

## **Administrative Decentralisation, Bureaucratic Discretion and Pro-poor Service Delivery in Zanzibar Local Government**

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### **Abstract**

*Administrative decentralisation and bureaucratic discretion have recently become a significant focus in local government studies. Interest in this area has increased due to extensive evidence indicating that decentralisation reforms adopted by many countries worldwide have not sufficiently enhanced bureaucratic discretion to improve service delivery at the local level. This paper therefore examines the level of bureaucratic discretion in Zanzibar's local government and the extent to which such discretion either facilitates or limits service delivery, particularly in the West A. Municipal Council in Zanzibar. The current study employed a mixed-methods approach, combining both quantitative and qualitative techniques, with a sample of 75 respondents. The sample was selected through non-proportionate stratified simple random sampling for descriptive analysis, while 25 respondents were chosen purposively for in-depth interviews. Findings indicate that administrative decentralisation was introduced in Zanzibar through policy and legal reforms over the past 12 years, involving three policy sectors in a pilot study aimed at implementing decentralisation by devolution reforms. However, the current government administration reverted to a centralised system for critical government functions. Through district authorities, the Central Government Ministry determines and instructs on the content of plans and programmes at the Shehia level – the lowest administrative layer in local government. Based on these findings, the study recommends granting local government authorities' greater administrative discretion and limiting the powers of the central government by ensuring adherence to the existing institutional framework.*

*Keywords: Administrative decentralisation, Administrative discretion, Service delivery, Local Government, Zanzibar*

### **1. Introduction**

Over the past two decades, many countries around the globe have reformed their local government administrative systems to increase bureaucratic discretion in service delivery. This is because local bureaucrats can only tailor services to the preferences of the local population if they have the discretion to decide on the type and number of services to be delivered to local populations (Lameck, 2017). One of the initiatives taken by various countries to increase the administrative discretion of local bureaucrats is administrative decentralisation, which involves transferring administrative power and authority from the central to the local government. The administrative power encom-

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passes the authority to plan and allocate local finances (Rondinelli, 1999, Kessy, 2023). Others like Dick-Sagoe (2020) perceive administrative power as the devolution of decision-making power from higher to lower levels of government within a bureaucracy. The reforms also entail a change of the organizational structure of local governments within the administrative system. The goal of administrative reforms is to distribute authority, accountability, and financial resources for providing public services across different levels of government, thereby improving the quality of public service delivery. Therefore, administrative reform remains relevant in situations where changes within the bureaucracy are crucial, particularly for enhancing efficiency in service delivery.

Furthermore, the assumption behind administrative decentralisation is that the transfer of responsibilities and resources from the central to district-level governments can empower local governments to have adequate power to act autonomously within their jurisdiction. This can consequently empower local government bureaucrats to deliver services that not only fall under their jurisdiction but also align with the perception and expectations of the local population (Lameck, 2017). This suggests that, if local governments are disposed of the information about the preferences; if they have the authority to decide on the functions and services to offer and if they can raise the necessary taxes or spend the allocated budgets as they wish, the reforms would enable them to translate preferences into policies and services (Mgonja, & Tundui, 2012; Aslam et al 2019). Overall, the expected outcomes of administrative decentralisation are improved service delivery, which meets the standards and expectations of the local population (Kiwale, 2013; Robinson, 2007). Nevertheless, local autonomy as argued by Clark (1984) is desired by left and right, yet it is compromised by higher tiers of state. This statement is also consistent with observations from other authors, who argue that higher tiers of the state often constrain local autonomy. The local government laws-URT (2000) and Scholars (e.g., Molllel, 2010; Hydén, 2016; Tidemand & Solla, 2014) argue that the legislations in Tanzania limit local autonomy. For example, the local government laws empower the minister responsible for local government to make regulations specifying the distribution of finances at various levels of sub-national government. This also goes to budgeting, the budget prepared at the sub-national government must be submitted to the regional secretariat for revision and then to the central government ministry for approval. Although in Tanzania, the government was engaged in local government reform agenda and policy paper in 1998 for establishing the decentralized administrative system and granting substantial administrative autonomy to local government, the autonomy promised through the policy paper has been taken back to the central gov-

ernment through excessive central government rules and directives on planning, budgeting and human resource control (URT, 1998; Lameck, 2017). Overall, the central government has retained the administrative power and obligations, with the central government appointees wielding more power at the local government level. Additionally, local government plans and budgets are often dominated by centrally imposed mandates or projects. Additionally, the central government imposes rules and regulations which, to a great extent, limit the power and authority of the local government to exercise its power and functions (Mgonja, & Tundui, 2012; Lameck, 2017).

Hence, administrative power is concentrated in the centre, and central government appointees hold more influence at the local level. In practice, local government plans and budgets are often dominated by centrally imposed mandates and projects (Venugopal & Yalmaz, 2010). In Tanzania, the limited administrative autonomy results from the inadequate implementation of the local government reforms agenda and the 1998 policy paper, which aimed to grant administrative authority to local governments (Lameck, 2017).

The Zanzibar, which is part of Tanzania, also adopted decentralisation reforms. Historically, the decentralised administrative system with local councils was partially developed in Zanzibar during the colonial period and further developed after World War II. Following the need for improved service delivery in local government, the government decentralised the administrative system through the establishment of a new policy and legal framework (RGZ, 2014; RGZ, 2012; Khamis, 2013). Decentralisation began with the transfer of powers and resources for the delivery of health, education, and agriculture to local governments (Cheema, 2007; UNICEF, 2021). This was also associated with the development of a clear strategy to provide a roadmap for developing appropriate guidelines that strengthen citizen participation at all levels of sub-national government, as well as to establish Participatory Ward Councils and Shehia Consultative Committees (Muriu, 2013; UNICEF, 2021).

