

## RESEARCH ARTICLE

# Whom are you speaking for? Obstacles to participation encountered by special-seat councillors in Tanzanian Local Councils



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## Abstract

With the implementation of the special-seats programme at the local level of the Tanzanian government, special-seat representatives experience obstacles similar to those experienced by their counterparts in the Tanzanian parliament – the national level. It was established that because of these obstacles, the participation of these women councillors – defined as the attempts they make to affect decisions – is rather low compared to elected male and female councillors. This article focuses on the context in which special-seat councillors have to do their work and how this could partly explain the low participation. It addresses how the special-seat councillors function in practice, and how this compares to the functioning of councillors elected from the wards. The insights into their functioning are derived from data collected from four councils, observation of the meetings, and interviews with councillors between 2012 and 2014. The authors conclude that an improvement of accountability mechanisms would be important for increasing the participation of the special-seat councillors and propose three changes in the organization of the special-seats programme to bring this about.

## Keywords

Obstacles to Participation; Representation; Quota Systems; Special Seats; Election and Selection of Councillors; Roles and Tasks of Councillors; Accountability Issues

## Introduction

The participation of women in local government is critical for realizing equal rights for women. Although the sustainable development literature has been more scanty in addressing their participation at this level compared to the national level of the legislature, currently, the attention for this issue is growing (UN Women, 2021). With regard to Tanzania, the overall number of women holding seats in local decision-making bodies is increasing from 30% in 2015 to 31% in 2020.<sup>1</sup> However, a closer look at the different categories of councillors shows us that most of these exist in appointed seats. In 2015, there were 5,350 seats in total in Tanzania's local government, and women held 1,608 of these, accounting for the proportion 30 % of female participation (UN Women, 2021, 21). However, 1,404 of these seats held by women were appointed seats: councillors that are appointed because of Tanzania's legislated mandatory quota system. This paper discusses the participation of women councillors in terms

<sup>1</sup> Women in 2020 held 1,634 out of the 5,327 seats (URT, 2020).

of what they (can) do in Tanzania's local councils to improve women's situation. Swai (2017) observed that women councillors' participation<sup>2</sup> in meetings was lower than the participation of their counterpart male councillors. We believe that the existing cultural and institutional setting of the election system in Tanzania, the constituency-based First-Past-The-Post (FPTP) system based on Single Member Plurality rule, creates obstacles to the effectiveness of a reserved seat policy. It leads to contradictions that are difficult for appointed women councillors to cope with.

The Tanzanian special-seats programme is one of the many varieties of gender quota policies existing worldwide. Restricting ourselves to the use of gender quota policies in Africa, at least four varieties of gender quota policies exist, two varieties of legislated mandatory quota, and two varieties of voluntary party quota. Tanzania and its neighbouring countries Kenya, Botswana and Uganda, all applying a constituency-based FPTP electoral system, use a legislated mandatory quota that takes the form of reserved seats (Molomo, 2006). Another form of legislated mandatory quota is to indicate the proportion of women to be nominated on the ballot. However, this second form of legislated mandatory quota only fits with proportional representation electoral systems and not with constituency-based FPTP systems. This is because, in the latter system, each district elects only one member to the federal councils. Côte d'Ivoire, South Africa, and Mozambique restrict themselves to voluntary party quotas. Voluntary party quotas can also take different forms; the countries mentioned indicate the proportion of women that political parties should nominate on the ballot. Whereas this form, again, is pointless in a constituency-based FPTP system, this is different for an alternative form, concerning the proportion of women that should be in formal positions in the political party or in the pool of potential candidates. The latter combines easily with legislated mandatory quotas, and political parties in Tanzania and other FPTP constituency electoral systems do apply this form of quota policy.

With the introduction of the quota programmes, criteria of 'demographic' or 'descriptive' gender representation became a measure for representative bodies. In demographical representation, a representative must have attributes that explicitly reflect those of (a group within) the population being represented (Stone 2012, 360). However, the constituency-based FPTP system rests on a geographically based idea of representation. Geographical representation through a plurality system, as exists in Tanzania, is typical for Britain and British-influenced states and refers to an electoral arrangement in which citizens of a well-demarcated geographical area elect an individual to represent them in a federal decision-making body. This arrangement guarantees a clear relationship between the representatives and the citizens and incorporates clear accountability mechanisms (Lovenduski & Norris, 2003). For representatives in Tanzania's local councils, this means that voters expect them to represent the ward they were chosen from and not otherwise. However, the geographical representative system has not functioned well in representing women. Yoon (2008) indicated how women, numerically, were significantly underrepresented where women accounted for only 7% of the members in the national legislature (Yoon, 2008). This is similar in the Local Government Authority (LGA), where women are underrepresented as indicated in Annex 1. Consequently, the interests of women too often went unheeded. The government in the 1980s applied a reserved seat policy, which implies demographic representation, as a means to repair this underrepresentation.<sup>3</sup> The special-seat MPs in Tanzania have to represent the women in regions that comprise a number of districts, while the elected MPs each represent a district constituency (Bjarnegård & Zetterberg, 2014).

Demographic representation is expected to compensate the gender gap observed under geographic representation by furthering the interests of women in the decision-making process, which is the primary purpose of the quota system. As shown above, the inclusion of women as councillors in Tanzania increased for the biggest part through elections and the special seats program. The expectation is that the appointed representatives can change the political agenda by arguing their viewpoints based on women's interests. However, Swai (2017) shows that councillors in reserved seats participate less than elected councillors do. This begs the question of whether they really compensate for the gender gap in representing

<sup>2</sup> Participation defined as making attempts to affect decisions of the council (Swai, 2017, p. 27).

