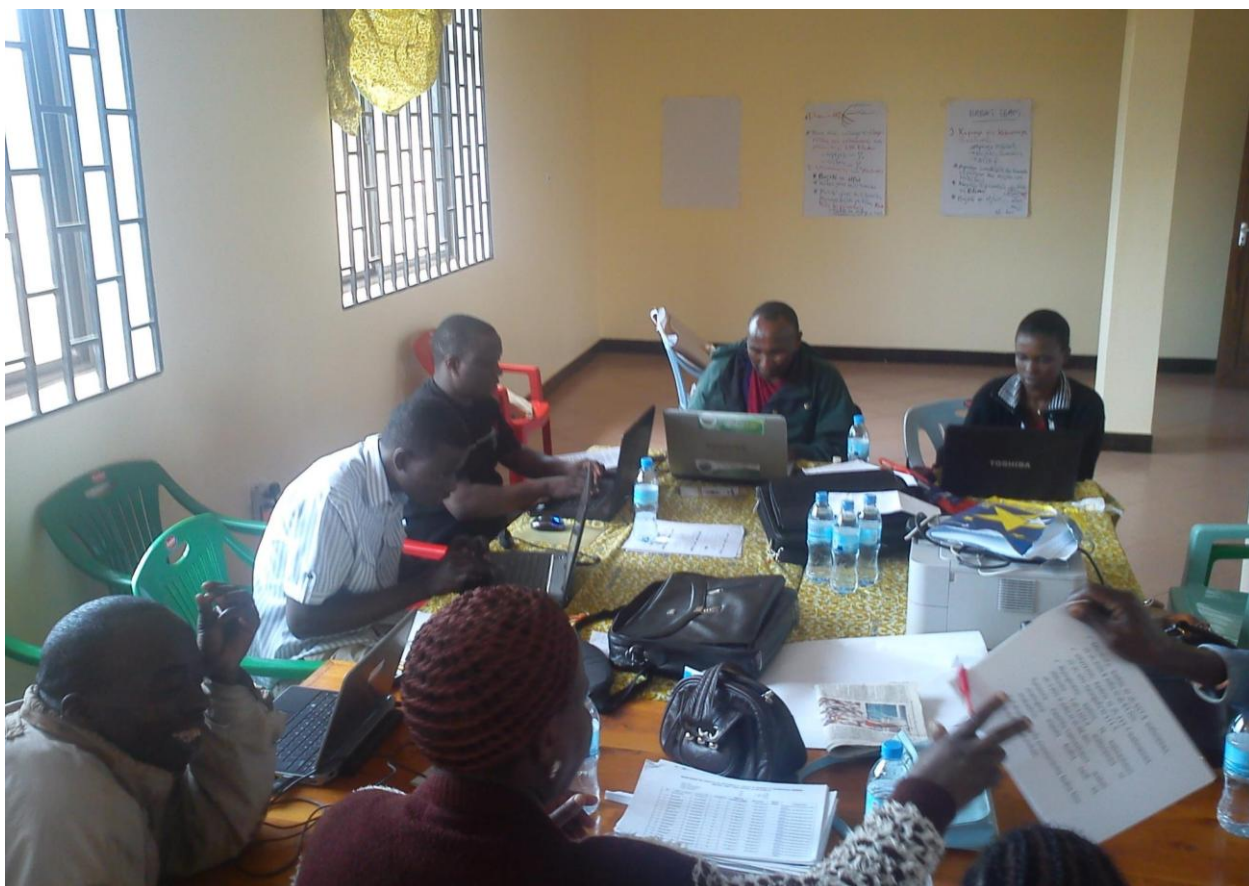

SOCIAL ACCOUNTABILITY MONITORING

Tanzania: Social Accountability Monitoring (SAM)



Manyara civic actors analysing Kiteto and Babati districts' strategic planning and resource allocation processes under the mentorship of Policy Forum