Nevertheless, current evaluations indicate that, under the Fifth Phase Government in Tanzania (2015–2021), the autonomy of local governments was significantly reduced. The measures made by the late President of Tanzania, John Magufuli, to appoint all the Executive Directors of City and District Councils, who the Minister of Local Government had previously chosen, are evidence of this. This meant that the officers were more answerable to the Central Government than to the

elected officials of their councils. In addition, the Regional and District Commissioners (RCs) and District Commissioners (DCs), who are representatives of the central government at regional and district levels, had their executive powers significantly expanded over those of the local councils. This measure appeared to undermine the spirit of the D-by-D, as outlined in the Tanzania Policy Paper on Local Government Reforms (Nkobou & Ainslie, 2021).

However, one reason the central government retains certain powers over LGAs is the need to optimize efficiency and inability of LGAs to function autonomously (Ewald & Mhamb, 2019; Kessy 2023) It should be noted that the central government in Tanzania funds a significant portion of the services provided by LGAs, including the salaries of public teachers and staff at public health facilities. Thus, it is logical to assume that the entity financing these operations should have the autonomy and oversight to ensure proper resource allocation and management. This also means employing staff who are loyal and accountable to the central government at various service levels. In addition, non-adherence to meritocracy during recruitment, tribalism, the lack of qualified personnel in some areas, and the reluctance of skilled Tanzanians to work in hard-to-reach or hard-to-live regions, the central government's control over key recruitment mandates for LGAs allows it to "force" personnel to serve in these areas (Tidemand & Solla 2010).

In this respect, the decentralisation through devolution reforms in Zanzibar has been revoked, and essential powers and resources have been taken back to the central government. With the new revised legal framework, the central government is empowered to decide on the establishment and functions of local governments; as a result, all important functions and resources have been centralised at the national level government. Accordingly, the overall quality of governance and service delivery has not improved sufficiently. Thus, local governments in Zanzibar lack the necessary administrative discretion to deliver public services effectively. The questions are: What has gone wrong? What is the status of administrative discretion in Zanzibar local government, and how does the existing institutional framework for administrative decentralisation facilitate or constrain bureaucratic discretion in planning and service delivery to citizens?

## **2. Administrative decentralisation and bureaucratic discretion conceptualised**

Administrative decentralisation implies the devolution of decision-making power from higher to lower levels within a bureaucracy. Administrative decentralisation involves reforming the adminis-

trative structure of a local government to increase autonomy for local government decision-making in financial and human resource management (Zaleśny, 2015; Dick-Sago, 2020). Therefore, administrative decentralisation is applied to situations where there is a need for reforms within the local government bureaucracy to increase the quality of governance and service delivery (Robinson, 2007). The advocates of decentralisation have argued that for local governments to provide social services satisfactorily, they must have adequate discretionary powers (Bardhan & Mookherjee, 2006; Hyden, 2016; Tshukudu, 2014; Rowe & Turner, 2023). It is generally agreed that decentralisation ought to be accompanied by adequate administrative discretion. Administrative discretion is crucial in public administration, as it expands decision-making space in the provision of public services, particularly in developing countries where the primary challenge is delivering efficient and effective public services (Aslam et al., 2019).

Since bureaucrats rely on the clearly defined rules, job descriptions and roles, it is often difficult for them to respond to the interests of the local population. Bureaucrats can only be active if they have discretion, which is a choice within a set of parameters that circumscribes their behaviour (Scott, 1997).

The assumption is that a bureaucrat possesses discretion if they can choose from a range of options that they perceive as the best in a given situation (Scott, 1997). The need for bureaucratic discretion, especially among lower-level bureaucrats, is justified by the limited space for administrative control, which is the responsibility of higher-level bureaucrats. Limited administrative control is first attributed by a communication problem. Policy makers or legislators at the higher level cannot predict all the possible issues that may arise as a result of the design and implementation of the program or public policies. Therefore, given the necessity of bureaucratic discretion, many countries have reformed their administrative systems and transferred administrative competencies, responsibilities, and decision-making from higher to local levels of government.

The concept of administrative decentralisation can be subsumed into various dimensions, which are used for measurement (Schneider, 2003; Rondinelli, 1990). The first dimension relates to the formal domain of local government, that is, the competence to decide which functions a local government fulfils and how it fulfils them. The second dimension concerns the amount and character of central rules and regulations local governments must abide by in their local policymaking and

service delivery. The third involves the central government's presence and supervision of local policymaking and service delivery.

Regarding the competency of local government, literature (e.g., Treisman, 2006; Goldsmith, 2002; Hossain, 2010) indicates that competencies can be categorised into two types: general and specific competencies of local government. General competence means that the local government has the constitutional or legal right to fulfil any task, function and/or provide any services which suit its interests. Specific competence refers to a formal arrangement in which the central government, by law, establishes which functions the local government fulfils, that is, which are the responsibilities of local government in policy making and service delivery. If the domain of the local government is fully determined by national legislation, then the so-called *ultra vires* principle is in place (Warioba, 1999). Administrative systems, which the local government has a general competence, are considered more decentralised than systems where functions are decided on according to the *ultra vires* principle (Smith, 1979).

However, regarding the local domain, the proportion and nature of functions assigned to local government are also significant. The more responsibilities or the larger the share of functions allocated to the local government, the more decentralised a public administration system is (Smith 1979). Concerning the nature of functions, control over resources—including the authority to appoint and dismiss personnel across all service sectors, as well as to determine minimum qualifications and set salary levels—is considered necessary (Eaton & Schroeder, 2010). Administrative systems where local government staff are centrally appointed are regarded as more centralised than systems where local governments recruit (and dismiss) their personnel (Smith, 1979).

The *second* sub-dimension concerns the extent and nature of central rules and regulations related to policies and services that the local government implements. No administrative system grants complete autonomy to local government; some level of central regulation of local policies is always present. However, central rules and regulations can be few and broad or numerous and detailed; they may also pertain to the content of local policies and services or merely establish decision-making procedures. It is argued that if the central government enforces extensive and detailed regulations regarding the content of local policies or the specifics of services provided by local government, this signifies centralisation. Conversely, the presence of general or procedural rules indi-

cates decentralisation, as it allows local governments the discretion to decide on policies and deliver services according to their preferences (Kessy, 2020b; Fleurke & Willemse, 2006).

