development programmes in their respective areas. The constitution of United Republic of Tanzania in article 146 (2) specifically has laid down the functions of local government authorities in Tanzania which are “to perform the function of local government within their jurisdiction, to ensure enforcement of law and Public safety of the people, to consolidate democracy within its areas” (Constitution of URT) 1984. Therefore, whatever done by local government authority is within these specified functions.

As indicated by the Constitution of United Republic of Tanzania that local government shall be established in regions, urban areas and village level, then establishment of local government authority in Tanzania has based on two broad types which are urban authorities and rural authorities. Both authorities have been established by two different legislations, the urban authority is established by the local government (urban authority) Act, 1982, No 7 of 1982 which stipulates that the urban authority shall consist of City authority, Municipal authority, town authority, ward authority and neighborhoods (mitaa). On the other hand, rural authorities are established by the local government (District Authorities) Act, 1982, No 7 of 1982, as per act the district authorities consists of District authorities, township authorities, ward authorities and village authorities. In this structure it shows that village level is the lowest level and that is where the normal citizens contact direct with the government.

As this study dwells much on governance perspective in Tanzania, literatures in Tanzania (see REPOA, 2008) have divide local governments in two levels, firstly is higher level of local government which starts at the district level for the purpose rural authorities. In this level the governance body which district council is made up by representatives or councilors who are elected members from each ward in the respective district and bureaucrats recruited to perform professional duties. The main task of these elected councilors is to play supervision role to district government executives led by council director. The lower level government (LLG) does exist in the grassroots level or village level, this lower level government at the village level is made up by village assembly (VA) and village council (VC) which act as governance tools to the village government. The village assembly (VA) is a meeting which contains village leaders and all adult village residents attend to discuss a number of issues concerning village welfare and development. Village council (VC) is made up by 25 elected members from sub-village.

### 3. Village Assembly: structure, governance and functions

In Tanzania village assembly is one of the two organs or institutions of the village government. Village assembly is a legal organ established under the section 24 of the Local Government (District Authorities) Act no 7 of 1982. It is a statutory village meeting headed by the village chairperson elected by the resident of the village after every five years tasked with discussing and approving all matters pertaining to village presented by the village council and government. Therefore, village assembly is a controlling mechanism of the village government. As per local government Act no 7 (District authority) of 1982 the members of village assembly are those ordinary people or residents from 18 years old of a particular village, village assembly meeting according to the law have to be done four times a year. That means village assembly has to be done at least once after every three months. Therefore, through village assembly ordinary citizen are given a room to oversee village government for the matters affecting. That is to say whatever is done by the village government and its institutions is reported to the citizen through village assembly.

Apart from that, section 141 of local Government (District Authorities) Act no 7 of 1982 has discharged village assembly with several functions:

- a) Policy making function: village assembly has been tasked to make by-laws or to amend by-laws to suit the village demands and situations. Therefore, village residents get room to engage in giving opinions and views during the process of making and changing those by laws whenever necessary.
- b) A formal decision making organ of the village. Village assembly is responsible for making some decision concerning village operations and welfare and sometime to approve those decisions which have been made or put forward by the village council. Therefore, village resident engage in controlling other village organs such as village council and make decisions which stand as guidelines of village matters.
- c) To elect village residents to become members of the village council; it is a role of the village assembly to elect other members of the village council who are residents of a given village. Whereas not less than quarter of them should be women. Therefore, village council which has been given power to discharge village affairs and business its members are elected and are accountable to the village assembly members.
- d) To remove or replace members of the village council during the village assembly meetings. At anytime village assembly has a power to remove and replace any village council member if there sound reasons to do so with the conditions that procedures to do so are followed.
- e) To receive reports from the village council and Hamlets related to the village regarding various economic and development activities. Village assembly also receive different reports from other village organs such as village councils and Hamlets and then village assembly members and are allowed to discuss those reports and approve or make any other decisions accordingly.

#### 4. Village governance and village assembly

Different scholars and authors have been suggesting the ways the village assembly can use so as to influence good governance in the villages.

Ideally, the main role of village assembly is to influence village governance through participation of village residents in village governance. Since village assembly is the meeting of all village residents from 18 years and above and their leaders and other village official. In that sitting village residents get a chance to engage in matters concerning them such as analysing the village situation, asks different questions and explanation to village governors, discuss different problems facing their villagers as well as identifying different opportunities the village has and set priorities depending to the number of problems and the resources the village possesses (Kaminyonge, 2008). Therefore, by doing all that good governance tends to be enhanced since all members of the village use their constitutional and statutory right to engage in governance process. For instance, The local Government District Authorities Act No 7 of 1982, Section 4(1) (b) states that, “the evolution, progressive development and perpetuation of local government institutions geared and devoted to the pursuance of the meaningful involvement of and participation by the people in the making of decisions on matters affecting or connected with their livelihood and wellbeing at all local levels

In addition to that, the relationship between village assembly and good governance occurs when village leaders report to the village assembly all activities done by the village government over the three months from the last village assembly to the current meeting. As village leaders they are supposed to communicate to the village assembly whatever have been done by them quarterly such as providing financial reports i.e. income and expenditure, the government plans for the coming period, also they are supposed to provide other explanations which were raised by the village assembly members in the previous meeting. All that in good governance is called openness or transparent, that is to say village assembly enhances openness to village government.