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List of Abbreviations

CSA	Centre of Social Accountability
CSO	Civil Society Organisation
LG	Local Government
PETS	Public Expenditure Tracking Survey
PF	Policy Forum
PSAM	Public Service Accountability Monitor
SAM	Social Accountability Monitoring

1. Background

In Tanzania, SDC implements a broad social accountability programme, aimed at improving the use of public resources and ensuring a more equitable access to quality social services through mainstreaming social accountability in SDC's health, agriculture and governance projects. This case study concentrates on one of its components: the **Social Accountability Monitoring (SAM)**, more specifically on the experience of members of the Tanzanian Policy Forum (PF) – a network of around 100 Civil Society Organisations (CSOs) working in the area of advocacy. Within the examined project, the Tanzanian Policy Forum has two mandates: 1) to apply the SAM tools at national level, including policy analysis, planning and resource allocation analysis, expenditure tracking, etc. 2) to provide SAM training for its members with support of the Public Service Accountability Monitor (PSAM), formerly known as the Centre for Social Accountability (CSA) of the Rhodes University in Grahamstown, South Africa. To fulfil these objectives, the PSAM initiated a regional learning programme for the Tanzania Policy Forum to assist their members and partners to adapt SAM tools to the Tanzanian public resources management context. Additionally, the PF is responsible for evidence-based advocacy on social accountability. The PSAM and the Policy Forum worked through a partnership approach between 2009 and March 2012. (SDC Credit Proposal, 2011)

It is important to note that **SDC South Africa** has been working in partnership with PSAM since 2006 on initiatives in Mozambique, South Africa, Tanzania, Zambia and Malawi. Within this programme in-country support like in Tanzania has been provided. The programme has also supported the Fundamentals Course on Social Accountability in South Africa.

The PSAM argues that **accountability is a human right**¹, defined as the right to obtain justifications and explanations for the way in which public resources are managed, and how these resources serve to progressively realise people's human rights (CSA, 2007). Therefore, accountability is the **right to obtain justifications and explanations** for: 1) the use of public resources from those entrusted with the responsibility for their management (applicable both to government officials and private service providers), and 2) the performance of officials and service providers in progressively realising the human rights of those they serve. In order to claim these rights, civic actors have to become more actively involved in governance and accountability processes. At the same time, the capacity of state officials to supply accountable public services needs to be matched with the demand. In line with this, officials and service providers have a **duty to provide justifications** regarding their performance and take corrective action in instances where public resources have not been used effectively to realise human rights.

2. Context and Power Analysis

During the first 30 years after having gained independence, Tanzania was governed through a single-party system and the ruling party dominated national politics. The political environment was very restrictive and made it virtually impossible for civil society to organise itself. Only in the mid 1990s major changes were initiated with the introduction of a multi-party system. The first election took place in 1995. Emergent civic groups started to put pressure on the government to expand the civic space for citizen participation in debates on socio-politics and national development policy.

Effectiveness: The local government reform policy aims at decentralisation by devolution, i.e. transferring financial, political and administrative decision-making from central to local government levels. Tanzania hereby also adopted the principle of subsidiarity, which means that the lowest possible level of government must exercise public service responsibilities. Major steps have been

¹ Contrarily, the Human Rights Based Approach defines accountability not as a human right itself, but as an underlying principle to realise human rights by empowering right holders to claim their rights and duty-bearers to fulfil their duties. Also the Human Rights Framework does not include accountability as a human right.

taken in the area of fiscal decentralisation in Tanzania, however some directives are given by the central government that still require Local Governments (LGs) to use central government grant funds for other purposes than planned. In sum, although the current legislation² assigns far reaching functions to LGs, in practice they still strongly depend on the central level and hardly take action independently. This is compounded by the rather weak revenue base of local governments, despite an amendment to the Local Government Finance Act, which allows them to give licenses for various trades.

Tanzania's legislation³ encourages participatory planning and budgeting at local levels. Priorities for local development are brought to the village council and compiled at district level in the Full Council. Councils are also supposed to hold regular public hearings. However, these spaces for civil society and citizens to participate are only provided occasionally, depending on the willingness and commitment of the local government. Furthermore, the equitable distribution of the scarce resources (funds, human resources), and the quality of social services and access to them are major challenges.