<sup>3</sup> The quota system was initially established by the Local government (urban and rural authority) Act 1982 and then later, in 1992, it was enshrined in a Tanzanian Constitutional first amendment. Since the 1980s Tanzania initially set aside special seats for women in parliament, later also for women on local councils. A second constitutional amendment adopted in 2005 raised the quota to 30% of the seats in the election of 2005 (Bauer, 2008). The National Elections Act 2010 and National Election Commission 2015 put the number of seats reserved for women for the election of 2015 at 40% for the national parliament and at 33% of councillors in the districts (URT, 2010; URT, 2011; URT, 2015; Wang, & Yoon, 2018).

women's interests. This puzzle inspired us in this paper to seek answers to the following research questions. Does the increase in the number of women via special seats contribute to the advancement of women's issues? If not, what are the obstacles the special-seat councillors encounter in the implementation of the quota system at the level of the local council in Tanzania?

## Theoretical Framework

The focus of this article is on the participation of female representatives, specifically on what female councillors do in the decision-making of the councils. This confirms Hannah Pitkin's claim that the proper focus in representing should be on 'acting in the interest of the represented, in a manner responsive to them' (Pitkin, 1969, p. 209). However, the assumption behind the quota policy is that descriptive representation – the numerical representation of women in councils – leads to substantive representation. Female representatives, elected and appointed, are expected to act for women as a group, to break through the patriarchal norms and values that affect deliberations in the decision-making arena (Meena 2003; Lovenduski & Norris 2003; Kabeer 2013). According to Celis and Childs (2008), this would imply that these representatives put new issues (related to women's interests) on the agenda and offer a female perspective on existing issues. However, these and other authors point out how the relationship between descriptive and substantive representation is much more complex and multidimensional (Wängnerud 2009).

Feminist writers in postcolonial theory even raised the question of whether (historically) oppressed and marginalized groups, such as women, can be represented at all. Gayatri Spivak's famous essay - *Can the Subaltern Speak* – is an important example. The first part of this article's title, although directly drawn from an observation of a council meeting in Iringa MC, reminds us of this question. Spivak urges us to reflect on whether oppressed and marginalized groups can be represented at all. Similar to Said (1994), she wants us to acknowledge how communication in formerly colonized countries is imperfect and distorted by the dominance of Western culture; a culture that tends to define the peoples, cultures and political systems of the East and South as other - less developed and more awkward. Maggio points out how those involved will only be heard and represented to the extent they speak 'in a language that is already recognized by the dominant culture of the West' (Maggio, 2007, p. 431).

However, Yoon (2011) and Swai *et al.* (2019) have observed improvements in the access given to women's issues in the Tanzanian parliament and these speak to Maggio's (2007) positive answer to Spivak's question, which is a conditional yes. Without being oblivious of these insights into what influence Western discourse might have, in this paper we will take a more empirical approach by focusing on what councillors themselves tell about their work as representatives. At the same time in investigating whether and how substantive links to descriptive representation, we will take into account the context in which they have to do their political work. The representatives' individual capacities in this work, of course, play a role and many scholars, therefore, propose to offer the women involved training and other opportunities to develop these capacities (Yoon 2011). However, also scholars of empirical research point at how context matters. Joshi (2022), for example, points to several contextual variables that intervene between descriptive and substantive representation and shows how much these factors matter. First, political parties might act as gatekeepers in selecting women for special seats and in what they do while in function. In other words, they might prevent these women from acting autonomously. Second, institutional factors may be intervening. Joshi (2022) mentions the electoral system as well as the organizational relation of the representatives to the government bureaucracy as relevant here.

Many scholars acknowledge the introduction of a quota system as an important step forward with respect to substantive representation. In Tanzania, scholars have found evidence of a positive relationship existing between an increase in the number of women representatives and the attention paid to and agendizing of women's issues. Meena and Strachan show how female Members of Parliament (MPs) initiated and pushed legislation to protect female employees, and on protecting women from sexual offences (Meena, 2003 & 2009; Strachan, 2015).<sup>4</sup> Yoon (2011) and Swai *et al.* (2019) found further evidence that the women

<sup>4</sup> The Tanzania Women Parliamentary Group (TWPG) played a supportive role. The TWPG is a forum for all female MPs in Tanzania and was formed in 1997 to encourage MPs to participate in decision making and build the capacity of women to mainstream and monitor gender equality in parliamentary affairs (Yoon, 2011). The forum offers female MPs the opportunity to

representatives ask basic and supplementary questions in decision-making that broadened the general understanding of issues affecting women in society. With the assumption that health issues are women's issues, we can include studies in Tanzania and Swaziland showing women have influenced public expenditure by reorienting more resources to these issues (Swai & Anasel, 2020, Funk & Gathmann, 2015).

However, the quota system, especially the special-seats variety, also provides obstacles, depending on the contextual factors mentioned by Joshi (2022) above (see also Mifsani 2014). Bjarnegård & Zetterberg (2014), for example, show how the idea of geographical representation behind the SMP electoral system has led to conflicts between the elected MPs and the special-seat MPs (see Yoon 2008). The special-seat MPs are not free to perform their tasks in the constituency since the other MPs perceive them as 'illegitimate' competitors in future elections. This leads to frequent interventions by elected MPs trying to silence special seats with the purpose of reducing their power (Yoon 2008). The elected MPs perceive the actions of special seats as interferences in their competence and view the special-seat MPs in Tanzania as inferior to other MPs, since they are not elected via the conventional SMP system (Strachan 2015).

In this paper, we will look into the implementation of the special-seat programme at the local level of the Tanzanian government and focus on why the councillors in reserved seats participate less than the elected councillors. We will proceed in section 3 by elaborating on the method of gathering information about this participation and its background. The literature addressed above makes clear how contextual factors might matter for explaining the relatively low participation of special-seat councillors, as these factors can put restrictions on what special-seat representatives can do. Important in this respect are, first, the selection processes of candidates for representative positions, especially the role of political parties, and; second, the electoral system. The observations above about the Tanzanian parliament exemplify how deeply held ideas about representation, as instilled by the electoral system, can create obstacles to what special-seat representatives can do. In section 4, we will address how selection processes and electoral system principles play out in the local councils. A third contextual factor relevant to what special-seat councillors can do is how the work of representatives is organized and this includes their connection to the constituency and the bureaucracy. Therefore, we will address the organization of their work in section 5. In each section, we will start by describing the relevant institutional and organizational arrangements, followed by the reflections of the local councillors themselves.

