

Date accepted: 26 October 2021

Journal: *African Affairs*

WEALTH, POWER AND INSTITUTIONAL CHANGE IN TANZANIA'S

PARLIAMENT

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Tanzania's legislature, or Bunge, has undergone considerable change in recent decades, gradually strengthening to attain unprecedented influence during Jakaya Kikwete's presidency (2005-2015) only to decline again under President John Magufuli (2015-2021). This article investigates Bunge's institutional evolution, asking what explains institutional change within an authoritarian legislature, dominated in this case by the ruling party, Chama Cha Mapinduzi. Building on recent literature highlighting the influence of elite contestation on legislative outcomes, the article seeks to go further by probing the nature and origins of the elite factions driving legislative institutional change. It uses insights from a recent political settlements literature as well as older work on African political economy to outline how changes to Tanzania's Parliament have both reflected—and magnified—shifting patterns of elite contestation within CCM. These elite power struggles, in turn, vary with changes in the extent of private wealth accumulation and the related expansion of rival patron-client factions. When private accumulation has continued

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relatively uninhibited, as was true under Kikwete but not Magufuli, then factional contestation intensified and surfaced in parliament, helping to drive legislative institutional strengthening. For this analysis, I use interview and archival data gathered during extensive fieldwork.

TANZANIA’S PARLIAMENT—or *Bunge*, in Swahili—was long dismissed as a ‘rubber stamp’ legislature, overshadowed by the country’s long-time ruling party. In more recent decades, though, it has emerged as a site of significant institutional change and shifting power dynamics. After a period of gradual reform starting in the 1990s, Bunge acquired unprecedented influence during Jakaya Kikwete’s presidency (2005-2015). But as Kikwete handed over to his successor, President John Magufuli, Parliament’s trajectory took a sharp downward turn. Bunge’s rapid rise and equally precipitous decline raise the question, why this variation? More generally, what explains shifting legislative strength in single or dominant party regimes? And why, if at all, does this variation matter? These questions are all the more pressing in Tanzania as the death of President Magufuli in March 2021 and the elevation of his Vice President, Samia Suluhu Hassan, may well herald a fresh change in the country’s executive-legislative politics.

In developing my analysis, I both build on and critique a recent comparative politics and more specifically Africanist literature.¹ This work focuses on legislatures in competitive authoritarian regimes and emerging electoral democracies. Much of it emphasises the relationship between formal institutions and elite contestation, plus how these shape executive-legislative relations. It nevertheless tends to overlook how elite factional contestation—and its institutional effects—relates to a broader societal *distribution of power*. There are various factors shaping this distribution; however, I here focus on one, the aim being to demonstrate its significance plus the mechanisms through which it operates. Drawing inspiration from a set of political economy and historical institutionalist literatures,² I examine variation in the extent of *private wealth accumulation*, how it influences patronage

¹ For instance: Jennifer Gandhi, *Political institutions under dictatorship* (Cambridge University Press, Cambridge, 2008); Joel Barkan (ed), *Legislative power in emerging African democracies*, (Lynne Rienner Publishers, Boulder, 2009); Ken Ochieng’ Opalo, *Legislative Development in Africa: Politics and postcolonial legacies* (Cambridge University Press, Cambridge, 2019).

² Issa Shivji, *Class struggles in Tanzania* (Heinemann, London, 1976); Mushtaq Khan, ‘Political settlements and the analysis of institutions’, *African Affairs* 117, 469 (2018), pp. 636-655.

ties between politicians and political financiers, and ultimately, how these patron-client factions shape institutional outcomes, specifically legislative outcomes. The analysis is adapted to suit authoritarian or dominant party contexts, although it could be modified to help explain outcomes in more multi-party settings as well.

Regarding Tanzania, I argue that the country's economic liberalisation in the 1980s contributed to a gradual legislative strengthening process. Greater private wealth accumulation allowed for the financing of rival patron-client factions within CCM, and this factional contestation then surfaced in parliament. Elite divisions helped motivate legislative challenges to the executive and spurred legislative institutional strengthening. I show that this reformist trend reached its apogee during Kikwete's presidency when it was also further amplified by the arrival of an ambitious Speaker. The trend then reversed under Magufuli as the new president sought to tame rival factions within CCM, including by restricting opportunities for would-be political financiers to accumulate wealth and by regulating the use of political finance. As factional struggles died down within CCM, so too did the fight in *Bunge*.

To clarify, the outcome of interest in this study is primarily variation in legislative *institutional* strength rather than performance, although both jointly determine overall legislative strength. The analysis identifies a set of legislative institutional features associated with greater institutional strength. These relate to the legislative committee system, modes of electing legislative leaders, and the like. They are important in that they affect the *potential* for legislative actors to challenge the executive. I do document examples of *actual* legislative oversight and policymaking, but mainly to illustrate the significance of specific institutional changes. In keeping with a tradition of historical institutionalist analysis, the core idea is that variation in legislative institutional strength matters in that it reflects and *magnifies* the

distribution of power within a ruling elite;³ as in, legislative institutional change provides elite factions with new tools with which to challenge rivals in the executive, amplifying whatever informal pressure these factions can otherwise exert. This interpretation of legislative institutional strengthening and its significance contrasts with normative and functional analyses of how the legislature should operate, a point I return to in the conclusion.

In what follows, I first clarify where my argument sits within the wider literature and detail the argument itself. I then provide a brief historical overview of institutional changes in *Bunge* before drawing on extensive fieldwork in Tanzania to offer a closer comparison of the two recent periods of legislative institutional change, first under Kikwete then Magufuli. I conclude with a reflection on the significance of the legislature within an authoritarian regime, notably how it reinforces changing patterns of elite contestation.

Patronage politics and legislative institutional change

There is a growing comparative politics literature on legislatures in competitive authoritarian regimes and emerging electoral democracies. Drawing on case studies from Africa, South and Southeast Asia, Eastern Europe and more, this work examines a range of themes. A first—albeit still ongoing—wave of literature focused on how the mere presence of a legislature may contribute to authoritarian regime survival or, conversely, to democratization.⁴ A second wave of literature has begun pursuing a more fine-grained analysis of legislative

³ Kathleen Thelen, 'Historical Institutionalism in Comparative Politics,' *Annual Review of Political Science* 2 (1999), pp. 369–404.

⁴ On regime survival, see: Gandhi, *Political institutions*. On democratization, see: Michael Bratton and Nicholas Van de Walle, *Democratic experiments in Africa: Regime transitions in comparative perspective* (Cambridge University Press, Cambridge, 1997); Barkan (ed), *Legislative power*; Steven Fish, 'Stronger Legislatures, Stronger Democracies', *Journal of Democracy* 17, 1 (2006), pp. 5-20, 5.

institutionalization and executive legislative relations,⁵ policy-making and distributive politics,⁶ as well as legislative responsiveness and representation.⁷

Within this newer literature, there is a notable emphasis on the importance of *elite contestation* in shaping legislative outcomes. The focus is on how elite factional divisions may enable greater legislative autonomy; however, analysis of the *nature and origins* of these elite divisions varies. A key emphasis is on inter-ministerial or inter-agency differences in policy preferences and how these then play out within the legislature.⁸ Some scholars acknowledge that more informal factions exist but are ‘too opaque’ to reliably study.⁹ Within the Africanist literature, recent research does explore this more ‘opaque’ politics, examining the effects of informal patronage networks on legislative activity.¹⁰

Rather than systematically reviewing the legislative studies literature, I here take as a jumping off point this focus of elite contestation, patronage politics and its link with formal institutions. The main aim is to clarify the origins of different patron-client structures, how this affects elite factional contestation, and ultimately, the consequences for legislative outcomes.

First, the very idea of patronage politics *driving legislative strengthening* is something of a departure from prior analyses, particularly within the Africanist literature. After the 1990s ‘third wave of democratization’, the prevailing view was that patronage politics erode

⁵ Leila Demarest, ‘Men of the People? Democracy and Prebendalism in Nigeria’s Fourth Republic National Assembly,’ *Democratization* 28, 4 (2021), pp. 684–702; Opalo, *Legislative Development*.

⁶ Michaela Collord, ‘Pressuring MPs to Act: Parliament, Organized Interests and Policymaking in Uganda and Tanzania,’ *Democratization*, 28, 4 (2021), pp. 723–741; Ben Noble, ‘Authoritarian Amendments: Legislative Institutions as Intraexecutive Constraints in Post-Soviet Russia,’ *Comparative Political Studies* 53, 9 (2020), pp. 1417–54; Ken Ochieng Opalo, ‘Leveraging Legislative Power: Distributive Politics and Committee Work in Kenya’s National Assembly,’ *Journal of Legislative Studies* (2021), pp. 1–21; Rory Truex, ‘Authoritarian Gridlock? Understanding Delay in the Chinese Legislative System,’ *Comparative Political Studies* 53, 9 (2020), pp. 1455–92.

⁷ George Kwaku Ofori, ‘Do Fairer Elections Increase the Responsiveness of Politicians?’, *American Political Science Review* 113, 4 (2019): 963–79.

⁸ Noble, ‘Authoritarian amendments’; Truex, ‘Authoritarian gridlock?’.