Despite the formal existence of checks and balances, the role of the legislative power is rather weak at all levels (especially when compared to the strong executive branch). Power is still highly concentrated with an elite, which often derives its influence from the executive and the ruling political party. The business community is close to the party leaders and has considerable influence on the exercise of power in Tanzania. Also, the judiciary system at lower level suffers from a serious lack of integrity.

Legitimacy: A quite comprehensive legislative and regulatory framework requires participatory planning and budgeting processes, particularly at the local level. Also, public resource management information must be made available to the public. However, implementation remains limited due to a lack of capacities of the supply side and a limited awareness of the citizens of their rights. Other reasons are the limited management capacities of the local governments and a lack of downward accountability. Local governments feel more accountable towards the national government than towards the people they are meant to serve. This limits the legitimacy of local governments substantially.

CSOs nowadays are an important part of the Tanzanian society. They play an increasing role in facilitating mechanisms for citizen to hold the government to account, respect human rights and improve the delivery of social services. However, both the media and civil society have at times been deterred and intimidated by the government when exposing corruption, mismanagement and expressing opinions that weren't in line with what the government wanted to hear. Strategies to improve service delivery and to increase popular acceptance of the authorities on the ground go along with improved accountability. They are also needed to achieve more equity and equality as a whole. Women in particular are affected by poverty. In Tanzania women tend to be marginalised in economic activities as they face substantially higher constraints in their ability to access resources.

Authority: Tanzania has a history of peaceful development since independence. The State has the monopoly of force throughout its territory. However, protests are recurrent in some regions such as Zanzibar or the Northern part of Tanzania (however, these areas are not considered as fragile by SDC).

Power analysis: In the last ten years the main focus of development partners in Tanzania has been on supply side reforms and improving management systems with the aim of building a more effective state (without paying special attention to accountability). However, recent developments have shown that social accountability mechanisms can complement and enhance conventional internal (government) mechanisms of accountability, address power imbalances, and lead to better service delivery. The following exemplary evidence illustrates the prevailing power issues in Tanzania. Although participatory planning and budgeting at local level is a legal requirement, priorities of the

² Regional Administration Act (1997), Local Government Laws (Miscellaneous Amendments) Act (1999), Local Government Finance Act (1992), and their amendments

³ Local Government (District Authorities) Act (1982) and its amendments

people fail to be included in the aggregated plans at district and national level. Other interests prevailing at higher levels and not overtly discussed are often included in plans (hidden power). Also, the tradition of a strong centralised executive government often forces local authorities to follow announcements of the Prime Minister (invisible power), e.g. to build dispensaries in every ward even though this might not be needed in certain wards due to proximity to others. There are also regulations that jeopardise the implementation of elaborated plans, such as the monthly cash management system introduced by the government in 1996 to curb overspending. This system makes planning difficult, especially since it is not foreseeable what amount is received. Hence, councils tend to allocate resources as they are disbursed, based on instructions from central government. Furthermore, the power of Parliament (as well as village councils) as an oversight body is limited. It does not have the power to amend the budget or reallocate funds. Although the Parliament can refuse to adopt the budget presented by the executive, the consequences of this step are profound: the President has the constitutional power to dissolve Parliament in response. However, currently, the Parliament is increasingly playing a more active role and the President has so far not reacted strongly. In a nutshell, the system foresees a rather weak role for the legislative branch, with most of the powers held by the Executive. For instance, the government often prefers to provide quarterly performance reports to the development partners and not to the Parliament. The Tanzanian government has initiated a regular Public Expenditure Tracking Survey (PETS) process carried out by civil society. However, the process is criticised for having a weak link with the final budget and there are no follow up mechanisms in place towards increasing the quality of service delivery. Hence, CSOs have to work towards opening up and claiming new spaces rather than remain participants in invited spaces. This is particularly important and comparatively easier at local level. For example, Mwanza Policy Initiative, a partner of the Policy Forum, supported the Fishers Union Organisation to claim their rights and be included in the participatory planning and budgeting process.