## Method

For the purpose of this paper, we aimed to understand what women councillors do and what obstacles they encounter while doing their work. In order to answer these questions, we draw from the information that Swai (2017) collected for her dissertation, as will be elaborated below.<sup>5</sup> In addition to the formal roles and tasks of councillors, we also wanted to grasp the experiences and perspectives of the councillors themselves. In order to do this, we relied on observation of council meetings and interviews.

### Data collection

The data were collected from August 2012 to July 2014 from four councils in Tanzania.<sup>6</sup> This article mainly relies on observation of council meetings and interviews with councillors.<sup>7</sup>

A total of 20 committee meetings and 8 full council meetings were observed to obtain a full description of what happens in decision making. Two researchers did the observations using an observation checklist. They recorded, compared and discussed the observations to reach a common interpretation.

In addition, interviews were held with 45 councillors. The councillors are distributed across

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meet, discuss and agree on a number of issues and strategies in order to ensure they are decided in favour of women.

<sup>5</sup> The PhD thesis is titled 'The relative participation and influence of female councillors in the decisions of the councils in Tanzania' (Swai, 2017).

<sup>6</sup> Ilala Municipal Council (MC), Mkuranga District Council (DC), Iringa Municipal Council (MC) and Iringa District Council (DC).

<sup>7</sup> Swai also collected data from minutes of meetings of three financial years, 2010/11, 2011/12, and 2012/13. These were needed in order to draw quantitative conclusions about participation, as can be found in her dissertation. In addition, these provided some background information for the observations and interviews.

gender, institutional position<sup>8</sup> and council as indicated in Table 1 below. We applied the principle of saturation, stopping with recruiting interviewees when the point is reached at which the information collected begins to repeat itself, to decide the number of interviews per subcategory (Hennink *et al.* 2010). The application of these criteria led to 21 male and 24 female councillors being interviewed.

**Table 1: Number of councillors and the interviewees selected**

Council/ Councillors	Male Councillors			Elected Councillors			Female			Special-seat Councillors		
	N	S	%	N	S	%	N	S	%	N	S	%
Ilala MC	24	4	19%	8	3	38%	12	3	25%			
Mkuranga DC	17	6	35%	2	1	50%	6	5	83%			
Iringa MC	15	4	27%	2	2	100%	8	4	50%			
Iringa DC	24	7	29%	3	3	100%	10	3	30%			
<b>Total</b>	<b>77</b>	<b>21</b>	<b>27%</b>	<b>15</b>	<b>9</b>	<b>60%</b>	<b>36</b>	<b>15</b>	<b>36%</b>			

N=total number of councillors; S=Sample; %= the percentage of the selected interviewee.

An interview guide was used for all interviews. The questions asked seek to understand the experiences and views of the councillors on participation are given in annex 2. For the interviewees, difficult to get for face-to-face interviews, the conversation was conducted via the telephone.

### Data Analysis

We analyzed the government's official documents and literature to understand the formal roles and tasks of councillors and the selection process for councillors. The observations of meetings and interviews helped us understand the issues, challenges and experiences of councillors.

The interviews were transcribed into texts, numbered from R1 to R45. We use these numbers as references for the quotes given below. The authors keep them in a confidential file. The authors inferred the themes addressed in the following sections from the interviews and observations by grouping the data according to codes and combining the grouped data to understand the content of themes. Further interpretation of the identified themes was made by attaching meaning and significance to it in order to understand the issues, challenges and experiences of councillors.

## Election and Selection of Local Councillors in Tanzania

The selection of special-seat councillors differs from the selection of (candidates for) the elected council seats. After describing the two processes in detail, we will elaborate on what these differences mean for special-seat councillors.

### Election of Elected Councillors

Elected councillors in this article refer to the councillors that are elected from the ward by citizens to represent them on a council.<sup>9</sup> The Local Authorities (Elections) Act of 1979 and the Electoral Laws Miscellaneous Amendment 2010 govern elections in local government. There are essentially two stages in the selection process of elected councillors as the stage of the election – the stage of the popular vote – is preceded by a stage in which the candidates are selected and elected within the political parties. An independent candidate is not allowed in Tanzania. All candidates must be members of a political party and they must be nominated by a particular political party. Each political party participating in the election

<sup>8</sup> Being an elected or special seat councillor

<sup>9</sup> Potential candidates can contest for a position as councillor if they have Tanzanian nationality, are at least 21 years of age and are able to read and write in Swahili or English. The contestant must reside in the ward that he or she wishes to represent. Another requirement is that the contestant has not been convicted for an offence of tax evasion within five years before election.



can nominate one candidate for each district to compete with the candidates from other political parties. The political parties have their own internal constitutional systems to select candidates.

As a first step, the members of the political party who wish to contest fill in the application form and submit it to the office of the political party in their district. The aspirants are allowed to campaign to receive support from their fellow political party members. These are the party members who vote to elect a candidate to represent their political party in the election. In elections within political parties, the names of the aspirants are listed according to the number of votes received. After the intra-party election, there are normally a series of meetings within the political party at the regional and national levels. In these meetings, the party discusses, screens, shortlists, and selects a candidate to represent the political party in the election. The party administration has the power to change the order of the preference and nominate a candidate who is not the preference of the party members in the district. Subsequently, the name of a candidate nominated in a political party is sent to the National Election Commission (NEC) for official nomination. The commission nominates eligible candidates after checking the qualifications and addressing all objections (URT, 2011).