⁹ Truex, ‘Authoritarian gridlock?’, 29.

¹⁰ Collord, ‘Pressuring MPs’; Demarest, ‘Men of the people?’; Opalo, *Legislative Development*.

would-be democratic institutions, including the legislature.¹¹ Influential analyses of ‘neo-patrimonialism’ maintain that, in the absence of a strong private sector, the state—and by extension the President—continue to control the vast majority of resources, which are then used as patronage to subvert legislative autonomy.¹² For instance, Barkan stresses the need to insulate parliament from executive patronage, notably by increasing the legislature’s resource autonomy.¹³ Higher salaries and allowances for legislators—still drawn from state resources but ringfenced for their use—could weaken MPs’ susceptibility to ad hoc clientelist overtures from the President.

As noted above, recent scholarship questions this assumption that patronage politics undermines legislative autonomy; while dependence on executive patronage *does* weaken parliament, other forms of clientelist politics may, in fact, strengthen it. For instance, where individual legislators act as powerful local patrons, they gain more autonomy from the executive.¹⁴ Clientelist networks linking MPs, legislative leaders and government officials can also motivate more executive oversight and policy interventions.¹⁵

The question remains, though, as to what shapes clientelist politics, how elite patron-client factions evolve over time, and why they might favour stronger legislatures in some countries more than others. For the most part, this recent research continues to assume that the resources animating clientelist politics come from the state, either directly from the President or from other actors within the state bureaucracy. It then suggests that differences in the strength of patron-client factions depend on *variation in formal institutional arrangements*. For instance, Opalo maintains that, going back to the immediate post-Independence period, African autocrats presiding over one-party regimes chose either the

¹¹ Bratton and van de Walle, *Democratic experiments*; Barkan, *Legislative power*.

¹² Ibid; Nic van de Walle, *African Economies and the Politics of Permanent Crisis, 1979-1999* (Cambridge: Cambridge University Press, 2001).

¹³ Barkan, *Legislative Power*.

¹⁴ Opalo, *Legislative Development*.

¹⁵ Collord, ‘Pressuring MPs’; Demarest, ‘Men of the people?’; Opalo, ‘Leveraging Legislative Power.’

ruling party or the legislature as an institutional mechanism to cultivate loyal elites.¹⁶ Where they chose the legislature, parliament emerged as an arena for elite bargaining and, over time, ensured that MPs were better able to secure resources from the executive, including to cultivate their own electoral base and political autonomy. Demarest, meanwhile, maintains that in Nigeria's Fourth Republic (1999—), the National Assembly has become more assertive thanks to the patronage networks linking legislative leaders—the Speaker and committee chairs—to bureaucrats and politicians heading key government bodies.¹⁷

My analysis aligns with Opalo and Demarest in that I too see elite patron-client factions—and elite contestation more generally—as an important driver of legislative strengthening.¹⁸ However, retaining an empirical assumption that patron-client factions depend on state resources—and are built around a formal institutional scaffolding—misses an important point; that is, many elite factional networks, while they aim to extract public resources for economic and political gain, rely also—arguably much more¹⁹—on the mobilisation of *private resources* to ensure their political influence.²⁰ This observation suggests the need for a greater focus on the ties between politicians and private political financiers and, more broadly, on informal sources of money and power beyond the state.

An alternative political economy literature does just that. I draw inspiration from two strands of research, both with a strong Africa focus. First, recent work on 'political settlements' maintains that the distribution of power in society impacts what formal institutions emerge and how they operate; where institutions produce benefits that do not align with the prevailing power distribution, groups will mobilise to change those

¹⁶ Opalo, *Legislative Development*.

¹⁷ Demarest, 'Men of the people?'

¹⁸ See also: Michaela Collord, 'The Legislature', in Nic Cheeseman (ed), *Institutions and Democracy in Africa: How the Rules of the Game Shape Political Developments* (Cambridge University Press, Cambridge, 2018), pp. 281-303.

¹⁹ Sam Wilkins, 'Subnational Turnover, Accountability Politics, and Electoral Authoritarian Survival: Evidence from Museveni's Uganda,' *Comparative Politics*, 2021, 1–25.

²⁰ Dominika Koter, 'Costly electoral campaigns and the changing composition and quality of parliament: Evidence from Benin', *African Affairs* 116, 465 (2017), pp. 573-596.

institutional structures.²¹ How then is power organised? There are varied means, but in low-income countries, *clientelist* political organising dominates.²² The study of clientelism often invites a more materialist focus, although scholars elaborating a political settlements framework stress that economic capabilities are not the only factor defining the power of clientelist factions. Power also depends on coercive capabilities, ideology, leadership skill, and more.²³

This is an important point, and one to which I will return shortly. Nevertheless, the second—and much older—political economy literature I draw on is more preoccupied by cross-country differences in economic structure, dynamics of capitalist development, and the effects on formal political institutions. This work suggests that, while newly independent African states generally had a small domestic capitalist elite, their political leaders later developed very different strategies for accommodating economic and political interests. This resulted in the expansion of a private sector elite in some countries and its relative marginalisation in others. Contrasting patterns of private accumulation then influenced—or more accurately, were mutually shaped by—diverse political outcomes. These varied outcomes included: the consolidation of strong ties between political financiers and politicians in some countries;²⁴ in others, the marginalisation of personalised patron-client factions and the emergence of a ‘bureaucratic bourgeoisie’;²⁵ across the region, contrasting forms of party organisation with differing levels of internal cohesion and discipline;²⁶ within

²¹ Mushtaq Khan, ‘Political Settlements’; Prithvi Behuria, Lars Buur, and Hazel Gray, ‘Studying Political Settlements in Africa,’ *African Affairs* 116, 464 (2017), pp. 508–25.

²² This is because profits from investment are limited, sectoral and class-based interests weakly defined, and the state’s fiscal resources insufficient to maintain impersonal state institutions and inclusive welfare provision. That said, there is also a literature exploring elite patron-client relations in high-income capitalist countries too.

²³ Khan, ‘Political Settlements’, 5.

²⁴ Nicola Swainson, ‘The Rise of a National Bourgeoisie in Kenya,’ *Review of African Political Economy* 8, 1 (1977), pp. 39–55.

²⁵ Issa Shivji, *Class Struggles*.

²⁶ Jan Jelmert Jorgensen, *Uganda: A Modern History* (London: Croom Helm, 1981).

a shared one-party context, very different electoral politics;²⁷ and although less studied, variation in legislative strength and executive-legislative relations.²⁸

In sum, the two above-reviewed political economy literatures—by relating an analysis of institutions to the study economic dynamics and the distribution of power across clientelist networks—provide the ingredients for a fresh analysis of legislative institutional change. The key is to move beyond arguments that—even as they elucidate how elite contestation influences legislative activity—nevertheless understand elite patronage politics narrowly in terms of access to state resources and formal state institutions. They thus miss out the significance of an evolving societal distribution of power borne out of contrasting dynamics of capitalist development.²⁹

Argument and methods

The key claim in my argument is that variation in patterns of accumulation—and especially, the extent of private accumulation—influences the structure of patron-client factions within an authoritarian ruling party. Differences in clientelist organising then affect the level of party discipline and, ultimately, the extent to which elite contestation within the ruling party spills over into the legislature, where it drives an institutional strengthening process.

Where accumulation is more centralised, for instance, where state and party ownership are widespread and private enrichment tightly regulated, this allows party leaders

²⁷ Goran Hyden and Colin Leys, 'Elections and Politics in Single-Party Systems: The Case of Kenya and Tanzania,' *British Journal of Political Science* 2, 4 (1972), pp. 389–420.

²⁸ Cherry Gertzel, *The Politics of Independent Kenya, 1963-8* (Nairobi: East African Publishing House, 1970); William Tordoff, 'Residual Legislatures: The Cases of Tanzania and Zambia,' *Journal of Commonwealth and Comparative Politics* 15, 3 (1977), pp. 235–49.

²⁹ One exception is Arriola's work on multi-ethnic opposition coalitions. Arriola examines how financial liberalisation frees up private financiers to bankroll opposition politicians without fear of financial reprisal by an authoritarian incumbent. While valuable analysis, the focus on financial liberalisation overlooks the importance of broader historical patterns of private accumulation and how this shapes the power of different elite factions. Arriola also does not study variation in political (party) institutions, assuming instead a weakly institutionalised version of 'big man' politics. Leonardo Rafael Arriola, *Multi-Ethnic Coalitions in Africa: Business Financing of Opposition Election Campaigns* (Cambridge University Press, 2012). For a further critique of Arriola's analysis, see: Radha Upadhyaya and Edoardo Totolo, 'Financial Sector,' in *The Oxford Handbook of Kenyan Politics*, ed. Nic Cheeseman, Karuti Kanyinga, and Gabrielle Lynch (Oxford: Oxford University Press, 2020).

to limit competition across patron-client factions, to reinforce party discipline and, consequently, to curb legislative institutional strengthening or, more generally, legislative challenges to the executive. Conversely, where there is greater private accumulation spread across an expanding class of domestic capitalists, leaders are less able to control factional rivalries, to insist on party discipline or to prevent intra-party contestation from surfacing in parliament, where it motivates more legislative institutional strengthening and assertiveness.