3. Mechanisms of Social Accountability Monitoring in Tanzania

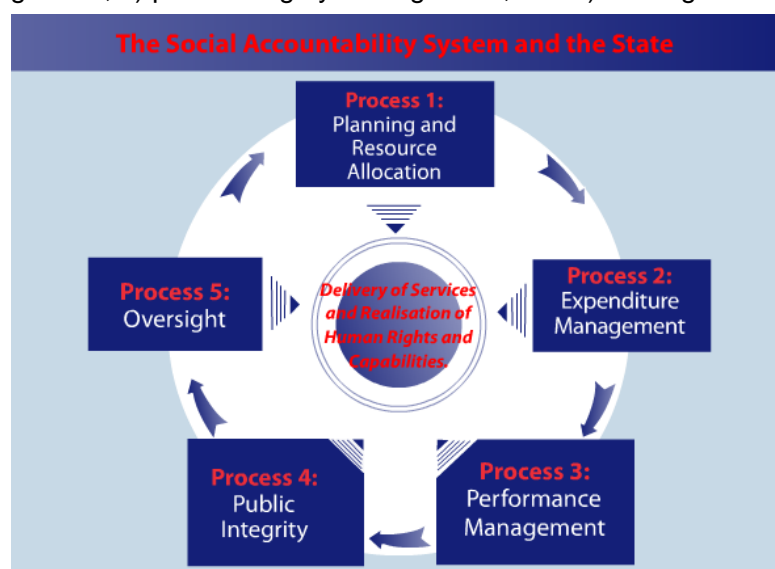
As described above, the legislation in Tanzania foresees PETS. However, due to certain limitations, this space is not sufficient to achieve better service delivery. Consequently, the Policy Forum together with PSAM decided to introduce the SAM approach. This methodology does not only aim at monitoring service delivery of local governments, but also at following up on the monitoring results and ultimately improving the quality of delivered services. Also, it claims to involve citizens in a more active way than PETS. The SAM initiative in Tanzania started at local level with the network of the Policy Forum using social accountability tools. Advocacy and policy influencing interventions were initiated in a second step, once certain successes from local level could be demonstrated.

Local SAM Initiative

At local level, the PF together with PSAM enters into long-term partnerships with competitively selected⁴ member organisations of PF. Due to an immense interest, two, instead of the initially planned one, member organisations are selected every year. The selected organisations are supported and trained in establishing their own social accountability monitoring programme in order to better monitor the local government in performing its role. In the first step of the partnership, an **orientation training** introduces the PSAM methodology using the 5 processes of public resource

⁴ The partners are chosen democratically through a competitive selection process in which a call for proposals is sent out by the Policy Forum Secretariat and interested member organisations submit applications. The final decision is made by the Policy Forum members at the Annual General Meeting, based on a set of criteria developed by the PF Secretariat and approved by its members.

management⁵, i.e. 1) resource allocation and strategic planning; 2) expenditure management; 3) performance management; 4) public integrity management; and 5) oversight.



SAM Methodology (Source: PSAM)

In-depth trainings on these processes are highly relevant since local organisations often do not have sufficient knowledge about when decisions are made, which processes lead to decision-making and how they can hold local governments to account. The training enhances knowledge of public resource management processes, areas of responsibility within the government, the entitlements of citizens, and what actions civic actors can undertake in order to ensure participatory and responsive local governments. It enables the organisations to ask the right questions to the right people at the right time. Evidence from member organisations shows that they are better at analysing government documentation and use the evidence to question authorities. Also the authorities realised that they are now dealing with more informed and self-conscious citizens and in many cases adjusted their behaviour in a positive way, by being more responsive to their request.