After official nomination, the candidates for the political party campaign to the public in the ward. In the general election, the residents of the ward who are eligible to vote, elect a ward councillor among the candidates through popular vote.<sup>10</sup>

### **Election and Selection of Special-Seats Councillors in Tanzania**

Since the country operates under a multiparty system, the special-seat councillors are distributed over the parties that gained at least 5% of the votes depending on the number of seats won by each political party. The number of special seats for a political party is established by adding up the number of elected councillors from that political party. Then the total of both elected ward councillors and MPs is divided by the total number of elected councillors, including the number of MPs in the LGA multiplied by the total number of the special seats in the LGA (URT, 2015):

$$sp\ seats\ party\ P = \frac{(elected\ cllr\ party\ P + MPs\ party\ P)}{(total\ elected\ cllr + total\ MPs)} \times sp\ seats\ Council\ C$$

This means that the distribution of special-seats councillors is proportional to the political parties' number of elected councillors in the LGA. The party with more elected councillors receives more special seats and the party with less elected councillors receives fewer special seats. Political parties allocate the special-seat councillors to specific divisions. A division is an administrative organization comprising several wards.<sup>11</sup> It is part of the central government at the lowest level. A division secretary acts as a connecting link between the central government and the local government managing a division.

There are two stages in appointing special-seat councillors in Tanzania. Although there is some variation between ruling and opposition parties, the written procedure is quite similar for all political parties. In general, the process starts at the district level, where all aspirants fill out a form and submit it to the district office of the political party. The aspirants compete with fellow party women in the district, and only the female members of the political party have the right to vote. After the voting, the names of all the candidates participating in the election are listed according to the votes obtained. The women's wing of the political party shortlists candidates at the regional level and then forwards the shortlist to the national congress. The women's union at the national level, the UWT, scrutinizes the list of candidates from each region. This union has the power and mandate to change the ranking of candidates or even to eliminate a name from the list if it finds unfavourable information about the candidate. However, the political party executive makes the final decision on the list and sends it to the National Election Commission (NEC) for nomination after the general election. Soon after the

<sup>10</sup> These elections are held every five years, along with the elections for the president and members of parliament.

<sup>11</sup> A division can be a subdivision of the district, depending on how big the district is, and it might contain two or more wards. It is part of central government.

general election, in which the president, MPs and councillors are elected, the NEC calculates and appoints the special-seat councillors.

Each political party has its own internal mechanisms for selecting female representatives in these seats. Within Chama cha Mapinduzi (CCM), for instance, to become a candidate, an individual should be a long-standing, loyal and active member of both CCM and UWT (Umoja wa Wanawake Tanzania, which means Unity of Women of Tanzania). The latter is the women's wing of the party. Killian (1996) questioned whether this union was independent enough from the party's leadership. As the latter has the last say in the nomination process, the author feared special-seat councillors would be accountable to the party's leadership rather than to the women within the party. Some authors qualify the practice in opposition parties as less transparent, which would make the selection more susceptible to corruption (Yoon, 2008). In 2010, for instance, the women's wing 'Baraza la Wanawake CHADEMA' (BAWACHA), which means CHADEMA Women's Council, was supposed to supervise the selection of special-seat candidates (Bjarnegard & Zettenberg 2014). However, two days before the final selection, there was some sort of corruption scandal which led the central committee of the party to override the women's wing and hire a consultant to perform the task. On the one hand, the women's wings have the power to allow or prevent females from being nominated to participate in elections of candidates for special seats. On the other hand, despite these powers of the women's wings, the political party central committee can easily override them if not satisfied with their practice. This is also reflected in practice, as clarified by Killian (1996), that the special seats are likely to take into account the interests of the political party as a whole and not the interests of the women's wing of the political party, once they are in the parliament or council.

### Summarizing the Similarities and Differences

The selection of candidates is an inherent part of the process by which councillors (elected as well as special-seat councillors) come into the office. The way in which the special-seat candidates are selected is different from the selection of candidates for election in the wards, and this has consequences for the relationship between the councillors and their constituency. Whereas the selection and election process of elected councillors forges a clear link to a constituency, this is not the case for the special-seat councillors. The different political parties' leadership has a decisive voice in the selection of candidate councillors, whether they are candidates for an elected or appointed councillorship. However, the residents of a ward subsequently, via elections, have a clear say in what councillor will represent the ward on the council, which forges the link. Whereas with special-seat councillors, this is not the case, and a clear link of representation is lacking. The women in the division, which they are meant to represent, have hardly any say in the selection and appointment of the special-seat councillors. Women's wings of political parties have some influence on their selection but do not monitor whether the special seats subsequently indeed work in the interest of the women in the division.

### Councillors' Reflections

Below we will present councillors' perspectives, distinguishing as much as possible between the different categories of elected and special seat councillors. When using the word most or the majority below it means that more than 50% of that category expressed this view.

## Special Seat denied access to the Constituency

Although the special-seat councillors are declared to work for women, they claimed to have difficulties gaining access to the wards. The special-seat councillors are members of the WDC in the ward, but still, most of them reported that the elected representatives are sometimes denied access to the constituency claiming that the special-seat councillors are not elected from a particular constituency. This is the real fight over the constituency as encapsulated in the view of the special-seat councillor from Iringa MC, who said:

'I normally ask permission and inform the ward councillor of the issues that we will discuss in the meeting with women. The elected councillors sometimes respond on time, but in most cases, they delay to respond. This depends on their mood on a

particular day, but they did so purposely to interfere with our plan because often I have to wait for a week or even more.' (R21)

Statements made by elected councillors themselves during interviews supported this. They said that most of the special-seat councillors interfere with their role by organizing a public meeting with the constituents of elected councillors and that they denied them entry to the wards. A male councillor from Iringa DC provided the opinion that:

'The special-seat councillors cannot organize public meetings or any other meetings in the ward without my permission. Sometimes they do that even without permission from the elected councillor, but I think it is interference with my tasks as a representative of the ward.' (R8)

This implies a fear of competition in ward elections; the elected councillors view the special-seat councillors as potential competitors and a threat to future elections. This was highlighted by a male councillor from Iringa MC who conveyed a similar perspective regarding the existing guidelines for the organization of public meetings:

'I can organize public meetings any time without asking permission from anyone, but the special-seats councillors are not allowed to do so. This is written in the council standing orders that we are required to organize meetings with our people in the ward. The special seats can only attend and speak in public meetings when I have decided to allow her to do so. It is strange that there are some special seats who organize public meetings while they know that they are not allowed to do so.' (R15)

Regarding the role referred to by the councillor (R15) in the quotation above, it is written that 'the councillors shall set aside at least one day in each month to meet the citizens in his/her constituency'. This is not specific to either elected or special-seat councillors. In fact, the council standing orders do not further specify the tasks and do not differentiate the elected councillors from the special-seat councillors. However, the quotation from the elected councillor above suggests that special-seat councillors are not allowed by the council's standing orders to organize a public meeting. This might be a misinterpretation of the council standing order by the councillors. The elected councillors seem to be very keen on using the provision to obstruct special-seat councillors from performing some tasks in the ward.