Why exactly, though, would we expect this greater legislative strengthening? Or why, more specifically, would we expect *institutional* strengthening, the focus of this article as indicated in the introduction? Here, it is important to link the *structural analysis* of accumulation to a micro-level analysis of the *individual actors* directly involved in legislative reform, namely MPs and their factional backers. This means examining the incentive structures they face as well as the more *contingent* ways the organisation of patronage networks impacts their behaviour.

The general idea is that, where private accumulation is relatively expansive, factional contestation more intense and party discipline low, we can expect more MPs to adopt an assertive stance in parliament. This is because stronger ties to patron-client factions outside the legislature give legislators both the political power and incentive to push for institutional reform within parliament, particularly where this *amplifies* their own material advantages and political influence.³⁰ Legislators can, for instance, use improved budgetary oversight powers either to satisfy constituency demands or to cater to the interests of their private political financiers.³¹

Rank-and-file MPs aside, legislative leaders—notably the Speaker—have similar incentives to strengthen parliament, again using it to help advance their political careers. On

³⁰ On the material advantages MPs gain from office see Opalo, ‘Leveraging Legislative Power’; Demarest, ‘Men of the people?’; Koter, ‘Costly electoral campaigns’.

³¹ David Samuels, ‘Pork barrelling is not credit claiming or advertising: Campaign finance and the sources of the personal vote in Brazil’, *Journal of Politics* 64, 3 (2002), pp. 845-863.

this point, it is important to stress that the translation of underlying structural conditions into actual clientelist organising and institutional change is not automatic; rather, returning to an insight from the political settlements literature, the power of patron-client factions depends notably on ‘the capacity of their *leadership* to mobilize and enthuse.’³² Skilled and ambitious leaders thus play an important role both in determining whether and when powerful patron-client factions organise as well as how they affect institutional change. In the case of the legislature, key leaders include the Speaker of Parliament and committee chairs but, also, particularly enterprising political financiers, ministers, and the President.³³

The above-outlined argument does not explain all variation across legislatures in single or dominant party regimes, but rather aims to distil one important dynamic. There are also alternative arguments to consider, although some require caveating. In particular, there is the claim that a multiparty transition, even where imperfect, drives legislative strengthening. My response is that opposition MPs can help galvanize legislative action; however, factional division within the ruling party is a *necessary* precondition for the reformist ambitions of opposition politicians to gain traction.

Finally, before proceeding to the empirical analysis, a note on how I assess variation in legislative institutional strength and on methods. As indicated in the introduction, greater institutional strength enhances the *potential* for more forceful legislative challenges to the executive, equipping MPs with better tools to conduct their legislative work and to *magnify* their power and influence in the process. I focus on three features of parliament’s organisation and procedure, namely its ‘complexity’, ‘boundedness’ and ‘coherence’.³⁴

³² Khan, ‘Political settlements’, 5.

³³ On the institution-building influence of an ambitious Speaker benefiting from propitious extra-parliamentary political conditions: Adam Sheingate, ‘Rethinking Rules: Creativity and Constraint in the US House of Representatives’, in James Mahoney and Kathleen Thelen (eds), *Explaining Institutional Change: Ambiguity, Agency and Power* (Cambridge University Press, Cambridge, 2009), pp. 168-203.

³⁴ This definition draws on: Samuel Huntington, *Political order in changing societies* (Yale University Press, New Haven, 1968); Nelson Polsby, ‘The institutionalization of the US House of Representatives’, *American political science review* 62, 1 (1968), pp. 144-168.

Complexity refers to the multiplication and differentiation of organizational subunits, which I associate with the number of committees and the powers awarded them; a strong committee system allows for more efficient and focused work on key issues of interest to legislators. Institutional *boundedness* I define as the legislature's organizational separation from external entities; this separation ensures that legislators are more accountable to their voters and to each other rather than accountable to and dependent on the executive and party leaders. I track three related elements of boundedness: (a) the mode of selecting MPs, namely the percentage of directly versus indirectly elected or appointed MPs; (b) the mode of selecting parliamentary leaders—the Speaker and committee chairs—and whether this selection is by legislators, party officials or the President; and, (c) control over the legislative budget, including remuneration of MPs and administrative staff. Finally, institutional *coherence* varies depending on whether formal legislative institutions reflect actual practice or are instead subverted by powerful actors, notably the President, who may undermine institutional checks that would otherwise insulate the legislature from executive interference.

These three dimensions—complexity, boundedness and coherence—are only useful up to a point. Explaining institutional variation and its significance requires a contextually sensitive study that can grasp exactly how and why particular actors push for reform at a given time, plus what determines whether they are successful.³⁵ To meet these analytical demands, I draw on an older tradition in legislative studies of ‘thick description’,³⁶ which also ties in with the process-tracing methodology I adopt. While I forego the use of more formalized process-tracing ‘tests’,³⁷ I show the validity of my causal mechanism by

³⁵ Joseph Cooper and David Brady, ‘Toward a diachronic analysis of Congress’ *American Political Science Review* 75, 4 (1981), pp. 988-1006.

³⁶ Kenneth Shepsle, ‘Assessing Comparative Legislative Research’, in Gerhard Loewenberg, Peverill Squire and Roderick Kiewiet, eds. *Legislatures*. (Ann Arbor, Michigan: University of Michigan Press, 2002).

³⁷ What I do use is most akin to a simple ‘straw in the wind’ test.

identifying the links between context, actors' motivations, their actions and resultant events.³⁸ More concretely, this analysis involves uncovering how changes in economic structure affect the organisation of patron-client factions, the ambitions of actors embedded within those factions, and ultimately, prospects for successful legislative institutional reform.

Tanzania's Bunge – The fall, rise and fall

I now show how the above-outlined argument applies to Tanzania's *Bunge*. For evidence, this analysis draws on fieldwork conducted in Tanzania between 2015 and 2018, including: over 70 interviews with key actors including parliamentary leaders, rank-and-file MPs, parliamentary staff, party officials, government ministers, and businessmen; archival research in the Parliamentary Library and the University of Dar es Salaam's East Africana Library where I consulted successive editions of the parliamentary standing orders, the official Hansard, speeches, committee reports, and draft legislation, among other documents; and a thorough press review of Swahili and English language publications.

I begin the study with an historical overview from independence through the 2000s. I then provide a detailed analysis of legislative institutional change, contrasting a period of sustained legislative strengthening (2005-2015) with the subsequent period of decline (2015-2021).

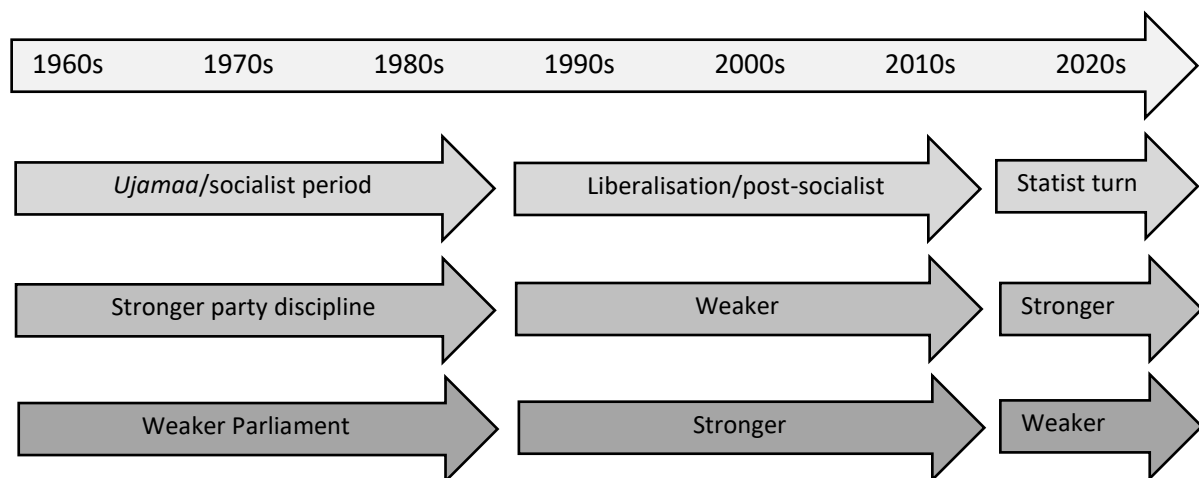
Historical overview

Tanzania's legislature has experienced several institutional reversals (Fig. 1). It weakened from the late 1960s through to the 1980s before slowly strengthening up to the early 2000s. It then underwent an accelerated process of institutional strengthening from the mid-2000s only

³⁸ Derek Beach and Rasmus Brun Pedersen, *Process-tracing methods: Foundations and guidelines* (XXX, University of Michigan Press, 2019).