Secondly, so called **accountability assessments** are carried out through information collection, analysing and synthesising findings based on the social accountability monitoring scorecard. Although information collection is challenging due to restricted public availability, low quality and comprehensibility of the necessary documents, evidence-based interventions are key for credibility and success. Also, local organisations often find it difficult to analyse the gathered information. After the training, capacity to analyse the documentation in a professional manner is still modest and continuous support from the PF is still needed for a certain period of time.

Subsequently, findings are **widely disseminated through public meetings** to a broad group of stakeholders, including community members, civic actors, councillors, local government officials, the political head of local government and the media. Depending on the reaction of the local government officials, the partner organisation is responsible for **follow-up advocacy** in order to campaign for long-term changes. A wide sharing of findings and the use of media, has proven to be an important success factor for all member organisations. Experience showed that the responsible local government officials only dealt with the complaints when a certain public pressure emerged. On the other hand, there were backlashes from public officials and politicians when identified weaknesses in local governance were disseminated. They addressed this by incorporating a so-called verification stage before dissemination, where local officials are given an opportunity to comment on the findings and to make any necessary changes. With this measure, the situations could be de-escalated.

⁵ For more information on the SAM methodology see the interactive model on <http://www.psam.org.za/page.php?pid=13>

In conclusion, the implementation of SAM has triggered a certain behavioural change of citizens in the “SAM areas”. They have witnessed that active citizenship and demanding their rights actually leads to changes in their every day lives. However, due to the complexity of the issue, especially when it comes to written information, the PSAM approach requires organisations with certain capacities to be involved. Also, on the other hand, authorities have found new respect for their citizens as a result of their assertiveness in claiming their rights and by using evidence to support their demands.

Example: The Fishers Union Organisation (FUO) of Mwanza claims its rights

In September 2008, the Mwanza City Council announced that the fish market levy would be increased by 100% with immediate effect. The FUO did not perceive this tax increase as fair, since the fishermen are already heavily taxed and many maintenance issues at the fish-market had not been carried out, although they were claimed various times from the local authorities. Based on this, the Mwanza Policy Initiative, a member of PF, started a 3-month process of collecting relevant information such as Annual Plans and Budgets, Strategic Plans and Audit Reports. In-depth analysis of these documents revealed that the levies and taxes from the fish market contribute 3⁶-16⁷% of the budget. However, despite this substantial contribution, the FUO was excluded from the city council’s participatory planning and budgeting process⁸. The government authorities explained that the education level of fishermen would not allow for participation. Additionally, the analysis discovered that – despite promises – there were no budget allocations to rehabilitate the poor water and sanitation infrastructure at the fish market, which was the source of serious health risks. Instead, there were substantial amounts foreseen for the renovation of the Council’s Treasurer Office. Moreover, inefficient and ineffective outsourcing of tax collection was revealed. Based on these findings, a broad campaign was launched, including a public hearing with government officials and the citizens. Nevertheless, the council initially rejected to negotiate with the FUO. Subsequently, the FUO organised a civil disobedience action and refused to pay any taxes until the council would meet with them. In December 2008, negotiations finally took place and it was agreed to retain the levy at its original level. Also, FUO was included in the list of invitees for planning exercises and a budget was allocated to rehabilitate the fish market.

The analysis also brought to light the limitations with the private revenue collectors. Apart from having only a limited number of potential bidders, the contracts did not safeguard the interests of the councils. These findings were subject to considerable debate in the Local Authorities Accounts Committee of the Parliament and contributed to a restructuring of the Cabinet and the resignation of several Ministers.

National SAM initiative

While the member organisation is responsible for advocacy at the local level, the Policy Forum links the local level findings to national level advocacy and policy influencing. Consequently, systemic public resources management weaknesses are monitored. Also, the PF is responsible for working towards an enabling environment for social accountability monitoring. Due to the public dissemination of findings, the national authorities became aware of and interested in the SAM initiative. In order to de-escalate potential conflicts that arose because local governments were challenged, the PF initiated discussions with the Prime Minister’s Office Regional Administration and Local Government (PMO-RALG) and the Association of Local Authorities in order to increase understanding of SAM and start a constructive collaboration with authorities at the national level. Subsequently, different national government offices invited the PF to share their experiences and raise awareness on the PSAM approach. This was appreciated and led to a circular to the LGs to remind them of their obligation to release information according to the existing statutes.