A special-seat councillor in Iringa MC reported that sometimes she decided not to speak in the meeting because she was once discouraged by the elected councillors. She said that the elected councillors cooperate among themselves to silence the special-seat councillors who appeared to be active in the meeting. When a special-seat councillor in a particular ward proved to be rather active, elected councillors cautioned the councillor elected from this particular ward that '*hon Noela*<sup>12</sup> *is talking too much, you have to be careful, the citizens may see her better than you*'. In response to the caution, the elected councillors were reported to form a coalition to silence this particular special-seat councillor by obstructing her whenever she participated or sought permission to participate.

A poignant example of these turf fights (struggles for territorial control) occurred during an observed meeting in Iringa MC. During a debate on the admission of students to secondary school, a special-seat councillor opposed a proposal made by a male councillor from one of the wards in a division represented by this special-seat councillor. The male councillor reacted to the opposition made by the special-seat councillor by asking questions that demanded her to justify herself: Who are you? And for whom are you speaking? And who are you representing in this council? The questions were apparently meant to derail her and undercut her credibility simply because she was not elected by the people in the ward. The fact that the special-seat councillors do not have a clearly defined connection with the ward seems to derail their standing as spokespersons who can speak and address issues of the ward the same way as elected councillors do.

The special-seat councillors are assigned to work with women in the division. However, special-seat councillors highlighted that working in a division was one of the impediments to

<sup>12</sup> The name is fictitious.



their performance. They said that they could not meet all the women, because the division has a relatively wide area. The divisions have an average of 4 wards, and 30 villages and the distance from the district headquarters to the villages varies significantly from one village to another, which implies variation in the cost of hiring a motorcycle. One of the interviewed special-seat councillors from Iringa DC shared her own experience with trying to visit the women in all wards belonging to her division. She said that it was very expensive because she hired a motorcycle and it takes much time to visit them. The council chairperson from Mkuranga DC confirmed this. He said some of the special-seat failed to attend WDC meetings because the roads are not passable, and they have to hire a motorcycle that costs them more than Tsh 10,000 to travel from home to the ward.

Each group of councillors (elected and special-seat) claimed to represent a certain group on the council. For the elected councillors this is the group of people living in a ward. This accounts for the elected councillors being better facilitated and in a better situation to speak for the group they represent, as it is easier for them to keep in touch with them. The special-seat councillors, on the contrary, seem to be delayed in having, or are denied, access to the women in the wards. Working in a division is associated with practical problems, such as high travel costs, and the turf fighting with several ward councillors.

The fighting over the constituency is related to the challenge that special-seat and elected councillors face, in competing for seats in the next election.<sup>13</sup> In the interviews, all special-seat councillors, except for 1 or 2, expressed their ambition to contest ward elections. Elected councillors confirmed this, and claimed that the special-seat councillors tried to get closer to the wards to create opportunities to be known by the people as a strategy to run for ward representative in the next election. The special-seat position, in this case, is seen as an effective pipeline to becoming an elected councillor, and this creates a threat to elected ward councillors. This has made the elected councillors continuously and tirelessly work to fulfil the promises made to the ward, while attempting to reduce future competition, by obstructing the special-seats councillors being known by the people in the ward through denying them access (as explained in the previous section) to the ward. During the interviews, the elected councillors expressed that they worked hard for two main reasons; first, to fulfil the interests of their electorates, and second to secure re-election. The chances for a councillor to be re-elected were considered limited if a councillor failed to fulfil promises. An elected councillor, who wishes to be re-elected to prolong the position on the council, needs to work hard to be re-elected. An elected male councillor, from Iringa DC said:

‘I am a ward councillor, and I know how I was elected: it was a stiff competition to be nominated in my political party, and then I had to compete with the opposition parties during the election. My wish is to be re-elected for another term. Because of this, I am working hard to fulfil my promises in order to reduce competition in the next election. When I achieve my promises, I will have something to tell my people during the campaigns.’ (R8)

However, the prospect for elected councillors to remain in office is further complicated by the expectation that special-seat councillors plan to contest ward elections. A number of special-seat councillors said that they tried to work hard because they had a strategy to run for councillorship in the ward election. A special-seats councillor from Mkuranga DC told about her ambition to compete in the ward election:

‘Yes, I have a plan to contest in the ward election; I am trying to work hard and cooperate with people in the ward. I attend every event that involves people in the community, and I support them when necessary. My aim is to be known by the citizens, and to establish the possibility to be elected as a ward councillor.’ (R43)

An elected female councillor talked about her own experience of having been a special-seat councillor for five years before she was elected as a ward councillor:

‘When I served as a special-seats councillor for five years, I had the plan to

<sup>13</sup> More than 50% of the interviewed male and female elected councilors – so more than 15 councillors - said they feared the competition from special seat councillors.

become an elected councillor. I was working hard and cooperated with the elected ward councillor to execute various functions and I sometimes gave out some money to implement some projects in the ward. From my own experience, I can say if a special-seat councillor wants to move into being elected for the position, they must work hard.' (R6)

It is possible for special-seat councillors to run for elected office in the elections next to their appointment. Not only the one giving this comment, but almost all interviewed special-seat councillors made clear that they intended to run for a council seat in the next election. The special-seat position is an open opportunity to go for an elected position. This would also be in line with the stated goals of the quota policy: to create, with special seats, an opportunity for women to acquire experience in council work and to prepare for elected office. Elected councillors, however, conceive this as unwelcome competition in the next election, and as a threat to the continuation of their position. It is their motive to be re-elected; they perceive special-seat councillors that want to stand as candidates in the next election as unwelcome competition.