to see that process reverse after 2015. I argue that these alternations in legislative strength followed changes in the political economy of Tanzania's long-time ruling party, the *Tanganyika African National Union*, rechristened *Chama Cha Mapinduzi* in 1977 following its merger with Zanzibar's *Afro-Shirazi Party*. When patterns of wealth accumulation have been more centralised and patron-client factions relatively weak, enhanced ruling party discipline has led to the marginalisation of parliament (1960s-1980s and post-2015). Conversely, when private accumulation has been more expansive and factional contestation intensified, legislative institutions have tended to strengthen (1980s-2015), although this reform has also relied on the right constellation of patron-client factions and ambitious leaders emerging to drive the effort. In what follows, I briefly summarise these broad trends.³⁹

Figure 1 - Periodization of legislative change in Tanzania

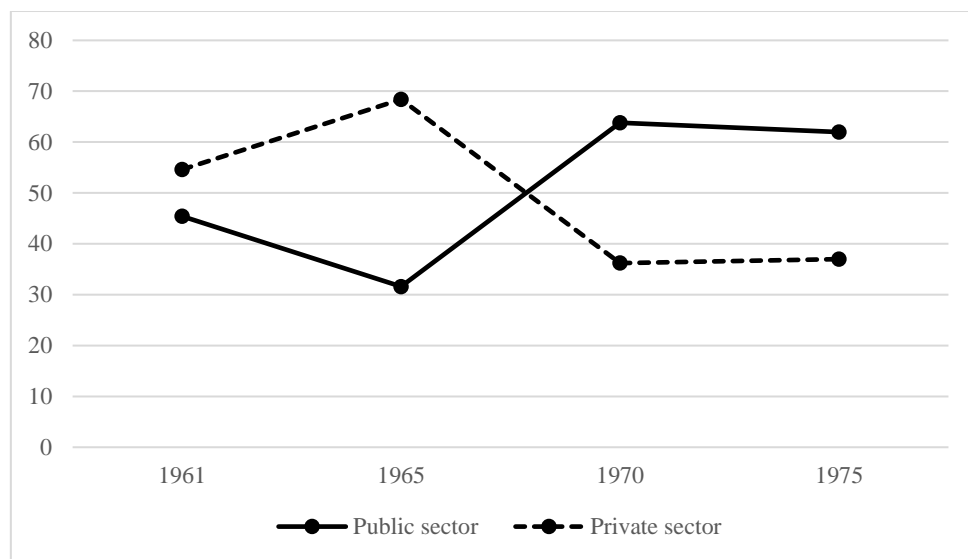


Following founding President Julius Nyerere's Arusha Declaration in 1967, Tanzania's embrace of an 'ujamaa' economic orientation contributed to the steady decline of Parliament. The nationalisation of private enterprise and property plus close control of private accumulation limited scope for private sector expansion, as indicated by the post-1967

³⁹ The following paragraphs draw on chapters 3-5 in: Michaela Collord, *The political economy of institutions in Africa: Comparing authoritarian parties and parliaments in Tanzania and Uganda* (University of Oxford, unpublished DPhil dissertation, 2019).

reversal in private versus public sector investment trends (Fig 2). These changes combined with a strict Leadership Code, restricting politicians' own business activities, limited the formation of personalised patron-client networks within the ruling party. The party leadership was, consequently, better able to assert its authority, culminating in the formal recognition of 'party supremacy' by the mid-1970s.

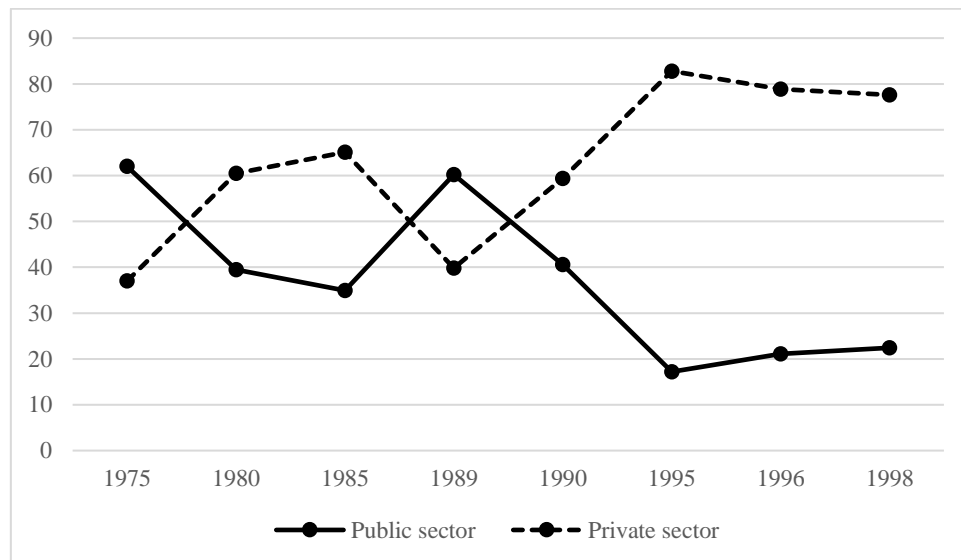
Figure 2 - Gross fixed capital formation by public and private sectors, 1961-1975



However, the subsequent decline, informalization and liberalization of Tanzania's economy from the late 1970s through the 1980s laid the foundations for a reversal of this trend. By the 1990s, CCM had abandoned its Leadership Code and its socialist development commitments, giving way to a new form of 'wild capitalism'. The reversal of earlier private vs. public sector investment trends, in part, reflected this economic change (Fig. 3). Meanwhile, patron-client factions multiplied within the ruling party as a new generation of businessmen-cum-political financiers entered the fray. By 2000, then President and CCM Chairman, Benjamin Mkapa, lamented the 'privatization' of CCM, yet ultimately failed to control the factional battles. Meanwhile, the tensions within the ruling party were beginning to surface in Parliament, manifesting through increasingly frequent clashes between CCM backbench MPs and government ministers. A process of institutional reform also took root

but progressed slowly, in part because the legislative leadership—most notably the Speaker—belonged to a CCM old guard intent on preserving party discipline and, by extension, legislative subservience.

Figure 3 - Gross fixed capital formation by the public and private sectors, 1975-1998



A more serious reform process began during Kikwete’s presidency (2005-2015) amidst sustained executive-legislative tensions. Important drivers included the splintering of the factional coalition that helped secure Kikwete’s nomination as CCM presidential candidate, the arrival of an ambitious parliamentary Speaker, as well as Kikwete’s continued support for a ‘type of primitive accumulation associated with corruption in public finance’, which ‘mainly led to unequal processes of individual enrichment.’⁴⁰

President Magufuli’s succession in 2015 then marked a rupture in Tanzania’s politics. He aggressively pursued a new economic strategy, leveraging the enduring dominance of the state as an economic actor to control private accumulation. This strategy was central to a broader attempt to re-centralise power within CCM and impose greater discipline on ruling party politicians and financiers. In the same way, he enforced party discipline in parliament. This process led to a notable institutional weakening, brought about through subversion of

⁴⁰ Gray, ‘The Political economy’, 400.

formal rules and informal convention, both rendered toothless as the power and political will to enforce them ebbed away.

What about alternative explanations for Tanzania's institutional variation? For instance, did Tanzania's 1992 return to multiparty democracy spur reforms? CCM has retained a large majority of parliamentary seats since the first multiparty elections in 1995. The proportion of opposition MPs did increase to above 20 percent under Kikwete and neared a high of 30 percent under Magufuli; however, given that Magufuli then oversaw a decline in legislative strength, it is hard to see an increase in opposition MPs as a straightforward driver of legislative reform. Rather, the failure of the opposition to capitalise on its increased numbers underscores how other factors, notably factional contestation within the ruling party, fundamentally determine the scope for legislative strengthening.

The above discussion offers only a cursory summary of legislative change and its drivers in Tanzania. As shown in figures 4 and 5, some of the shifts in institutional strength are reflected through changes in measures of institutional 'complexity' (number of committees) and 'boundedness' (percentage of MPs directly elected by all voters).⁴¹ The two graphs help capture the trend of institutional decline until the 1980s followed by gradual strengthening. There are nevertheless limitations to this quantitative assessment; crucially, the data does not reflect the additional strengthening under Kikwete (2005-2015) nor the reversals from 2015-2021 under Magufuli. The percentage of directly elected MPs reached a maximum in 1995, after which it actually declined.⁴² Meanwhile, data on the *number* of committees does not show how the formal powers of these committees has continued to vary.

⁴¹ Data gathered from a review of the parliamentary standing orders, available electoral results, and CCM electoral rules.

⁴² This is due to the adoption of new constitutional provision for 'special seats' women MPs who comprised 15 percent of all MPs in 1995, 20 percent in 2000 and 30 percent in 2005. These MPs are 'indirectly elected' as they were distributed across parties based on the proportion of constituency seats won. Moreover, the mechanism for selecting women MPs within CCM has remained 'practically undemocratic'. Bernadeta Killian, 'A Policy of Parliamentary Special Seats for Women in Tanzania: Its Effectiveness', *Ufahamu: A Journal of African Studies* 24, 2-3 (1996), pp 21-31.