⁶ Total budget includes grants from central government and donors.

⁷ Total budget includes only the revenues collected by the Mwanza City Council

⁸ These processes are open for participation of civic actors, but only upon invitation from the City Council

4. Analysis and Main Lessons Learnt

Tanzania has decentralised its government structure and has put in place a fairly comprehensive legal framework for governments at local level. Nevertheless, trust in these institutions is limited among the people, since many mechanisms are either not implemented at all or only in a superficial way so that they do not function properly. Although the regulatory framework provides a legal basis, ordinary people and local civil society organisations face great challenges in accessing and processing relevant information. Furthermore, the PETS process promoted by the Government was not perceived as sufficient to increase the quality of service delivery. PSAM offers a comprehensive set of SAM tools that goes beyond budget tracking, in a sense that it includes civil society in a systematic way, and is not limited to monitoring only, but aims at including enforcement measures.

These contextual facts led to the choice of an accountability intervention as PSAM and PF believe that only transparent and accountable processes are able to increase trust of the people in local government. Due to the complexity of public resources management, local CSOs need to be continuously coached and accompanied at the beginning of such a process. This support is provided by PF. However, such tools require a **certain level of capacities** from the local CSOs. In terms of education level, PF set those prerequisites for Tanzania at Form 4, which corresponds to O-Levels in the Anglo-Saxon system. Hence, SAM tools can not easily be applied by anyone: an ordinary citizen will not be able to carry out such an analysis and even local organisations might face constraints. This could bear the risk of creating a new elite. However, in order to advocate successfully for better service delivery, an **in-depth understanding of the system and the processes is essential**. Only sound evidence and well-argued positions are credible and will convince government officials to listen, react and eventually change the public resource management systems. This demonstrates that not only informal ways of influencing like relationships and monetary power lead to changes in the end.

The Policy Forum analysed the public resource management of Tanzania along the 5 SAM processes and identified various invited spaces. When invited spaces were insufficient, e.g. the PETS, the PF does not completely withdraw from them, but contributes towards the improvement of those spaces. In some cases, specific groups were excluded and needed support to claim their right to participate in decision-making, such as in the already cited example of the Fishers Union Organisation.

The PF is also claiming spaces for participation at national level through evidence-based advocacy and is now invited to various consultations at all levels which have led to systemic changes. **It is crucial to become involved at national level**, since engaging government at local level cannot solve all service delivery problems. Many problems are systemic and span across multiple levels of government. Hence, the project started by intervening at local level and shared those experiences by advocating and lobbying at national level.

Access to information is a major challenge in the project although Tanzania has a regulatory basis for demanding information, but no Right to Information Act. The problem is that the legal, regulatory and normative provisions for accessing information relevant to SAM are not available in a central document, i.e. it is necessary to search for it across a number of laws, regulations, directives, instructions and guidelines to identify a relevant clause. The average citizens or even the average CSO cannot be expected to have the capacities for this. Thus, many accountability stakeholders are advocating for a comprehensive Right to Information Act. However, even in countries where such legislation exists, e.g. Malawi or South Africa, civil society actors still face similar constraints. Hence, not disseminating information could be considered invisible power. Perhaps it is even more important to promote changes towards achieving an institutional culture of sharing information. For information to be relevant, it must exist in a form that is complete, rigorous, timely and in a language that is accessible to its audience. Hence, it is more than just the laws, but the environment that would be required to make such legislation meaningful.