## Problems Associated with the Roles and Tasks of Councillors

What are the formal laws, regulations and prescriptions concerning councillors' roles? This section will address these formal aspects, and, subsequently, confront these with the data gathered from observations and interviews about what happens in practice.

### The Roles and Tasks of Councillors

The overriding responsibility of all councillors is to the district as a whole. This means that each councillor has to consider not only the interests of their electorates but also the interests of all the people in the district, including those who did not vote for them. The councillors are expected to act in a number of capacities: as a committee and council member, a constituency representative, and a political party partisan. The council standing orders and the Local Government Act 1982 identified seven tasks for councillors. The tasks include cooperating with the citizens in the constituency and getting their perspective regarding the issues to be discussed in the council; providing comments and suggestions from the citizens to the council; attending full council meetings and committee and subcommittee meetings of which they are members. In addition, the councillors are tasked to use their capacities to advise the council, the committees and subcommittees; meet the citizenry in his/her constituency; give feedback to the citizens, and participate in development activities in their constituency and in the council as a whole to encourage citizen involvement in decision making concerning development priorities.

The legislation, council standing orders and the Local Government Act 1982 do not make a distinction between the roles of elected councillors and special-seat councillors. This means that legally there is no difference in the tasks performed by councillors. However, the elected councillors are charged with a specific responsibility to perform in the Opportunities and Obstacles for Development (O&OD) planning process guiding manual (URT, 2007), where they are mentioned as an important actor with a specific formal position. The manual states that the elected councillors are to mobilize the ward officer, the Ward Development Committee (WDC) members, and the community. In addition, they are to encourage society to participate in the planning process and to supervise the planning process at the village/street level. The elected councillor is the chairperson of the WDC, charged with all the administrative and financial affairs of the ward. The WDC is also responsible for reviewing and consolidating village plans into a ward plan and the elected councillor has an opportunity to insert his/her interests into the plan. The special-seat councillor does not have such duties in the O&OD planning process. The manual, for instance, merely stipulates that the special-seat councillor is a member of the WDC – and in that capacity, not the vice-chairperson to replace the elected councillor if he or she is not around.

The special-seat councillors see their task as different compared to the elected councillors. In the interviews, they report to work for women. They said that they have been working with

women through small groups formed by women at the village/street level. Furthermore, they compared their priorities on the council with that of the elected councillors. This affirmed that they were working to promote the interests of women while the elected councillors were working for the ward. A special-seat councillor of Mkuranga DC said:

'We have a feeling that we are responsible for women, they vote for us and we promised to speak of their problems in the council. We have been working with them, supporting them to get access to loans in the council, and we sometimes visit their groups in the villages to learn of their progress and report it to the council.' (R44).

Another special-seat councillor from Iringa MC added:

'The priority of elected councillors is different from my priority. Most of the elected councillors' think of doing things that touch everyone in the ward while for us our target is specific to women.' (R21)

### **Councillors' Reflections on Accountability Issues**

The interviewed councillors shared their experiences that the disparities in roles and tasks favour the elected councillors while limiting the special-seat counterparts' ability to perform. The elected councillors feel the pressure of their responsibilities and tasks regarding representing their ward. This pushes them to participate actively in meetings. The elected councillors claimed that the citizens directly confront them and a great variety of demands prompts them to pursue remedies in the council actively. This indicates a clear relationship and a well-defined accountability mechanism between elected councillors and the ward. Elected councillors are the spokespersons of the ward. They perform many tasks related to the ward, such as the supervision of project implementation and tax collection. Citizens, on the contrary, rarely approach the special-seat councillors, as special-seat councillors themselves confirmed. They seem not to be in touch with the ward or a specific group they represent.

The elected councillors reported being obliged to present a ward development report to the full council meeting and to supervise the implementation of the election manifesto within the ward. The elected councillors affirmed that they have to specify what they have done every three months. All interviewed elected councillors mentioned that they present quarterly ward development reports to the council. The special-seat councillors do not have such a mechanism of accounting for their contribution. The elected councillors had a feeling that some special-seat councillors would be passive in the council. An elected councillor from Iringa DC stated that:

'The special-seat councillors do not have many tasks like the elected ones, for instance, yesterday, we were presenting a ward development report; did you see any special seats presenting the report? They are not asked to do that and they are happy because they don't need to work hard.' (R5)

If there is no requirement for special-seat councillors to report, who assesses their performance and how? Many of the elected councillors outlined that the people in the ward assess them, if they do not fulfil their promises, they may not be re-elected. They shared the observation that there is a frequent change of elected councillors. They also observe that the special-seat councillors are not asked by women in the division to account for what they did as their representatives. A male councillor from Iringa DC elaborated that:

'My people can judge me from what I do and from what I promised to do. I have to work for my ward and make sure that all of my promises are fulfilled. This is because my people in the ward will ask about that. For the special-seat councillors, they work for women, and these women are supposed to ask about their performance, but in most cases, they do not do that.' (R1)

Some elected councillors questioned the accountability mechanism of special-seat councillors. They said that it is not clear as to whom the special-seat councillors account because they are not asked to report on what they do on the council. This was captured from a male councillor in Mkuranga DC who had the following to say:

'You know, even the by-law<sup>14</sup> that demands a quarterly report on ward development does not mention anything about the special-seat councillors; the responsible person for this report is the elected councillor. If the report is not submitted and presented in the council meeting, I am responsible for that, but special-seat councillors will not be asked about this.' (R34)

During the observations, too, only elected councillors presented ward development reports. In these meetings, most of the elected councillors were active and most of them either asked questions or commented on the reports of others. Meanwhile, special-seat councillors were usually passive. Some of them went out when the elected councillors were presenting their reports. The reason for this might be that the special-seat councillors felt that they were not part of the process, and that they did not need to pay attention.