Figure 4 - Percentage of MPs directly elected by all eligible voters

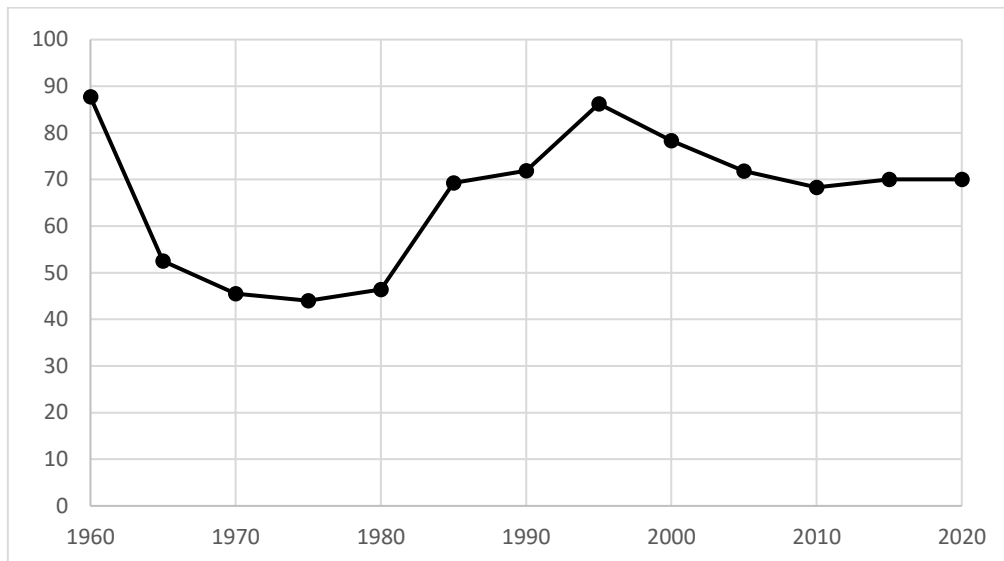
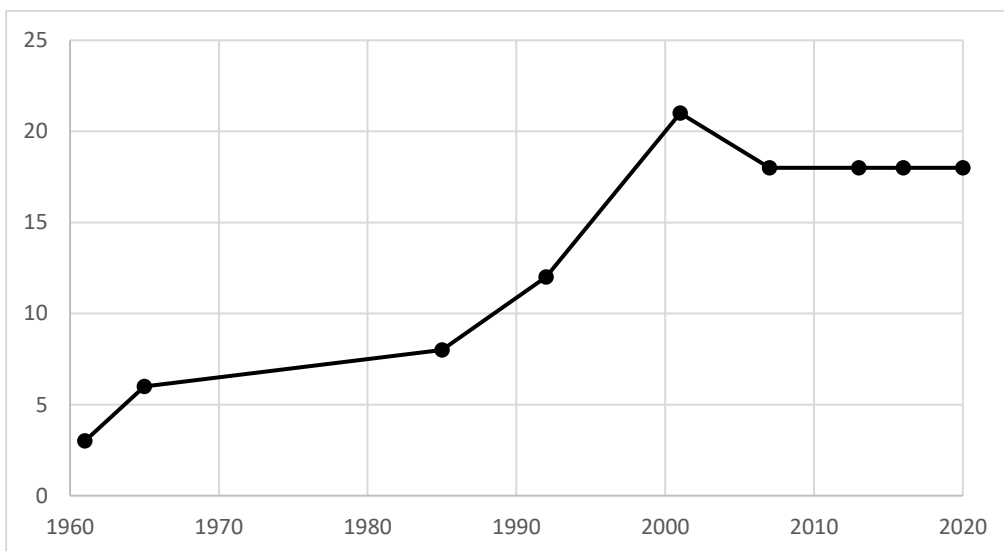


Figure 5 - Number of Parliamentary Committees



For a more contextualised analysis of legislative institutional strengthening and its causes, I now examine legislative change under Kikwete and then Magufuli.

A Parliament 'with teeth', 2005-2015

During Kikwete's presidency, three factors combined to drive legislative strengthening. These included: (1) a fortuitous alignment of factional rivalries and individual ambitions; (2)

MPs' growing desire—and need—to act as local patrons and to reward financial backers; and (3) CCM leaders' inability to impose discipline due to their own factional entanglements. I deal with each of these in turn. I also incorporate details that indicate how all three are emblematic of Tanzania's post-socialist political economy, and more specifically, the expansion of private accumulation. Rather than simple personality politics, the contestation between different factional networks and their leaders was made possible by their access to private resources, by the leaders' ability to combine public office with lucrative private sector activity, and by the tendency for political conflicts to turn into proxy battles for Tanzania's leading domestic capitalists.

Regarding the first driver of legislative institutional strengthening, i.e. a fortuitous alignment of factional divisions, President Kikwete came to power on the back of an influential *mtandao*, or network, whose masterminds were Kikwete's long-time ally, Edward Lowassa, and the then billionaire, Rostam Aziz. Aziz was among the first Tanzanian businessmen of Asian origin to enter Parliament in 1992, at the time explaining to a friend, 'Political leverage is good for business.'⁴³ Lowassa, meanwhile, was part of a younger generation of CCM politicians who combined politics with business. Another notable member of the Kikwete faction was Samuel Sitta. A veteran CCM MP and former Minister, Sitta left parliament in 1995. He then assumed an influential perch as director of the Tanzania Investment Centre, notable for granting politically motivated tax exemption,⁴⁴ before in 2005, returning to parliament.

Leveraging its political and business ties, this *mtandao* set about taking over CCM's formal structures well ahead of the 2005 presidential nominations. It infiltrated the party bureaucracy to the point where '[CCM officials] were being paid like they were employees

⁴³ Interview, businessman, Dar es Salaam, April 2016.

⁴⁴ Ole Therkildsen, 'Democratisation in Tanzania: No taxation without exemptions', unpublished paper, *African Studies Association Annual Conference*, New Orleans, 2012.

[of the *mtandao*].⁴⁵ When it finally came time for the nominations, the momentum behind Kikwete's candidacy was seemingly unstoppable.

Trouble *within* the pro-Kikwete *mtandao*, however, surfaced when it came time to distribute post-election rewards. Sitta was reportedly promised the role of Prime Minister, but Lowassa and Aziz wanted the premiership for Lowassa.⁴⁶ They therefore persuaded Sitta to settle for the parliamentary Speakership, but Sitta was not satisfied with this arrangement. As one close ally recalled, 'he was tricked'.⁴⁷

Although frustrated, Sitta continued to cultivate ambitions of higher office, his eye ultimately set on the presidency.⁴⁸ He used the Speakership to pursue this personal agenda, in part, through a legislative reform effort. As one CCM politician phrased it, 'Sitta succeeded very much in giving teeth to Parliament,'⁴⁹ adding, 'But [...] he expected to be rewarded. Because he was leader of one pillar [of government], he could easily switch to another pillar.' An opposition MP made a similar comment while further emphasising Sitta's growing rivalry with Lowassa. As he observed, 'Once Parliament is powerful, the head of Parliament becomes powerful as well', adding, 'There was also a very powerful Prime Minister, Prime Minister Lowassa, and Sitta wanted to match Parliament with that.'⁵⁰

Sitta may have had principled reasons to back legislative reforms as well,⁵¹ and he did work with several reformist MPs—both opposition and CCM—plus government officials and advocacy organisations, who were important intellectual architects of the reforms.⁵²

⁴⁵ Interview, businessman, Dar, April 2016.

⁴⁶ The following paragraphs draw on interviews with CCM MPs, CCM activists, opposition MPs, and journalists, date.

⁴⁷ Interview, former CCM MP, August 2015.

⁴⁸ Sitta ultimately contested the CCM presidential nomination in 2015 but lost.

⁴⁹ Interview, CCM MP, Dar, July 2015.

⁵⁰ Interview, opposition MP, Dar, April 2016.

⁵¹ There is reason to doubt Sitta's personal commitments, however. His controversial chairing of debates in the 2014 Constituent Assembly led many to doubt his reformist bona fides.

⁵² See, for instance, the advocacy leading to the introduction of the Public Organisation Accounts Committee. Utouh, Ludovik, *Uwajibikaji Ndani ya Kalamu Isiyokuwa na Wino* (Wajibu Institute, Dar es Salaam, 2018).

Nevertheless, factional rivalries—reinforced by financial contributions from private backers, discussed more below—remained central to the reform drive.

Sitta began his effort by appointing a committee of senior MPs to review the Standing Orders, a process that led to the revised 2007 edition and helped Sitta score his first political victories. Although the proposed changes fuelled tensions with the executive and particularly with Lowassa, they were adopted and soon bore fruit. For instance, by facilitating the formation of select committees,⁵³ the new rules helped Sitta convene a committee tasked with probing the so-called Richmond scandal. The committee's investigation culminated in Lowassa's resignation as PM.⁵⁴ Another innovation of the 2007 Standing Orders was the introduction of a powerful new oversight committee, the Public Organizations Accounts Committee (POAC). POAC was mandated to oversee parastatal enterprise and thereby to take over some of the workload of the Public Accounts Committee (PAC). The activities of both the PAC and POAC, challenging the executive, soon added to the impression that *Bunge* had growth 'teeth'.⁵⁵

The revised Standing Orders also helped further advance the legislative strengthening process itself. A new provision in the Standing Orders enabled parliamentary committees to table their own legislation, and this provision was essential to the enactment of the National Assembly Administration Act (NAAA). The Act started as a committee bill, which the government only 'took up on its own' after '[caving] to pressure'.⁵⁶ The NAAA helped secure the autonomy or 'boundedness' of *Bunge*. Among other things, it shifted control over the parliamentary budget, including salaries and allowances, from the Office of the Prime Minister, headed by Lowassa, to Parliament itself.