Social accountability monitoring initiatives are only sustainable when initial attempts thrive and really have an impact on people's lives. The Policy Forum shares a few examples where SAM was successful and people immediately felt the changes in their everyday lives, e.g. dispensaries were staffed and became functional, or a new and more hygienic abattoir was built as promised. A crucial success factor is broad publication in the media. This prompts the public to react and pressure government to take action. Such action can even include civil disobedience, such as when the Fishers Union Organisation refused to pay taxes when the government was not willing to even listen to them. This visibility has forced officials to release information or interact with certain groups when they were previously unwilling to do so. And it has enabled civic actors to question their leaders when they previously did not believe they had the mandate to do so. Those successful CSOs and the citizens have become more vocal in demanding their rights, and government officials have adapted a more responsive attitude. This demonstrates that without demand, there is no supply. If information is not requested from government departments on an on-going basis, there are no incentives for these institutions to improve the quality of those reports.

A suddenly empowered civil society questioning the local governments more strongly also bears the potential for conflicts. As already outlined, usually government institutions are not used to receiving complaints and do not know how to handle them in a professional and responsive way and thus become defensive. The project learnt that such an intervention cannot work if only civil society is involved, but must include government officials as well, in order to avoid or mitigate conflicts. Hence the Policy Forum adjusted its approach and included them in the trainings and thereby raised awareness on the SAM issues. Once the officials at both local and national level understood the mechanisms, they were more open to collaborating and finding solutions. Therefore, it is important to work on both sides of the equation, including both demand and supply.

5. Concluding Remarks

In Tanzania, the executive branch of the government is very strong, since the President has the power to dissolve the Parliament. Although the legal framework gives the Parliament oversight functions, the latter fulfils this function only in a limited way due to fear of being dissolved and because the majority of parliamentarians are members of the ruling party (formerly the only party). This fact makes social accountability monitoring all the more important. However, the case study also reveals that SAM is demanding and a certain level of organisational and intellectual capacity is a prerequisite to engage in SAM. The PETS process was criticised for not being very inclusive, but SAM can also not be conducted by ordinary citizens or by a local organisation. Yet with an investment in capacity building and continued follow up support, local CSOs can be very effective in applying SAM tools and pressurising local and national governments for effective service delivery. However, the government has not yet bought into SAM and seeks more clarification on why SAM is preferred over PETS. Broad publicity by using media or public hearings has proven to be a key success factor. It is important to be aware that increased accountability can lead to conflicts between citizens and local government authorities. Such issues cannot be ignored and have to be addressed immediately. The SAM mitigated this by introducing an additional step, where local authorities are given the chance to comment on the findings. In conclusion, the implementation of SAM has triggered a certain behavioural change of citizens and government officers alike. They have witnessed that active citizenship and demanding their rights actually leads to changes in their daily lives. Citizens demanding for social accountability pressurises the government to be responsive and improve service delivery.

6. Mirroring Case Study: Macedonia *Civica Mobilitas*

The SDC programme *Civica Mobilitas* from Macedonia was asked to mirror the Tanzanian case and feed in its own learnings and experiences. Macedonia is quite a new democracy (since 1991) and the current decentralisation process started in 2005 as an important part of the agreement following the end of the inter-ethnic conflict. In order to support the very dynamic process of decentralisation it was decided that a combination of activities would be more appropriate. The *Civica Mobilitas* programme is similar to the Policy Forum Programme which supports local authorities in participatory planning. *Civica Mobilitas* works both with watchdog organisations and with CSOs supporting municipalities to better address their obligations for service provision. This intervention also foresees close cooperation and coordination among CSOs based on their affiliations or common interests in order to strengthen advocacy.

Civica Mobilitas aims at supporting CSOs in a financially sustainable way. Being aware that it is difficult to talk about the financial sustainability of the CSOs because they are not for profit organisations and will need external financial support, the project tries to support the sustainability of their approach, e.g. by identifying and supporting authentic organisations that are focused on certain fields of activities and are recognised and accepted by their constituency. *Civica Mobilitas* believes that once this is achieved, a more sustainable civil society sector has emerged. Another important factor for making the approach sustainable is actively including as strategic partner the associations of the municipalities. In the case of Macedonia, the main success factor is the combination of different interventions and the project structure which included various civil society organisations (*Civica Mobilitas*), the individual citizens (Community Forums) as well as the association of the municipalities which is directly linked with the governance system of the country.

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