With respect to the *third* sub-dimension, oversight, several forms can be identified. The first is *ex ante* approval, which means that local decisions to establish policies, plans, or provide services require prior approval from the central government before implementation. The purpose of this oversight type is to ensure that all local decisions comply with central regulations or directives. The more local government authorities that are subject to *ex ante* approval, the more centralised the administrative system becomes (Kiwale, 2013; Wollmann & Gritsenko, 2004). The second form of oversight involves *ex-post* correction: meaning decisions can be overturned by the central government after being made by local authorities. It can be assumed that this type of oversight, being less systematic, results in reduced centralisation compared to *ex ante* approval. The third form involves post-decision inspection and auditing of local government performance, without directly influencing local decisions (Likwelile, & Assey,2018). The fourth type pertains to conflict resolution mechanisms. If the central government acts as a legal referee in administrative disputes within local government, systems are regarded as more centralised than when such conflicts are resolved locally (Smith, 1979). Overall, the presence of *ex ante* approval serves as an indicator of centralised administrative systems.

A theoretical assumption of administrative decentralisation begins with the fact that “one can govern better from afar, but can administer better when closer. This means that local governments can implement local projects and provide local services that address local needs more effectively than the central government (Kaufman & Couzens, 1973). The decentralisation of administration is expected to solve two problems, which may constrain local-level service delivery. The first problem is related to communication. Policy makers or legislators at the higher level cannot predict all the possible problems, which may rise as a result of the design and carry out the program or the implementation of public policies at the lower levels because they cannot issue directives or orders which comprehensively reflect the local realities and circumstances (Horn, 1995; Tullock, 1987). Another problem is related to enforcement is that the subordinates may know what is expected of them and may be capable of doing it, but may not do it. Although the superior has the authority to command his/her subordinates, there is no guarantee that the subordinates will accept the command (Kaufuman & Couzens, 1973). Therefore, as suggested by Lipsky (1980), the lower-level bureau-

crats need discretion to adjust services to reality. These realities justify the need for administrative decentralisation.

Furthermore, the need for administrative decentralizations is also justified by the authors who argue that in order to create an efficient public administration, which is capable of satisfying social interest at large, the scope of affairs including the entire local structure together with the objective for which the implementation is responsible and the scope of the autonomy is needed to achieve the set goals. This will create a system of prioritising goals of lower levels in relation to higher ones, as well as a system of steering the work performed by lower levels of government defined. Still, that should not be seen as an absolute autonomy, which means that the autonomy of self-government units – such as communes –should be interpreted as the possibility granted under the Constitution to decide on their own affairs within the framework of applicable law (Swai, et al 2022).

Different frameworks have been developed to evaluate administrative decentralisation. The more prominent framework was developed by the World Bank (2007) which shows that for local government to be autonomous, it must have the authority to (a) make, change, and enforce regulatory decisions; (b) govern a procurement system; and (c) manage human resource including recruitment as well as performance management. According to this framework, decentralisation reforms are designed to grant local governments new powers and responsibilities that define a discretionary space on political, administrative, and fiscal dimensions. Although, bureaucratic discretion is an important issue in the field of public administration as it relates to the attainment of goals such as good governance, efficiency in service delivery, and citizen satisfaction (Young & Tanner, 2023) and although bureaucratic discretion permeates nearly all facets of public administration, its use has not been fully investigated. Thus, an investigation of bureaucratic discretion is both essential and problematic (West, 1984).

Nevertheless, the authority and power to provide services do not stem from nowhere; they are derived from the country's constitutions, laws, and policies, which set out the fundamental directions, functions, the operation of local government authorities, and overall state control (Manda, 2008).

Therefore, decentralisation reforms should be designed in such a way that they grant local governments adequate powers and responsibilities, thereby defining a discretionary space across three di-

mensions of autonomy: political, administrative, and fiscal (Mmari & Katera, 2018; Otenyo, 2016). The discretionary powers that local governments should have in administrative areas include legislative or regulatory discretion, procurement discretion, and human resource management discretion. According to Mmari & Katera (2018), legislative or regulatory discretion provides local governments with a minimum set of powers and capacities to initiate regulatory legislation on issues affecting their jurisdiction. They need to have the authority to approve and issue generally binding ordinances on public matters within their jurisdiction, subject to national and state laws. Procurement discretion extends local governments' mandates and responsibilities for new services. This allows local governments to control the procurement processes for goods and services, including contracts for operation or management, leases, discounts, or joint ventures (Yilmaz et al.,2010).

In addition, the administrative discretion is interpreted as the possibility to exercise local self-government units 'functions, which is ensured by the constitution and is legally distinguished and structurally independent, and which in practice is reflected in decision-making and taking actions without the state authorities' interference, and further to that, it is subject to state supervision provided that the state acts within the law and is governed by it (Kessy, 2023).

#### **4. Methodology**

The study was guided by the research question that requires understanding the status of administrative decentralisation in Zanzibar Local Government, and how the existing institutional framework for administrative decentralisation facilitates or constrains bureaucratic discretion and actual service delivery to citizens. To address this question, the study employed a mixed-methods approach, tailored to the nature of the research question (Silverman 2006, Yin 2013).

Accordingly, the study employed a quantitative approach to generate descriptive statistics for analysing the state of administrative discretion and actual service delivery in Zanzibar Municipality. On the other hand, a qualitative approach was employed to gather in-depth information regarding the influence of the institutional framework on the degree of administrative discretion and the quality of service delivery. Accordingly, the study used Zanzibar Municipality as a case study. West A. The Municipal Council in Zanzibar was chosen because it is one of the urban local government authorities that was part of the local government reforms carried out two decades ago under the Zanzibar Decentralisation Policy of 2012; however, the standard and quality of local-level service de-

livery have not improved as expected. To describe the status of service in the Municipality, the study employed a non-proportionate stratified simple random sampling method. This method was used because the researchers wanted to obtain precise estimates of stratum and the differences between them. Therefore, the number of elements sampled from each stratum was not proportional to their representation in the total population. In doing this, the procedure involved first identifying the target population. In this case, the target population was 250 employees of West A. Municipal Council. The next step was to select a sample from the population. In this respect, the population was categorised into twelve strata. The third step was to get the sample for each stratum. The process involved the random selection of a sample from each stratum, resulting in a total of 75 employees. Table 4.1 shows the target population and the sample.