Several special-seat councillors explained their reason for working with women and children, particularly girls, are a result of being isolated from the activities of the ward. A special-seat councillor in Iringa MC commented:

'We regularly do things for women because we do not have projects to supervise like elected councillors. I personally pay school fees for 3 girls who were unable to go to school due to lack of school fees and I succeeded in finding a sponsor to pay school fees for 20 girls in secondary school who had a similar problem.' (R21)

An elected female councillor from Iringa DC provides the view that corresponds with the above viewpoints, when she stated:

'The special-seat councillors represent women who are struggling with poverty and who do not have access to positions. They also speak of the challenges facing women in the community and to make sure the council decisions are in favour of women.' (R8)

### **Special-seat Councillors Not Getting the Same Support as the Elected Councillors**

The interviews also gave the strong impression that elected councillors are given all the necessary support from the bureaucrats and have more resources from the private sector and NGOs at their disposal than the special-seat councillors. This is because the special seats do not have a ward to represent.

The ward is a formal institution and an elected councillor of a particular ward is regarded as the person responsible for the implementation of a ward development plan. The elected councillors were reported to cooperate with private sector organizations, and use their funds to implement the ward plan. All interviewed elected councillors affirmed this. An elected female councillor, from Mkuranga DC, had the following to share during the interview:

'When I was elected, I realized that the council does not have sufficient money to implement projects in the ward. I thought that it would not be easy to win the scramble over the little money available in the council. So, I decided to find alternative ways of making changes in my ward, I managed to get sponsors and I did many things in my ward using those sources.' (R40)

A council chairperson, who tried to compare the performance of elected councillors and the special-seat councillors in securing private-sector support, also confirmed this. He stated that most of the elected councillors make an effort to find private sponsors to implement their projects in the ward, whilst it is unusual to find a special-seat councillor who has managed to get private sector support.

An elected female councillor in Mkuranga was telling her story of how she has managed to do many things in her ward using money from the private sector. For instance, she managed to renovate an 11 km road that was not passable throughout the year. The elected female

<sup>14</sup> The by-law referred to here is the guideline from the ministry. According to the local government Act No 7 & 8 of 1982, the minister responsible for local government may from time to time declare the functions to be performed by the LGAs and specify the powers and duties to be exercised by the LGA in addition to the duties specified by the Act. In this case any guideline from the ministry to the LGA is considered to be a law.

councillors in Ilala MC also explained that securing private sector money to be a factor in their good performance on the council as well as in the ward.

One of the examples was a fundraiser, collecting money to improve the situation in schools, which an elected female councillor of Kipawa ward organized. She raised about 400 million Tanzania shillings. Another councillor managed to renovate a ward office and buy office furniture using private sources. All interviewed councillors mentioned her as a successful councillor in acquiring and using private sources. One year later, in the 2015 general election, the councillor was elected to serve as a Member of Parliament (MP) representing a constituency including the ward she was representing as a councillor.

For special-seat councillors, it is hard to find sponsorship. Private sectors and the NGOs are mainly interested in realizing projects within the ward and with that aim they support the elected councillors instead of the special-seat councillors. The NGOs pay attention to elected councillors because they are results oriented and wish to realize projects within the ward and therefore work with the elected councillor who represents the ward. This is contrary to the expectation that the NGOs would be very interested in supporting the special-seat councillors because they represent women. In practice this is not the case. In the same vein, the bureaucrats take elected councillors more seriously than they take the special-seat councillors. Elected councillors confirmed this and admitted that bureaucrats pay attention to, listen and support them during meetings when they want to do something.

An elected female councillor from Iringa DC compared her current experiences with earlier experiences:

‘You know I have experience of being a special-seats councillor and of being an elected ward councillor. It appeared to be a challenge to hold a special-seat position because they did not give me an office, and did not inform me of what was going on in the council, which limited my contribution to the meetings. When we talked about the ward, the elected councillor told us that it was not our task, and the bureaucrats were not ready to guide and support us. We had nothing to do and as a result we were described as a councillor without responsibility.’ (R11)

This woman had been a special-seat-woman councillor for five years prior to the ward electing her. She gave an extensive account of the procedural, legal and institutional barriers experienced as a special-seat councillor. She mentioned numerous challenges that hampered the special-seat councillors in participating on a par with the elected councillors. This councillors’ experience, concurred with the obstacles highlighted by the other special-seat councillors interviewed. The lack of standing that special-seat councillors experience, as far as ward affairs are concerned, is reflected in the amount of support they enjoy. Thus, elected councillors overall seem to be better facilitated and supported to participate in the council than special-seat councillors.

## Discussion and Conclusion

The implementation of the special-seats programme at the local level has effectively increased the number of women seated in the councils; Tanzanian government did very well in this regard. However, special-seat representatives experience obstacles similar to those of their counterparts in the Tanzanian parliament as described by several scholars (Killian 1996; Yoon 2008; Bjarnegård & Zetterberg 2014). There are contextual factors at the local level that prevent the special-seat councillors from participating on a par with the elected councillors. First, they are not linked to a constituency. Each of the elected councillors links to the citizens living in the ward they were chosen from. This gives the latter a degree of legitimacy that the former lacks and leads to obstruction by the elected councillors. We would suggest creating an alternative constituency for the special seats by forging a link between them and the women whose interests they are meant to represent. However, this brings us to further restricting factors: the political parties’ leadership and not the women in the party have the last say in nominating the special seats and prolonging their position as representatives. Third, no clear idea nor description exists of their role and tasks on the council and towards the citizens. These characteristics stand in the way of the presence – let alone the proper functioning – of accountability mechanisms, whereas these mechanisms would stimulate, if



not oblige, the special seats to participate more intensely in the council. What is more, the observations have shown, that elected councillors seem to hold this situation against the special-seat councillors in a way that degrades the latter's functioning and position.