⁵³ Sitta 2008, 34.

⁵⁴ Collord, 'The political economy of institutions', chapter 6.

⁵⁵ Ludovik, *Uwajibikaji Ndani ya Kalamu*.

⁵⁶ Interview, parliamentary officer in the Planning Department, Dodoma, July 2015.

The merits of the NAAA aside, it was an especially strategic reform for Sitta; it appealed directly to the personal interests of parliamentarians, enabling the Speaker to extend his ‘alliance’ in the legislature. As one CCM MP recalled, ‘Samuel Sitta was relatively powerful in the parliament because of the reforms he implemented, especially the pay package to the MPs.’⁵⁷

Beyond the factional tensions fuelling Sitta’s reformist ambitions, his success was also due to the changing ambitions of parliamentarians themselves, the *second major reform driver*. The increasing significance of money in politics—and the pressures this placed on individual MPs—incentivised them to support the legislative strengthening process, especially where it improved their access to both public and *private* patronage resources. For instance, in praising the NAAA during a House debate, MPs stressed how the new allowances would help them address constituency demands.⁵⁸ Meanwhile, legislative strengthening also made MPs more ‘marketable’ to would-be financiers, as in, better able to exchange political favours for private support.⁵⁹ Improvements to committee oversight, in particular, meant MPs could more effectively pressure ministers on issues of interest to their financial backers.

The third ingredient contributing to reform success was CCM leaders’ own inability to discipline party members and their private sector allies. Informal patronage networks—reinforced by business rivalries-turned-political fights—split CCM at the highest levels, thereby undermining formal disciplinary mechanisms.

The dividing lines first crystallized within Parliament, primarily due to the Sitta-Lowassa feud. Following Lowassa’s 2008 resignation, a group of pro-Sitta MPs began referring to themselves as ‘anti-corruption crusaders’; they were CCM-*safi* (clean)

⁵⁷ Interview, CCM MP, Dodoma, June 2015.

⁵⁸ Ibid.

⁵⁹ Interview, CCM MP, Dodoma, June 2015; Interview, CCM MP, Dodoma, May 2015; Interview, Opposition MP, Dar, April 2016.

challenging Lowassa's camp, labelled CCM-*mafisadi* (corrupt).⁶⁰ The two groups soon began mobilizing outside of *Bunge* as well, focusing notably on MPs' constituencies.

For CCM-*safi*, the goal was to support each other to ensure re-election.⁶¹ The group also attracted attention and money by leveraging rival private sector interests. As one member recalled, 'We got support [in our constituencies] from even businessmen.'⁶² This affirmation was confirmed in the press. An article in *The Guardian* reported that the paper's owner and one of Tanzania's richest men, Reginald Mengi, was financing CCM-*safi* MPs.⁶³ Mengi was then at loggerheads with fellow businessman and Lowassa-backer, Rostram Aziz.⁶⁴ Aziz responded in kind, spending liberally on the CCM-*mafisadi* camp and, allegedly, backing rival CCM candidates to unseat the CCM-*safi* MPs.⁶⁵

This informal jockeying affected party disciplinary measures at several levels. First, it undermined the CCM parliamentary caucus, which according to one former CCM MP, was 'almost dysfunctional'.⁶⁶ More high-level efforts to discipline CCM MPs, including Sitta himself, also failed. During a National Executive Committee (NEC) meeting in August 2009, there was a bruising debate over whether to strip Sitta of his CCM membership and thus his Speakership. It is unclear exactly who was behind this move. The Lowassa faction was reportedly 'pulling strings through the party leaders'.⁶⁷ Many veteran CCM cadres who valued the Party's tradition of discipline were also highly critical of Sitta.⁶⁸ There is some indication that Kikwete turned on him too because of Sitta's efforts to investigate the

⁶⁰ Interviews with CCM and opposition MPs; Msekwa, *The Story of The Tanzania Parliament*, 121.

⁶¹ Interview, ex-CCM MP, Dar, August 2015.

⁶² Ibid.

⁶³ *The Guardian*, 'Battle line for 2010 drawn – Lembeli', 9 August 2009. Mengi emerged as a prominent African capitalist in the 1980s, a leader in the new wave of indigenous accumulation.

⁶⁴ Interview, former CCM cadre and businessman, Dar, April 2016. On the Mengi-Rostam feud and its roots in deeper tensions linked to Tanzania's capitalist transition, see: Chambi Chachage, *A Capitalizing City: Dar es Salaam and the Emergence of an African Entrepreneurial Elite (c. 1862-2015)*, (University of Harvard, unpublished PhD dissertation, 2018).

⁶⁵ *The Guardian*, 'Battle line'.

⁶⁶ Interview, former MP and high-level CCM cadre, Dar es Salaam, March 2016.

⁶⁷ Interview, CCM MP, Dodoma, June 2015.

⁶⁸ Interview, CCM cadre, Dar es Salaam, March 2016; Msekwa, *The Story of The Tanzania Parliament*, 123.

fraudulent diversion of funds from a Bank of Tanzania account allegedly to reward Kikwete's private business backers during the 2005 presidential campaign.⁶⁹ Ultimately, though, the case was deemed too volatile to manage through a formal disciplinary procedure. Instead of expulsion, the NEC tasked three CCM 'Elders' with 'reconciling the 'warring' factions.'⁷⁰

Many of the same dynamics driving legislative reform in the 9th Parliament (2005-2010) continued into the 10th (2010-2015), albeit with more mixed results. Despite Sitta surviving the initial attempted ouster, internal party tensions frustrated his efforts to return as Speaker after the 2010 elections, an initial blow to the reform agenda. To avoid a damaging split, the party's Central Committee declared it was time for a woman to lead Parliament, resulting in veteran politician Anna Makinda becoming Tanzania's first female Speaker.⁷¹ This outcome was a successful 'balancing' effort,⁷² eliminating the most immediate factional threat and, many hoped, the impulse 'to arm Parliament with teeth strong enough to bite the CCM Government'.⁷³ Yet the round-about effort to exclude Sitta also spoke to CCM's continued vulnerability, heralding further divisions to come.

Indeed, the first major legislative reforms of the 10th Parliament saw MPs again leverage their informal, even cross-party networks to challenge the executive. Changes to the Standing Orders introduced in 2013 combined some top-down and largely regressive measures concerning Parliament's oversight committees with major reforms strengthening its budgetary review powers.

Regarding oversight committees, the new rules eliminated the POAC, first introduced under Sitta as noted earlier. The change came after corruption allegations made by POAC in 2012 led to the removal or 'firing' of several ministers and nearly toppled the Prime

⁶⁹ Interview, former CCM MP, Dar es Salaam, August 2015; *The Guardian*, 'Revealed: JK's role in Richmond deal,' 15 August 2009,

⁷⁰ Msekwa 2012, 123; *Mtanzania*, 'CCM yapeleka maumivu kwa wabunge', 19 August 2009. Consistently date interviews.

⁷¹ Interview, CCM activist, Dar, August 2015.

⁷² Interview, CCM MP, Dar, July 2015.

⁷³ Msekwa, *The Story of Tanzania's Parliament*, 123.

Minister.⁷⁴ This attempt to subdue *Bunge*'s oversight committees was only partially successful, though, at least in the 10th Parliament. Against all expectations, the powerful former Chair and Vice Chair of POAC—Zitto Kabwe, from the opposition, and Deo Filikunjombe, from CCM—managed to get themselves reinstated as Chairs of the remaining Public Accounts Committee, which they promptly divided into two sub-committees, one of which took on the old POAC mandate.⁷⁵ Although 'nobody expected' this outcome,⁷⁶ the duo succeeded by lobbying the Deputy Speaker and Speaker, the Government Chief Whip, who chairs the CCM caucus, and various sympathetic CCM MPs. In other words, they took advantage of factional divisions within CCM coupled with their own personal networks. Their influence also attests to the growing strength of parliament, and especially of its most 'marketable' committees. As Zitto explained, Ministers and CCM MPs supported his efforts because '[it] was like an *investment* for them that maybe when they have some problems, they could get help.'

This informal manoeuvring to save POAC was nevertheless a temporary fix, leaving parliament's formal institutional strength diminished.⁷⁷ By contrast, the changes to the budgetary review process, introduced through the 2013 Standing Orders and entrenched in the 2015 Budget Act, were an unambiguous win. Multiple factors drove this reform. The idea originated in the ninth Parliament and was thus part of the momentum generated under Sitta.⁷⁸ Makinda then took over championing the changes, encouraged by rank-and-file MPs tired of 'being bulldozed by government.'⁷⁹ They complained that the budget review calendar left them little time to amend executive proposals while, after the budget was passed,

⁷⁴ Collord, 'The political economy of institutions', chapter 6; Interview, Deo Filikunjombe, Dodoma, May 2015.