**Table 4.1 The target population and the sample size for the study**

<b>Department/Units</b>	<b>Population</b>	<b>Sample</b>
Director & Assistant Directors	7	3
Procurement Unit	7	3
Internal Audit Unit	9	4
Record Management Unit	10	4
Health Department unit	50	15
Primary Education Unit	100	25
Administration & HumanRecourse Department Unit	15	4
Agriculture, Livestock and Fishing Department Unit	20	5
Finance and Tax Collection Unit	20	7
Planning Department Unit	5	2
Cross section Department Unit	7	3
<b>Total</b>	<b>250</b>	<b>75</b>

Source:(West A. Municipal Council Profile, 2021)

Additionally, a total of 25 employees, representing key officials of the Council, were sampled for in-depth interviews. The sample size for interviews was determined by the level of saturation, where the need for further interviews was assessed based on the amount and content of the interviews conducted.

Thus, the research began with a review of various documents related to administrative decentralisa-

tion, including guidelines, policies, laws, directives, circulars, regulations, and performance reports. This review was followed by a 5-item Likert scale questionnaire, administered to 75 respondents for descriptive statistics. The scale, which ranged from 1 to 5, was designed to measure employees' attitudes towards the degree of administrative decentralisation. After completing the questionnaire, in-depth interviews were conducted with 25 key officials, purposely selected from different departments of the Municipality.

### **West A. Municipal Council in Zanzibar – General features**

West 'A' Municipal Council is one of the oldest Municipal Councils in Zanzibar, located next to Stone Town in Zanzibar. The Municipality is considered a natural transportation gateway for East and Central Africa. The current structure indicates that the Municipality operates administratively in collaboration with and under the control of the District Commissioner's Office. Thus, the Municipality comprises of the Municipal Commissioner's Office and the Municipal Council. The first is headed by the Municipal Commissioner (DC), who is assisted by the Municipal Administrative Secretary (DAS), while the Municipal Director heads the latter. The Municipal Commissioner's Office is part of the Central Government. According to the structure of the LGAs in Zanzibar, the Council comprises six departments and five units. The six departments include (i) Planning, Administration and Human Resource Management, (ii) Pre-primary and Primary Education, (iii) Agriculture, Natural Resources and Environment, (iv) Socio-economic Infrastructure, (v) Health Services, and (vi) Cross-cutting issues. The Units are legal, procurement and supply, internal audit, Accounting, Mass Communication, and ICT.

Administratively, the Council is divided into six constituencies, 12 wards, and 31 Shehia. The Council's primary functions include developing, implementing, and monitoring its strategic plans and budgeting; formulating, coordinating, and supervising the implementations of economic, commercial, industrial, and social development; revenue collection to enable local authority to perform its function effectively; licensing, regulating, and controlling business activities within its areas of jurisdiction; and making by law applicable throughout its areas of jurisdiction. Others include considering, regulating, and coordinating development plans, projects, and programmes of wards within its areas of jurisdiction; monitoring and evaluating all projects in the region; controlling the extraction of stones, sand, wood or such other natural resources as may be approved by the Minister responsible for natural resources.

In carrying out its functions, the Council has developed a five-year strategic plan, beginning in 2021 and running through 2025, with a mission to deliver sustainable services that meet stakeholders' needs through resource engagement and participation. The plan sets goals to be achieved within five years, based on the determination of the Municipal vision and priorities. The West A Municipal Council Strategic Plan is therefore a valuable tool in improving the council's performance, as it outlines the direction of the Council in terms of where it has come from, where it is now, and where it is going. Additionally, the plan serves as a tool that enhances institutional, departmental, and individual accountability while also improving transparency and communication among management, employees, and stakeholders. Moreover, the Council establishes priorities for efficient and effective resource allocation and creates more relevant institutional structures.

The expected outcome of the plan is to demonstrate diverse desired success for West 'A' Municipal Council, which includes maintaining and facilitating the maintenance of peace, order, and good governance within the council, as well as promoting the social welfare and economic well-being of all persons within the council. Others include adhering to the Zanzibar National Policies and plans for urban development programmes, furthering the social and economic development of all people in the council, and improving transparency and communication between the management, employees, and stakeholders.

In principle, the development of a plan must be consistent with other national-level policies and guidelines. These include the Zanzibar Strategy for Growth and Reduction of Poverty (ZSGRP) and Vision 2020, ensuring that its departments and units adhere to Key Result Area C of the ZSGRP III, which is Providing Quality Services for All. Ideally, Key Result Area C inspires achievements across all other key result areas of ZSGRP III, as it primarily focuses on improving living standards and eradicating poverty. It is the responsibility of the Council to facilitate its departments and units in planning strategically, accounting for their activities, being answerable for any deviations from the stated objectives, and transparently disclosing the results. The Council also recognises that the realisation of Key Result Areas C under ZSGRP III depends on the timely availability and effective use of various resources, including human and financial resources. The Council will work with relevant domestic and external stakeholders to attract the necessary resources to support the implementation of its plans, projects, and programmes.

## **5.0 The status of administrative decentralisation in West A Municipal Council in Zanzibar**

The Local Government in Zanzibar functions under the decentralised administrative system. The Government of Zanzibar adopted decentralisation reforms aimed at increasing proximity between the Government and citizens, as well as improving service delivery at the local level. The assumption is that decentralisation would increase efficiency, transparency, accountability and equity in the delivery of local public services to citizens. Therefore, with devolution, LGAs are required to perform functions under the LG Act No. 7 (2014),<sup>3</sup> which include promoting which necessitates an appropriate working environment including office space, equipment, and working tools, necessary for delivering services to the people. These include the collection of revenue from the sources identified under section 70 of the Local Government Act, and administer, establish, and regulate public markets and market dues. Others include

- a. Cleaning all roads, streets, drainage systems, waste collection areas, markets and business centres, recreation areas, public toilets and other open areas used by the public; and the management of disposal sites and waste facilities.
- b. Controlling and regulating lands/structures that are irregularly placed
- c. Promoting the tourism industry and educating communities on investment opportunities available in their areas.
- d. Providing support and facilitation to vulnerable groups, including youth, women, and persons with disabilities.
- e. Providing management of pre-primary and primary education, primary health care and agriculture extension services (with the subsectors of agriculture, forestry, fisheries, livestock, and natural resources.