Special-seat councillors are expected to advance women's issues. However, these councillors find themselves in a position that makes it hard to develop a common idea of what issues to fight for and how to do this. In addition, there are no points where the women and organizations to be represented, can engage in holding the special seats accountable, as the latter are not required to report their actions. In order to make special seats really further the interests of Tanzanian women and develop descriptive representation into substantive representation, they would need a connection to the women and their organizations in the local community.

Yoon's (2011) proposal to repair the second-class position of the special seats was to allow women to take special seats only for one term of office. Departing from the idea that more women should get into elected positions, she proposed to use the quota policy to create an opportunity for women to learn and acquire skills that prepare them for an elected position. The special-seat position should become more of a stepping-stone, an opportunity to acquire experience and gain publicity as a politician. Yoon, (2011) emphasized how via this position, women could be groomed in many aspects of politics. However, the women trained and sensitized in this position after building their confidence and gathering all necessary support should subsequently be encouraged to contest elections and move to a ward seat. This could be done via the limitation of the duration of the special-seat appointment to one term – that is office tenure of five years in Tanzania.

The assumption behind Yoon's proposal is that women, via the special seats, would develop the capacity to speak up and to speak on behalf of their fellow women (Celis & Childs, 2008; Mkilanya, 2011). However, without denying the importance of such a development of capacities in the way described above, the question is whether this solution would not one-sidedly rely on the individual special seats, whereas the problem is also in the defective system. Repairing the defects in the system would ask for organizational change. First, formal tasks should be allocated to the special seats, for instance, presenting proposals and a work plan highlighting what they will do to further women's issues and interests and further speak for the group they represent. Second, as Killian (1996) had contended previously, the government or political parties should forge an institutional linkage between the special seats and the women they are supposed to represent. Third, also emphasized by Killian (1996) above, guaranteeing the independence of women's organizations is important for enabling women representatives to make a distinctive impact on gender-related issues and policies. More independent women organizations are also important for ensuring that the represented women have a say in the selection of candidates for the special seats.

Fulfilling these three conditions would make it possible to hold special seats accountable in a sense described by Stone (2012): legitimate representative accountability constitutes the right of the citizens to assess what their representatives do compared with what these representatives promised to do as well as imposing sanctions – not being elected or appointed again – if not satisfied. In addition to working more explicitly for the represented, special-seat councillors would be enabled and encouraged to function on par with the elected councillors. This could also create opportunities for the special seats to get support from the private sector, women's organizations and NGOs to establish a closer working network and further advance gender-related impact on public policy.

## ANNEXES

Annex 1: The participation of male and female councillors in local government

Councillor's category	1994	2015	2020
Elected male	2411	3742	3693
Elected female	190	204	260
Special seat	652	1404	1374

Source: Data compiled from the report of the general election of 1994, 2015 and 2020.

Annex 2: Guide for an in-depth interview

**Preliminary information<sup>15</sup>**

- 1) Council..... 2) Committee..... 3) Interview date.....
- 4) Interview number..... 5) Elected/Appointed..... 6) Ward.....
- 7) Age..... 8) Type of employment..... 9) Experience.....
- 10) Level of education..... 11) Political party..... 12) Leadership position.....

**Questions interviews**

1. How did you become the local councillor? (Probe e.g. who convinced you to contest/accept the appointment? *How did he, she convince you?*)
2. What experiences can you tell so far? (Probe e.g. *whether other people listen to you, easy or difficult to be a councillor, or to speak out in the meeting?*). What did you achieve so far?
3. Whose interest are you representing in the council?
4. What proposal did you put in the agenda of the council? What was the result? How did you ensure it is accepted? (Probe tactics used such as rules, network, informed, prepare for meeting)
5. How do (other) female councillors use their position? Who is most active? What did she do? (Probe, e.g. *how often do they speak out? what problems do they face?*)
6. What was most important for you to start with when you became the councillor?
7. What do you do to get your idea supported?
8. How often did you organize meeting with other members/non- members of the council? Who and what do you discuss?
9. How often did you organize meeting with citizens at the village/ward levels? What do you do? Have you ever try to convince them of something in the interest of their community? How?
10. How do you prepare for the meetings (*do you get enough time for preparation? do you receive documents for meeting on time? do you read? Are the documents understandable?*)
11. Whom do you often meet to get inputs for the meetings? Why?
12. Did you ever try to put your proposal on the agenda but were prevented/discouraged? If yes, which proposal and how was this prevented?
13. How did you cooperate/network with other members of the council? What did you do together? (Probe; e.g. *informal meeting, training on council rules and disclosing/ sharing information*)
14. Do you ever prevent the proposal of others? How do you do that?
15. What challenges do you face when participating in the meetings?
16. How do you influence the decisions in the council? (Probe, *who is influential in the decisions? What did he/she do?*)
17. Is there a difference of participation and influence between men and women councillors? (*To initiate and run projects?*)

**Additional questions to council mayor/chairperson**

1. How long have you been a council mayor/chairperson?
2. What is the general opinion regarding the participation of councillors in the decisions of the council? What is your experience in participations? (Probe; e.g. *who contribute more than others? What do they contribute?*)
3. How do you support councillors in the decision-making process? (Probe; e.g. *organize training for councillors, help them with their proposal, organize informal meetings*)
4. Who usually proposes the agenda of the council meeting? Why?
5. What did you do when the councillors propose an issue for the agenda? (Probe; e.g. *prevent proposal, support, advice and why*)
6. What problems do you encounter during the decision-making process as a council mayor/chairperson? (Probe; e.g. *use rules, attendance to meeting, awareness of councillors, conflicts, a group of councillors dominating the decision making*)
7. Who is successful in influencing decisions in the council? Why? (Probe e.g. *female/male councillors, elected/appointed councillors, what do they do?*)

<sup>15</sup> We registered this preliminary information to identify to what subcategory of councilors the interviewee belonged and what his or her position was in the council. We needed this information to make comparisons for the analysis.

8. Do you have anything to add? Thank you for your time.

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