⁷⁵ Interview, Zitto, Dar, April 2016; Interview, Filikunjombe.

⁷⁶ Interview, Zitto.

⁷⁷ Zitto and Filikunjombe also had to split the budget of a single committee to do the work of two.

⁷⁸ Interview, former Chair of the Budget Committee, Festus Limbu, Dar, July 2015.

⁷⁹ Interview, Limbu; Interview, Anna Makinda, Dar, March 2016; Interview with two Clerks of the Budget Committee, Dodoma, June 2015.

government did not follow the approved budget.⁸⁰ MPs' enthusiasm for reform meant they were yet again willing to ignore pressure from the CCM government. As Makinda recalled, she had to meet with the President 'more times than ever before in my life', which was 'a headache!'⁸¹

As with the NAAA, parliament used the provision introduced in the 2007 Standing Orders to prepare the Budget Bill as a committee bill. Again, as with the NAAA, Government responded by quickly preparing its own legislation. This was, however, a watered-down version, prompting MPs to threaten that they would 'amend the whole thing in the House.'⁸² The Budget Committee then worked with the Ministry of Finance to come up with a compromise, which culminated in the passage of the 2015 Budget Act. This 'compromise' incorporated '90 percent' of parliament's initial reform agenda.⁸³

What legislators did next with the Budget Committee helps confirm some of the career-advancing motivations behind their reformist zeal, as well as the importance of the broader political economic context in which the reforms took place. MPs used the Committee to champion improved service delivery to constituents but also altered government tax legislation, and this following lobbying by various 'business interests'.⁸⁴ As one former government minister claimed, 'It is not professional lobbying of just making a case. It has another picture'.⁸⁵ A backbench CCM MP clarified, 'Businessmen in particular learned that the most powerful people are the MPs, and therefore they started to come [to Parliament] to corrupt them.'⁸⁶

⁸⁰ Interviews with multiple CCM and opposition MPs.

⁸¹ Interview, Makinda.

⁸² Ibid.

⁸³ Interview, Clerk to Parliament, Dodoma, June 2015; Interview, Hakielimu activist; Interview, Makinda; Interview, Limbu.

⁸⁴ Interview, Makinda.

⁸⁵ Interview, Deputy Minister of Finance, Dodoma, July 2015.

⁸⁶ Interview, CCM MP, Dodoma, January 2016.

In sum, the 10th Parliament (2010-2015), despite its shortcomings, continued the unprecedented institutional strengthening process initiated during the 9th. Over the full ten-year period, *Bunge*'s complexity increased with powerful new committees like the Budget Committee plus the subdivision of the POAC and PAC mandates, even if that effort was in part lost to the executive. Its institutional 'boundedness' also improved with the introduction of additional barriers to outside influence, for instance, through the NAAA. Driving these changes was a heady mix of personal ambitions and unruly patron-client factions. Skilful leadership was essential both in turbocharging CCM's factional politics and in harnessing this elite contestation to push a legislative reform agenda. However, leadership aside, this intensified contestation stemmed from the expansion of private accumulation in post-socialist Tanzania, which directly fuelled competition among politicians and domestic capitalists alike.

A 'weak' Parliament, 2015-2021

Much changed in Tanzania's politics after President Magufuli succeeded Kikwete. This includes *Bunge*'s institutional decline, which was itself linked to broader shifts in Tanzania's political economy. In what follows, I first detail how Magufuli came to power and how he then pursued an aggressive effort to centralise control over accumulation while simultaneously disciplining factional networks within CCM. Second, I trace how he used the new power balance to undermine Parliament's formal rules and established norms, reducing the coherence of the legislature and thereby de facto undermining its institutional complexity and boundedness.

Magufuli's nomination as CCM presidential candidate was a surprise. A low-profile contender with no strong political base, he was only selected after two rival factions knocked

each other out of the running.⁸⁷ He then faced an unprecedented challenge in the subsequent presidential election after former PM Lowassa defected to become the opposition coalition's candidate, mounting a vigorous campaign to dethrone the ruling party. What started as a challenge for Magufuli, however, arguably became an opportunity once in office. Lowassa's departure undermined one of the most powerful informal networks within CCM, leaving a vacuum that Magufuli could use to centralise power.

Whereas Kikwete remained caught between different factions, Magufuli set about bringing this messy array of patronage networks to heel, not least by attempting to limit and control private accumulation. His multi-pronged approach involved, first, going after prominent political financiers, confronting them with a mix of corruption charges, robust tax and regulatory enforcement, land expropriation and denial of lucrative procurement contracts.⁸⁸ Chastened, some of these prominent business figures, not least Aziz and Lowassa, negotiated re-entry into the Magufuli fold.⁸⁹ But the new President also favoured state- and military-owned enterprise, notably when awarding procurement contracts.⁹⁰ In this way, he channelled resources through state bureaucratic entities of whose top administrators he was the appointing authority. Observing this trend, the executive director of a prominent private sector advocacy group commented, 'It has reached the point where the government feels happy to do business with itself instead of with the private sector.'⁹¹

Magufuli's effort to police the private sector went together with greater control of factional networks within CCM. While Kikwete and his predecessor, Mkapa, repeatedly pledged to insulate the ruling party from 'privatization' and corruption, their own factional

⁸⁷ Michaela Collord, 'The ruling CCM party unites (for now) around a presidential nominee', 17 July 2015, *Presidential Power*, <<https://presidential-power.net/?p=3607>> (10 November 2021).

⁸⁸ Michaela Collord, 'The "new" CCM, same as the old CCM? Continuity and change in authoritarian parties', 26 September 2018, *Presidential Power*, <<https://presidential-power.net/?p=8655>> (10 November 2021).

⁸⁹ Julius Mnganga, 'Rostam: Mwaka 2020 ni dakika 45 za JPM', *Mwananchi*, 17 December 2018. *Mwananchi*, 'Lowassa atanga kurejea CCM,' 1 March 2019.

⁹⁰ Elizabeth Edward and Joyce Joliga, 'Rais: Jeshi lipewe zabuni', *Mwananchi*, 9 April 2019.

⁹¹ Alfred Zacharia, 'Private sector seeks to mend fences with government', *The Citizen*, 24 August 2018.

entanglements prevented them from honouring these promises. Magufuli, by contrast, put real muscle into this effort. Party members with factional ties, particularly to Lowassa, were expelled.⁹² In the 2017 internal CCM elections, the widespread practice of assembling candidate slates and of spending liberally on campaigns was restricted, if seemingly selectively.⁹³ A party asset-tracing committee tasked with investigating CCM's own finances reported in May 2018, alleging it had information on who had embezzled money or taken control of party property.⁹⁴ Although follow-up was limited, the mere threat of further action was thought sufficient to discourage more factional organising by those named in the report.⁹⁵ Finally, even as space for factional organising shrank, Magufuli and certain allies continued to consolidate their own political base, including by supporting parliamentary candidates in constituencies held by both opposition *and sitting CCM MPs*.⁹⁶

This centralisation of power within CCM—and especially the heightened vulnerability of CCM MPs—had a profound impact on *Bunge's* institutional strength and autonomy. Already in January 2016, one CCM MP commented, 'We have very clear evidence he wants to control [*Bunge*].'⁹⁷ Magufuli was indeed quick to intervene, nominating Tulia Ackson—a lawyer with no previous *Bunge* experience—as MP and thereafter directing the CCM caucus to select her as Deputy Speaker.⁹⁸ Many interpreted this move as an effort to install a government watchdog in the House, particularly as previously only veteran legislators ascended to senior parliamentary positions.⁹⁹ MPs also raised concerns about how the government provided the list that Speaker Job Ndugai used to select members for various committees, with many experienced MPs relegated to marginal committees.¹⁰⁰ This approach

⁹² Raia Mwema, 'Magufuli aingizwa vitani', 16 March 2017.

⁹³ Kelvin Matandiko, 'Magonjwa mawili yanayoitesa CCM', *Mwananchi*, 5 October 2017.

⁹⁴ *Mwananchi*, 'Ripoti mali za CCM yabaini wizi, utapeli', 2 May 2018.

⁹⁵ Interviews, party activists and journalists, Dar, August 2018.

⁹⁶ Interview, opposition MP, London, Sept. 2018.

⁹⁷ Interview, CCM MP, Dodoma, Jan 2016.

⁹⁸ The President can nominate up to 10 MPs.

⁹⁹ Florence Mugarula, 'Outcry as Parliament picks Deputy Speaker', *The Citizen*, 3 November 2015.

¹⁰⁰ *The Citizen*, 'Underhand forces in forming Bunge teams revealed', 24 January 2016.

again contravened established norms as previously MPs had more freedom to lobby the Speaker.¹⁰¹ In both instances, therefore, the direct executive intervention marked a de facto reduction in the institutional autonomy or ‘boundedness’, of the legislature.