### **5.1 Legal and institutional indices for administrative decentralisation in Zanzibar**

In the past decade, the Revolutionary Government of Zanzibar reformed its local government administrative system with the intention of transferring power and resources from the central to local government through the development of the devolved governance system. Accordingly, the government developed a decentralisation policy of 2012 and the Local Government Act of 2014 to back up the operationalisation of the decentralised administrative system in the Local Government. These two institutions, the policy and the legislation, were developed under the umbrella of the Zanzibar Constitution of 1984, amended in 2010. Article 120 of the constitution provides for the establishment of the local government system, its legal mandates and functions. Additionally, the constitutions provide for the devolution of power to the Local Government through the delegation

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<sup>3</sup> The Zanzibar Local Government Act No 7/2014, Part II Section 12

of responsibilities to specific administrative task at the national level and for the Local Government for the purpose of creating effective and participatory governance (RGOZ, 1984). These constitutional requirements are reflected in the Zanzibar Local Government Policy of 2012, the Local Government Act No. 7 of 2014 and the Regional Administration Act No. 8 of 2014, which provide for the framework for the administrative decentralisation (RGOZ, 1984). In this respect, the policy grants substantial administrative power to the local governments to hire and fire their own staff and make administrative decisions on planning and allocation of financial resources through budgeting (RGOZ, 2021).

Overall, the existing institutional framework defines the degree of administrative discretion in the service delivery (Swai, et al, 2022). They transfer a substantial amount of power and resources to the local government, which determines the extent to which local government bureaucrats can decide on the allocation of resources in carrying out local government programs and projects in different policy sectors, including health, education, sanitation, land management, environmental issues and natural resources. In addition to legal indices, the Revolutionary Government of Zanzibar developed a Zanzibar decentralisation strategy to guide the decentralisation reforms. This strategy guides the development of appropriate guidelines to ensure effective community participation in the development plans in different levels of subnational government (Kapologwe et al, 2023; Muriu, 2013). To ensure effective participation, two grassroots institutions, the Ward Councils and Shehia Consultative Committees, have been established (RGOZ, 2014a). Additionally, decentralisation is part of the Zanzibar Vision 2020 stipulated in various policy documents (RGOZ, 2012 RGOZ, 2014b).

Nevertheless, the current regime has reformed the legal and institutional framework for the decentralised administrative system. The reform includes changes to the Local Government Act of 2014, revised in 2021, which now curtails the administrative power of local governments by centralising human resource control and financial resources to the Central Government (RGOZ, 2021). The reforms empower the Central Government to determine the functions and establish the local government system in Zanzibar. Following these changes, the government has recently centralised the delivery of basic social services, such as health and education, to the Central Government. With the new system, the services are directly financed and delivered by the central government officials stationed at the District Headquarters. Furthermore, the findings reveal some achievements in the adoption of the new structure, which are also accompanied by challenges such as inadequate office

infrastructure and incomplete devolution in specific policy sectors (Haule, 2013; ) .

**Table 5.1 Challenges and constraints of the new devolved Local Government structure**

	Achievements	Challenges
i	PO RALG SD (oversight ministry) Restructured	Acute shortage of office space
ii	Regional Secretariat Restructured	Role of Regional Secretariats not utilized effectively
iii	LGAs Restructured	Acute lack of adequate office space in LGAs
iv	Ward Councils have been formed	Lack of offices facilities for Wards
v	Shehia Consultative Committees formed in all Shehias	Lack of office facilities for Shehia
vi	Functions devolved from central ministries to LGAs	Some sector functions not devolved to LGAs

Therefore, the overarching legislation for local authorities (LG Act No 7 / 2014) specifies the formation of LGAs in Zanzibar by classifying them into Urban (City, Municipal & Town) and district authorities and is now the guiding legislation for the Local Government. At the core of the bill is a governmental resolution to embed decentralisation through devolution, involving the transfer of powers to the sub-national level and adequately resourcing councils to exercise their new responsibilities.

The legislation provides the skeletal framework for local authorities in the context of decentralisation by devolution in Zanzibar. The parameters for the assigned functions, as well as the powers and authority to undertake these tasks, are clearly outlined. The Act amplifies the concept of D by D and broadens the vision for strengthening local authorities to make them capable of managing local resources efficiently. Section 7 of the LG Act 2014 establishes the objectives of Local Government for Zanzibar. Section 8 states the basic principles for decentralisation and devolution of the local government system in Zanzibar (RGZ 2014).

## **5.2 The actual decision-making and planning process**

The planning for local-level service delivery in Zanzibar follows the Opportunities and Obstacles to Development (O&OD) guidelines. The national-level government developed the guideline to guide the planning process of local governments under the decentralised administrative system.

With this guideline, the planning process is intended to commence at the lowest administrative level within the Local Government. Regarding the West A. Municipal Council, the actual process begins at the Shehia level, the lowest administrative level, where Shehia Committees plan and budget for their activities through Shehia meetings. The citizens, through the Shehia meeting, identify all activities they feel are of higher priority using the Opportunities and Obstacles approach to development. Through this approach, the citizens of the Shehia convene a meeting every three months to discuss their priorities under the leadership of the Shehia Chairperson and the Secretary. The Secretary takes the stock of opinions concerning citizens' priorities and documents them to form the Shehia development plan. The plan delineates what the citizens want regarding their development activities. One of the respondents stated;

*“The secretaries of Shehia Development Committees actually set and compile the priorities of citizens which form Shehia development plan”* (Interview – Shehia Secretary).