The last aspect which shows the relationship between village assembly and good governance is accountability. In Tanzania, village leaders (except village executive officer who is recruited by the higher authority) enter into power by being elected by the village residents or village assembly after every five years. Therefore, these people are accountable to the village assembly that is why village government reports to village assembly and citizens have a power to hire and fire village government. In other words, village assembly exercises checks and balance to village government. On other hand, there is social accountability when this check and balance is exercised where village residents they are supposed to attend the village assembly and make sure that all necessary reports and explanations are provided by the village government. Residents are supposed to ask questions, to engage in identifying village priorities and engage in contributing both manpower and finance to promote village development.

## 5. The methodology

The study was mainly qualitative; consequently, it used the qualitative methods of data collection: Interview, focus group and documentation. The study sample of 30 respondents was used to address the research problem. The sample included 2 village chairpersons (one from each village), 2 village executive officers (one from each village) 2 representatives of NGOs dealing with local development (one from each village), 20 residents (10 residents from each village). Purposive sampling was used to select village chairpersons, village executive officers' representatives while simple random sampling technique was used to select village residents. Content analysis was used in analysing qualitative data gathered basing on specific themes.

## 6. The result and discussion

### *Local people's attendance to village assembly*

The researcher wanted to know if village assemblies stimulate participation to village members. The experience from two villages shows that villagers turn up to village assembly meeting is not satisfactory because only few members are regular attendants of those meetings. The researcher got a chance to attend one village meeting which was held in January 2015 at Ludewa Kijijini village and observed that only 217 out of 654 residents were present at the meeting. Statistics taken from the 2014 village assembly meeting where 2 meetings out of four were held show that in July only 282 residents attended the meeting and in May only 127 residents attended. Ludewa Vijijini village ten residents who were interviewed six said that they regularly attend village assembly meetings while four out of the ten said that they do not attend village assembly meetings due to different reasons.

The experience is quite different in Ludewa Mjini (town) as a big number of the residents do attend the village assembly meeting. The researcher also attended one of the village meetings in Ludewa Mjini village and observed a big number of the residents attending the meeting though not all. Four hundred sixty eight (468) residents out of 750 total residents attended that meeting. For example, in Ludewa Mjini for year 2014 three VAs were conducted. Total number of those required to attend VAs was 750 residents. In September 2014 VA was attended by only 354 residents, June 371 residents and January 424 residents. The big attendance shows that may be town residents have better understanding on the importance of attending the village meeting. Also, from the interview seven respondents out of ten said that they are regular attendants of village meetings in Ludewa Mjini Village. And three out of seven said that they are not regular attendants of village meeting because of different reasons.

### *Reasons for why others are regular attendants and others are not*

The researcher wanted also to know the reasons why some residents in both villages attend and others do not attend village meeting. Respondents from Ludewa Vijijini village who are regular attendants of village meeting enumerated reasons which influence them to attend, as they said they attend because it is their responsibility to attend those meetings, some said they attend because it is their right to attend those meetings, also said they attend so as to know what is going on in their respective village. One of the respondents replied that "*we attend*

*village assembly meeting because if we do not the village government the send local police to catch and then we have to pay fine” and the other respondent said that “I attend the meeting so as to know what are being done by the village government as well as giving out my opinion on what we should do to improve our development”*

For those who said that they are not regular attendants in village assembly provided different reasons which impede them from attending the meetings which are; being busy with other development matters, some women said that they do not attend because they are taking care of their families, discouragement from blind financial reports and unawareness village assembly dates, some said in those meeting when they ask questions they are threatened by village leaders. One respondent when interviewed responded that, *“...I have stopped attending those village meeting because when we ask question or criticize village leaders in return they form hostility with us what they want is just to be praised therefore I don't see why should i be attending those meeting”*

### ***Awareness of residents on the power of the village assembly***

Researcher was interested in knowing if the village residents understood the power and responsibility of village assembly in the process of making village government accountable. The researcher interviewed Ludewa Kijijini residents if they knew the power of Village assembly. The researcher found that many residents of Ludewa Kijijini village are less aware if they have power of making village government accountable. What they know is just to attend village assembly and thereafter they go. As one respondent responded, *“..... Our main role is to attend the village assembly and listen to our leaders and not otherwise”*. But there were some respondents who were aware of the role of the village assembly especially in making local leaders accountable to them; one of the responded that *“we as village assembly members we have power to impeach village chairperson if she/he fails to discharge his/her duties.... the problem of our leaders is that they think we don't know that”*. But they blamed some villagers to be coward and others do not know the powers as village assembly members.