When it comes to explaining these changes, they were arguably more an indication of Magufuli’s particular leadership style and not—at least at early in his presidency—linked to any deeper shift in the power distribution within CCM. While his leadership clearly mattered, this is nevertheless an oversimplification. Aided by the unique political circumstances, Magufuli was quick to spread a sense of fear and uncertainty within CCM, confusing members’ perception of who really had power. As noted previously, Lowassa’s defection created a vacuum, leaving many CCM politicians and businessmen ‘in a state of shock’.¹⁰² One MP observed, ‘The transport and logistics groups have moved their operations to Zambia and some to Mozambique out of fear that they may be treated badly because they were seen to be supporting [Lowassa].’¹⁰³ Magufuli’s relations with remaining CCM heavyweights, not least Kikwete, was another source of speculation amidst widespread allegations of a falling out.¹⁰⁴ Finally, the President’s anti-corruption campaign—targeted principally at businessmen and civil servants—also extended to MPs, several of whom were arraigned in court under suspicion of having taken bribes from ministers in exchange for favourable committee reports.¹⁰⁵

Despite Magufuli’s early success in asserting control, the full extent of executive dominance over Parliament became clearer with time. Certainly, there were no significant legislative institutional gains. The revision of the parliamentary Standing Orders in 2016 failed to re-introduce the POAC, although several prominent figures championing it. A new

¹⁰¹ Interviews with CCM and opposition MPs.

¹⁰² Interview, CCM MP, January 2016.

¹⁰³ Ibid.

¹⁰⁴ Interview, CCM MP, Dodoma, 2016; Suzan Mwilo, ‘Kauli ya Kikwete UDSM yazua mjadala mitandaoni’, *Mwananchi*, 26 October 2016.

¹⁰⁵ Rosina John, ‘3 MPs arraigned over Sh30m bribe request’, *The Citizen*, 1 April 2016.

Public Investment Committee was established to oversee the implementation of publicly funded projects, but unlike other oversight committees, the chair was a CCM member.

Meanwhile, other features of legislative institutional strength continued to erode. The government for a period limited the ceiling on parliament's budget, thereby starving it of funds and restricting the investigative activities committees could undertake.¹⁰⁶ More notable still, the parliamentary service—the technical support staff of committee clerks and the like—was replaced *en masse* with widespread speculation about the allegiances of the new recruits. Bunge's institutional 'boundedness', formally enshrined in the NAAA, was thus undermined, and this with the complicity of the top parliamentary leadership, notably the Speakers. Deputy Speaker Ackson's ties to the President were discussed earlier, but Speaker Ndugai—an experienced MP and former Deputy to Makinda—was thought to fear a potential future challenge from Ackson, who was already planning to run as a constituency MP in 2020 with Magufuli's blessing.¹⁰⁷ The Speaker was thus seen as trying to ingratiate himself with the President, including by appointing special investigative committees that then reported directly to the President. This action reinforced the impression that the legislature was working for the executive, and in ways that furthered Magufuli's preferred strategy of economic management.¹⁰⁸

Some particularly dramatic instances of legislative institutional erosion came when backbenchers questioned the government line. During the 2018 parliamentary budget debates, for instance, a cross-party group of MPs challenged a provision in the government's annual Finance Bill.¹⁰⁹ The Bill stipulated that the government would henceforth retain all funds raised through the cashew export levy rather than remitting 65 percent to the cashew growers themselves. MPs from Tanzania's southern region, where cashew production is both big

¹⁰⁶ *Mwananchi*, 21 October 2016; Interview, opposition MP, London, Sept. 2018.

¹⁰⁷ Solomon Kyela, 'Dk. Tulia azindua kampeni kwa kishindo Kyela', *Uhuru*, 24 July, p. 3.

¹⁰⁸ Tumaini Msowoya, 'Kamati maalum ya Bunge yabaini madudu, mtumishi kulipwa mshahara Sh96milioni', *Mwananchi*, 2 June 2018.

¹⁰⁹ *The Citizen*, 'Parliament in Limbo over cashew nuts', 28 June 2018.

business and a highly contentious political issue, were especially vigorous in their opposition. Yet after a fraught series of debates, CCM MPs ultimately fell into line, suggesting that the costs of defying the executive outweighed any similar costs associated with disappointing cashew farmers. CCM MPs' fears were soon validated as legislators absent for the vote on the Finance Bill were threatened with disciplinary action, including de-selection, due to their de facto abstention. Moreover, the Chair and Vice Chair of the Budget Committee, which helped lead the challenge to government, both resigned reportedly under duress.¹¹⁰ Committee chairs are meant to be elected by committee members, and thus answerable to them. This forced resignation—one example of several under Magufuli¹¹¹—undercut the power of the Budget Committee, marking a further decline in both parliament's institutional 'coherence' and 'boundedness'.

The above account of legislative change under Magufuli is not exhaustive; rather, it points to parliament's institutional decline and its link to a changing power distribution within the ruling party. No longer able to cultivate semi-independent factional networks, and fearing strict discipline, CCM MPs were increasingly compelled to toe the line after Magufuli came to power. The weakness of CCM's previously powerful factions was, in turn, tied to the President's heightened control over private accumulation and patronage networks within the ruling party, part of an ambitious attempt to reverse changes in the political economy of CCM that date back to the demise of *Ujamaa* in the 1980s. Rather than try to make themselves more 'marketable' to various business interests, as was the case under Kikwete, MPs instead backed the executive's more statist economic project through their legislative and oversight activities.

¹¹⁰ Elias Musya, 'Sarakasi za korosho zilivyovuma bungeni, kutikisa mawaziri', *Mwananchi*, 24 November 2018; Interview, opposition MP, London, Sept. 2018; Interview, former government adviser, London, Feb. 2019.

¹¹¹ *The Guardian*, 'Bunge committee leaders call it quits in curious circumstances', 21 March 2017; *Jamii Forums*. 'Nape Nnauye ajiuzulu uenyekiti wa kamati wa maliasili na utalii', 4 February 2019.

Conclusion

This article presents a fresh approach to analysing legislative institutional change under authoritarian rule. Building on recent insights about the influence of elite contestation and patronage politics on legislative outcomes, the article probes the nature and origins of the elite factions driving legislative institutional change. It critiques a tendency in the Africanist literature to analyse elite patronage in terms of access to state institutions and resources. Drawing on an alternative political economy literature, it instead highlights the significance of variation in a societal distribution of power. More specifically, it underscores how differences in the extent of private accumulation affect clientelist factional organising, and ultimately, legislative institutional outcomes.

Applying this framework to Tanzania, the article notes an initial decline in *Bunge*'s strength during the socialist period of state managed accumulation. This then gave way to gradual institutional strengthening after economic liberalisation led to greater private accumulation and factional contestation within CCM. This legislative institutional strengthening reached a peak under President Kikwete before reversing under Magufuli. The politics of legislative reforms under Kikwete were consistent with Tanzania's post-socialist political economy, although also enhanced by the leadership of an ambitious set of politicians and political financiers. Magufuli, by contrast, sought to control private accumulation and access to patronage and, thus, encouraged the return of a more marginal legislature.

Magufuli's death—which occurred during the writing of this article—led to the inauguration of President Samia Suluhu Hassan as successor, and with her, the possibility of another reversal for *Bunge*. Hassan's seemingly more laissez faire attitude to both accumulation by domestic capitalists and internal CCM politics suggests factional disputes could soon return to parliament. Legislators may then make fresh use of the institutional tools inherited from the Kikwete era, or else pursue new institutional reforms. Predictions,

however, are not the aim of this article; rather, it can provide guidance about what economic and political dynamics to look for, whether readers' interest is Tanzania's legislature or that of another dominant party regime.

To conclude, a few final reflections on legislative institutional change and its significance. There is a tendency in the literature on legislatures, be it in authoritarian or ostensibly democratizing regimes, to focus on what functions or what normative ends parliament may serve. By contrast, this article explores the ways legislative institutions reflect and, crucially, *amplify* elite power struggles. Where rival factions and their leaders vie for influence, as was true in Tanzania under Kikwete, they may seize hold of a legislative reform agenda, equipping themselves with further tools to achieve their aims. Conversely, where the power of these factions declines, as happened under Magufuli, key institutional levers are left without a hand to pull them, and a process of institutional erosion sets in.

This does not mean that legislative institutional strengthening and subsequent legislative activity never serve other ends, for instance, more popular representation or progressive redistribution.¹¹² However, rather than assume these legislative functions, we need to understand when and how these ends could be achieved, notably *depending on the societal distribution of power and how it channels through parliament*. In this vein, an emerging literature has started to explore how elite-level tensions sometimes allow for more democratic or redistributive legislative interventions, including by providing leverage for mass-based groups seeking to influence parliament.¹¹³ This extra-parliamentary popular organising has also been directed towards, for instance, lobbying of newly created parliamentary committees. As such, legislative institutional reforms can provide new tools

¹¹² Demarest, 'Men of the people?'

¹¹³ Collord, 'Pressuring MPs'; Obiora Chinedu Okafor, 'Remarkable returns: The influence of labour-led socio-economic rights movement on legislative reasoning, process and action in Nigeria, 1999-2007', *Journal of Modern African Studies* 47, 2 (2009), pp 241-266.

not just for elite factions but for other groups savvy enough to make use of them, a theme worth exploring more.