Additionally, the findings indicate that citizens' involvement in the planning process is considered a crucial component for effective planning. Therefore, community members are allowed to select their priorities related to development and social services delivery in the community through Shehia Committees and other stakeholders, as indicated in the interview below.

*“The Shehia committees meeting and village assembly are two principal actors in the development of planning and budgeting in their particular areas* (Interview-Shehia Chairperson)

Furthermore, the findings show that the Shehia Committees' budget for their activities is used at the Shehia level. Lastly, the Shehia development plans are prepared at the Ward level and then submitted to the Municipal level to create a Municipal Development Plan. Municipal officials discuss and prioritise these plans, ensuring they align with national government planning and budgeting guidelines.

Therefore, the findings show that the Municipality is empowered to plan and prepare its own budget. The Municipality has the powers under administrative decentralisation to formulate its

budget, starting from the Shehia level up to the district level, through the O and OD programme. Up to a certain level, community members have the opportunity to participate in the planning process; however, in reality, the content of the plans is subject to the Central Government’s guidelines and instructions. Nevertheless, although the policy is in place and it provides for the involvement of local authorities in planning and decision making, this power is constrained by the central government rules which limit the Local Government Authorities to plan for their own preferences and rearrange their own budgets as suggested by the research which shows that the use of directives, detailed guidelines from the Central Government direct the LGAs planning process. Table 5.2 presents a summary of achievements and challenges with regard to planning and budgeting.

Table 5.2 Planning and Budgeting – achievements and challenges

	<b>Achievements</b>	<b>Challenge</b>
i	Guidelines for LGAs plans including devolved sectors	Effective Community participatory planning
ii	Community Participatory Planning Tool	Ward and Shehia plans and Budgets
iii	O&OD planning guide disseminated in all Shehias	Effective use of LGA Strategic Plans
iv	Strategic Plans in all LGAs approved and effected	LGA Socio-economic Profiles
v	Community priority reporting framework	LGA Investment Profiles

In addition, to implement the plan, the Council, in principle, must obtain funds from two major sources of revenue to finance the budget: domestic (internal) and foreign (external) funds. Domestic revenues comprise both tax and non-tax revenues. Tax revenues are collected by the Zanzibar Revenue Board (ZRB). These include income taxes, excise duties on domestic sales and imports, Value Added Tax (VAT), and miscellaneous taxes. Meanwhile, non-tax revenues are collected by MDAs, Regions, and LGAs. These include dividends, royalties, user fees, and charges. Foreign funds comprise loans and grants provided through budget support, basket funds, and project support. Forecasting of tax revenues is carried out by the MoFP in collaboration with ZRB, while non-tax revenue forecasts are done by MDAs and Regions. The Council is required to forecast revenue accruing from its sources, such as License fees, permits and user charges. Local governments charge license fees for various transactions and activities. These include, but are not limited to, market fees, permit fees, user charges, and business license fees. Permit fees include construction permits, extraction of building material permits, transportation permits, and similar fees. User charges include parking fees, medical services fees, education fees and other similar charges.

Regarding transfers and grants from the Central Government and Development Partners, the Cen-

tral Government allocates resources to LGAs in the form of grants, subsidies, donor support, or revenue sharing. Revenue sharing is the allocation, in whole or in part, of specific Central Government revenue to Local Government Authorities. The primary objective of this arrangement is to increase the revenue capacity of local government authorities and thereby enhance their fiscal autonomy. The findings show that the Council does not receive grants from the Central Government, nor does it receive them from donors. As a result, the Council relies on its sources, which are inadequate to finance local services. Table 5.3 shows the budgeted funds by the Council and the actual collections from their sources, which are inadequate to finance the budget.

**Table 5.3 The budgeted fund vs the actual collection of revenue in West A Municipal Council in the past three years**

	<b>2021/2022</b>	<b>2022/2023</b>	<b>2023/2024</b>
<b>The budget</b>	1,200,000,000	1,900,000,000	1,900,000,000
<b>Actual collection</b>	1,203,242,841	1,100,464,929	1,100,464,929
<b>%</b>	100	58	58
<b>Deficit</b>	00	42	42

Source: West A Municipal Council Revenue Report 2024

These findings align with those of a study by Oyugi (1988), which revealed that, despite the government's good intentions, the establishment of local government was not a solution because the Central Government still determined planning and decision-making power. On the other hand, the findings are inconsistent with other with the findings of studies such as Mollel, (2010) & Mollel, &Tollenaar, (2013)), which show that the Central Government guidelines and rules are used to supply the Local Government Authorities with technical direction in advisory services and not to instruct the local government on what they should do.

### **5.3 The local government staff attitudes on their actual decision-making power**

To understand the level of decision-making discretion that local government staff possess, a survey using a Likert scale was conducted with a sample of 75 local government employees. The attitudes of these employees regarding their discretion in decision-making were assessed based on their perceptions of existing central government rules, regulations, and directives. Concerning the influence

of central government rules on decision-making, findings show that 32 respondents, which is 47 per cent, strongly agreed that central rules on planning, budgeting, and decision-making constrain their ability to adapt local plans to the preferences of citizens. Approximately 14 respondents, which is 20 per cent, disagreed, while nine respondents, which is 13 per cent, strongly disagreed. Seven respondents, or 10 per cent, were neutral, and five respondents, which is 7 per cent, strongly disagreed. This suggests that many respondents value and recognise the role of administrative decentralisation in making their work easier, especially in securing social services.

Furthermore, with respect to control over human resources, the findings show that 33 (49%) of the respondents agreed with the statement that West A. Municipal has inadequate control over recruitment and the selection of its staff, while 14 (21%) of the respondents disagreed with the statement, 7 (10.5 %) remained neutral. About 5 (8.5 %) respondents strongly disagreed, and 8 (11%) respondents strongly agreed.