The question also was asked to Ludewa Mjini residents: if they understand about the power the VA have to make village leaders answerable. Most of the residents responded that they are aware of it and only few residents responded that they were not aware of the matter. Some residents through face to face interview with researcher said: *“..... we are the one who elected them and we are their employer so they have to be responsible to us”*

*“How can a leader go against us? The day he/she goes against is the same day he/she will be removed from the position”*

### ***If residents get chance to speak or ask question during meeting***

The researcher was interested also in knowing if village residents do speak or ask questions when they engage in village assembly. The idea was that just attending the meeting is not an issue but how do you function in a particular meeting make more sense. The concept of good governance especially participation in local level requires citizens to question the leaders and leaders to respond to those questions so as to build trust and citizenship to the residents. It

also requires residents to contribute or provide their opinion on different matters affecting them such as providing different ways of solving problems facing their villages and helping the village government to identify opportunities and priorities. The reality seems to be different from the theories in these two villages because few residents have the courage of asking questions to the local leaders. From ten respondents interviewed from each village only three village from Ludewa Vijijini and four respondents from Ludewa Mjini said that they managed to ask questions or speak in village assembly while seven respondents from Ludewa Vijijini and six respondents from Ludewa Mjini said that they never asked questions or spoke anything during village assembly.

Those who didn't ask questions gave the reasons that, firstly there is very short time set for questions therefore only few people get chance to ask questions, for instance the said that sometimes leaders require only three people to ask questions. One of the interviewed residents responded *"listen....the time set for questions is very short, sometimes we are given only ten minutes for questions or opinions"*. At the same time leaders very often pick or select people who are known or friends of them to ask questions; one resident responded *"these guys are very fun because once they discover that you always ask critical questions them then they will never select or give you a chance to ask questions"*. Another reason provided was that unsatisfactory answers provided by village leaders discouraged them from being willing to ask questions during the meeting, when leaders are asked they do not provide clear answers especially about money instead they became angry against a person who have asked a particular question. The last reason that was provided was feeling sense of insecurity. Respondents responded that they were afraid to ask questions because that tendency creates enmity between them and leaders, once you ask challenging questions during the meeting the leaders start threatening you directly and sometimes village policy would be visiting your house by associating you with different bad practices in the village. Not only that; but also people who ask questions are termed as people from opposition parties. So, due the influence of part polarisation people are afraid of being called as people from the opposition side

### ***Village assembly influence access to village information***

The researcher wanted also to know if the village assembly influences openness to the village government, as per regulations village government is required to provide information concerning the village to the village residents. In villages there is lack of information about government policies, regulations and legislations, circulars, citizens' rights and about what is happening in their localities. Village assembly is one of the avenues or channels of letting the residents know what is going on in their respective villages. In Ludewa Vijijini village respondents said that only little information is provided by the village leaders. But when they are asked to provide information about different issues affecting citizen which are being done by the village government, village leaders do not provide that information; sometimes village leaders would say that the information will be provided in the next meeting that becomes the end of the story.

In Ludewa Mjini village most of respondents agreed that the information is provide but not timely. Respondents also said that sometimes when village leaders fail to provide information,

villagers channel their concerns to their higher authority such as councilors then higher authority commands village leaders to realise information.

## 7. Conclusion

The objectives of local government reform programme in Tanzania (LGRP) in the village governance perspective were to enhance transparency, accountability and citizen participation. This study intended to find out the extent to which village assembly after local government reforms influences village governance. The study specifically focused on three elements of village governance which are accountability, participation and transparency. Experience from the two villages shows that those village assemblies to a great extent do promote village governance (participation, accountability and transparency). However, the study discovered that influence of village assembly depends on the situation of the village. For instance, the study revealed that the influence of village assembly is higher in villages located in town than villages located in peripheral areas, as the study found that residents living in Ludewa Mijijini village (village located at Ludewa town) were active participants in village assembly compared to their counterparts in Ludewa Vijijini village (peripheral village). In addition to that, experience has revealed that villages leaders tend to be much accountable and transparent in the areas where members of village assembly are active participants, have high civic education and are aware of village issues. Consequently, the experience has revealed that village leaders and bureaucrats are less accountable and not transparent in villages where citizen have low civic education, are less informed, engage in partisan politics and are lazy.

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