On the other hand, with respect to the administrative power to manage local affairs and functions, the findings from the questionnaire show out of 67 respondents, 12 (18%) strongly disagreed, whereas 14 (21%) disagreed, 10 respondents were neutral, 20 respondents which is equal to 30per cent strongly agreed and 11 respondents which is equal to 16% absolutely agreed with the statement that Local Government Authority is perceived as an instrument with the mandate and authority of managing all local government issues to take services closer to the people. This implies that local governments are defined as government bodies with administrative powers at the local level. The local government operates under the statutory authority of the higher level of government, which, for this purpose, is the House of Representatives. Furthermore, the findings show that 33 (49%) of the respondents agreed with the statement, while 14 (21%) disagreed, and 7 (10.5%) remained neutral. 5 (8.5%) respondents strongly disagreed and 8 (11%) respondents strongly agreed with the statement that the administrative power issues directives that are consistent with local circumstances.

#### **5.4 Administrative decentralisation and Human Resources Management control**

With regards to control on human resources, the reviewed documents show that decentralisation by devolution has improved human resource decentralisation to local government. With the implementation of the new local government policy, various staff members have been transferred to the

Local Government, and new staff have been recruited to serve in this capacity. Nevertheless, the capacity of the Local Government Authorities to manage the devolved staff is still very low and the Local Government Authorities are not involved effectively in the recruitment of local government staff. This pertains to the capacity of Local Government Authorities to pay for the incentives of newly recruited local government staff.

**Table 5.4 Human resources devolution- Achievement and challenges**

	<b>Achieved</b>	<b>Challenges</b>
i	Guidelines in management of staff in devolution	Adequate involvement of LGAs in recruitment process
ii	Transfer of staff from sector ministries to LGAs	Adequate capacities in HRM to cope with challenge of management of large number of staff devolved.
iii	Ministries devolving staff ensured clearing outstanding staff debts	Staff performance management protocols
iv	Recruitment of new staff in LGAs (2017 to 2019) – 1,052 staff	Staff incentives / staff retention scheme.
v	Recruitment of HR Managers in LGAs (23) 2018 – 2019	Lack of a clear institutional staff training Policy
		Ward Secretaries and Shehia Secretaries not employed

Additionally, in the Health Sector, recruits are in the Nursing and Health Attendant cadres. The evaluation indicated that the Clinician cadre is a crucial requirement that is in short supply. For example, at Uroa PHCU (in Central DC) the evaluation witnessed only 2 employees (nurses) managing the centre. The absence of employed Ward and Shehia staff negatively affects LGA efficiency in the service delivery.

Similarly, regarding Human Resource Control, the research shows that in West A Municipality, as in other Municipalities in Zanzibar, staff are recruited by the Central Government through a dedicated recruitment agency, which is the Public Service Commission. In this process, the municipality applies for a recruitment permit via the Ministry of Local Governments’ requests, and if the permit is approved, the Ministry requests the Public Service Commission to recruit the relevant employees, who are then deployed to the local government by the Ministry. Concerning promotion, the municipality submits requests for staff promotion through the Ministry of Local Governments, and the Ministry decides which individuals are eligible or should be promoted. Likewise, regarding discipline, the municipality cannot dismiss an employee for indiscipline; it must seek permission

from the final Ministry, which ultimately decides whether the staff member should be dismissed or not (Interview- Human Resource Officer- the Ministry of Local Government).

Lastly, although the legal and policy framework has decentralised human resource control to the Local Government, the powers of the latter over this control are still limited, as the PO RALG SD took initiatives to address pressures in HR management needs by recruiting new HR management staff. Between 2016 and 2019, the Ministry recruited 23 new HR Managers, increasing the total to 48 staff. However, the new recruits are recent graduates from institutes, and therefore, their experience does not meet the required standards. Additionally, on several occasions, the LGAs have not been adequately involved in the recruitment process; consequently, some staff recruited were not the Council's priorities. For example, in the health sector, LGAs reported that their priority was Clinicians, yet they were given Health Attendants. Furthermore, some LGAs had surplus staff beyond requirements in certain cadres. For instance, one LGA had 10 HR Management Officers, which exceeds the average requirement. Moreover, the management staff in LGAs need to be empowered through skills development and capacity building to handle their responsibilities, as many are new to their roles. Finally, there is a tendency among staff to pursue individual training interests without regard for institutional needs. The absence of a clear institutional staff training policy in LGAs has led to individual training initiatives, causing inconveniences for employers.

### **Administrative discretion and the delivery of education services**

Regarding education services, the findings show a significant increase in Pupils' Enrolment and Performance Rate. West "A" Municipal has 131 schools, of which 24 are publicly owned and 107 are privately owned. Among the 24 government-owned schools, 23 are dedicated to pre-primary and primary education, with only one dedicated solely to pre-primary education. Of the approximately 107 privately owned schools, 65 are pre-primary and 42 offer both pre-primary and primary education. There has been a rise in enrolment rates in public pre-primary schools. In 2017, 1,697 pupils enrolled, including 763 boys and 934 girls. In 2018, 2,289 pupils enrolled, with 1,062 boys and 1,227 girls. In 2019, 3,738 pupils enrolled, comprising 1,817 boys and 1,921 girls. Similarly, enrolment in public primary schools increased, with 5,541 pupils in 2017 (2,819 boys and 2,822 girls), 6,898 pupils in 2018 (3,422 boys and 3,476 girls), and 7,352 pupils in 2019 (3,647 boys and 3,705 girls). However, despite the rising enrolment, issues such as inadequate classrooms and a

lack of resource rooms — including libraries, staff rooms, science laboratories and equipment, guidance and counselling rooms, and computer rooms —pose performance challenges. Additionally, the provision of nutrition improved from 43.9% in 2017 to 61.23% in 2019 for pre-primary schools, and from 80.32% in 2017 to 93.82% in 2019 for primary schools, which contributed to increased student numbers in both levels through the Central Government.

Furthermore, there is strong awareness among citizens and the public that the decentralised administrative system has led to improvements in primary education. This is due to the decentralised services, which have enhanced all primary education provisions in the Municipality through Local Government Authorities, as argued in the quotation below.

*“The citizens actually know about what we do, you may find that, if the parent wants to move his/her children from one school to another, he/she must come to the Municipality to get this service instead of going directly to the Ministry of Education and Vocational Training”* (Interview-education officer – West A Municipal Council).

The important findings showed that the public and community members were aware of the availability of social services. For example, many citizens know where to access social services, such as primary education, primary healthcare, and agricultural support, in their local areas. This awareness was shaped by decentralised services, where all primary and essential services could be accessed in the Municipalities through Local Government officials. One of the key informants noted;

*Our community is well-informed about where to access essential services like primary education, primary healthcare, and agricultural support within our localities. The decentralised services have played a crucial role in ensuring that all potential and primary services are accessible through the efforts of dedicated Local Government officials in the municipalities* (Interview with Planning officer).

The study findings also revealed that the availability of social services, particularly basic social services such as primary education, health services, agricultural services, and other extension services among others, is a result of the administrative autonomy in resource use in the Municipal

Councils, especially in the West “A” Municipality. This is confirmed by the following response from one of the interviewees,

*We have the autonomy and resources, which is why we can effectively provide a range of services to our citizens. The autonomy empowers us to make decisions tailored to specific needs and priorities of our community. Additionally, having sufficient resources allows us to implement and sustain these services, whether it is in the realms of education, health-care, or other essential sectors. This combination of autonomy and resources serves as the foundation for our commitment to delivering quality services that directly address the requirements of our citizens, fostering local development and enhancing the overall well-being of our community members (the Planning Officer)*

Furthermore, the government is mandated by the constitution to establish a special system that is both effective and efficient to improve and streamline access to social services through citizen participation in planning and decision-making, as illustrated in the following extracts from the policy.

#### **Administrative discretion in the delivery of healthcare services**

Regarding health service improvements, the Council operates 13 facilities providing primary health care to the community. It has successfully offered vaccinations to children under five, achieving a coverage rate of 95 per cent. Approximately 11,270 community members received outpatient services, and 679 pregnant women (87%) accessed antenatal care. About 100 women delivered at health facilities with no reported deaths. Over 2,020 individuals were screened for malaria, and only 86 people, equivalent to 4.2 per cent, tested positive and received treatment. Additionally, around 1,762 people were given insecticide-treated nets for malaria prevention. About 1,887 individuals were screened for HIV, with only 13 (0.6%) testing positive. Furthermore, 30,035 children (93%) received Vitamin A supplements, and 27,071 (95.2%) were administered Mebendazole. From January to September 2019, approximately 75.4% of vaccination services were provided to children.

Moreover, the findings suggest that a lack of awareness is a contributing factor. For example, the respondents reported not being aware of the services, which have been decentralised to the local government since the adoption of the decentralisation policy in 2015. While it is clear from the policy that services such as primary education, primary health care and agricultural and livestock ser-

vices were decentralised to the Local Government, most of the respondents interviewed did not know this. For example, some respondents had this to say,

*“I don’t know if basic primary health care services, primary education, agriculture and extension services are decentralised to local government ...” (Interview- Local government officer)*

In line with the services provided, the roles of Local Government in decentralisation were significantly important in delivering social services to citizens, particularly during the initial stages of consulting with local residents, as well as in the adaptation, validation, and approval processes, as argued by one of the respondents.

*“The need for service delivery to the citizens is our priority, as it needs prior consultation with other important stakeholders including citizens in their particular areas. They have their views; their wants and needs to solve their problems, so there are essentials to validate and approve their plans in alignment with laws, regulation and constitution...” (Planning officer)*

As discussed in the previous section, there are various legislation, policies, and guidelines that govern bureaucrats in decision-making and planning within the decentralised administrative system in Zanzibar Local Government. This includes the Constitution of Zanzibar, the Zanzibar Local Government Authority Policy of 2014, the Zanzibar Local Government Act of 2014, the guidelines for the establishment of Ward Councils, and the guidelines for the establishment of Shehia Councils. These institutions have had both positive and negative impacts on administrative discretion in planning and human resource management in the Zanzibar Local Government.

This implies that the Local Government Authorities (LGAs) in Zanzibar have a significant influence and possess a well-defined structure through which the administrative power is transferred within the statutory authority from the higher authority, which is the House of Representatives of Zanzibar, to the lower level, which is the community or citizens.

Nevertheless, the findings suggest that the Central Government has assumed the legislative power previously vested in the Zanzibar Local Government. The council receives orders and commands from the ruling party’s ministers and other national leaders, which weaken the local government’s capacity and power in decision-making. Additionally, the Local Government Authority is given the mandate to make decisions on planning, budgeting, and human resource management. However,

this is subject to approval and criticism from the Central Government. If the plan jeopardises the interests of the Central Government, it will not be approved, regardless of whether or not it affects the interests of the local people in the Council. As Crook (2003) observes, Tanzania's decentralisation was exercised based on the politics of local–central relations and the influence of the ruling party on the local level to consolidate its position. This finding concurs with the findings in a study by Mbora (2015) and Kessy (2020a), who revealed that some responsibilities and powers of the Local Government Authority are decentralised in theory.

## **6. Conclusion**

The Zanzibar Constitution, the Local Government Laws, and policy grant substantial administrative power and authority to the West A Municipal Council in Zanzibar. This includes planning, budgeting, and human resource management. However, despite the legal authority for administrative decision-making being vested in West 'A' Municipal Council, the Council receives directives from the Central Government ministers and other government leaders. Consequently, it is the Central Government that determines the standards and number of employees to be recruited by the local government, as well as overseeing planning and budget allocation. This situation weakens the administrative capacity and decision-making powers of the local government. Overall, decisions made at the local government level are subject to approval and scrutiny by the Central Government. Moreover, excessive rules and regulations from the central authorities further constrain local government decision-making. Although the Revolution Government of Zanzibar has endeavoured to introduce decentralisation as a means of empowering local authorities, this effort is hampered by existing central government rules and regulations. As a result, bureaucratic discretion at the local level to make decisions and allocate resources in accordance with local preferences remains limited.

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