The Political Economy of Institutions in Africa: Comparing Authoritarian Parties and Parliaments In Tanzania and Uganda

Michaela Collord

University College

Department of Politics and International Relations

University of Oxford

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Abstract

This thesis presents an original theory of authoritarian party and legislative institutions in Africa, tracing their trajectories from an early period of regime consolidation through subsequent episodes of socio-economic and institutional change.

Contra a dominant rational choice literature on authoritarian institutions, as well as an Africanist analysis of "neo-patrimonialism", I demonstrate how institutional variation reflects differences in the underlying distribution of power across African regimes. I argue, first, that variation in legislative strength and assertiveness is a function of the institutional strength and cohesion of ruling parties. The institutional make-up of these parties varies, in turn, depending on the early strategies of "politicized accumulation" and patronage distribution deployed by authoritarian leaders, as well as subsequent patterns of economic change. The legislature remains more marginal and subservient where authoritarian leaders work to centralise wealth accumulation, control patronage distribution and build up party institutions to channel and constrain elite contestation. By contrast, parliaments assert themselves where more diffuse patterns of accumulation fuel patron-client factionalism, undermine party cohesion and turn the legislature into an arena for intra-elite bargaining.

Beyond analysing when and how parliaments strengthen, I also reassess the significance of a more assertive legislature, particularly its implications for distributive outcomes. My explanation of institutional variation yields fresh insights regarding whose interests a stronger legislature is likely to represent. Once we appreciate the role of elite contestation in driving legislative activity, it follows that parliamentary interventions tend to serve elite interests, reinforcing an existing wealth inequality.

To demonstrate this argument, I use a combination of within- and cross-case analysis, drawing primarily on the Tanzanian and Ugandan cases with further reference to Kenya and Rwanda. I adopt a process tracing methodology to assess the validity of my causal argument and, for evidence, rely primarily on qualitative data drawn from elite interviews, archival work and observation of relevant party and legislative meetings.

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List of Abbreviations

Abbreviation	Meaning
ACODE	Advocates Coalition for Development and Environment
ACT-Wazalendo	Alliance for Change and Transparency – Wazalendo
APA	Administration of Parliament Act
BDP	Botswana Democratic Party
BoT	Bank of Tanzania
BoU	Bank of Uganda
CA	Constituent Assembly
CAG	Comptroller and Auditor General
CC	Central Committee
CCM	Chama Cha Mapinduzi
CDCF	Constituency Development Catalyst Fund
CEC	Central Executive Committee
CHADEMA	Chama Cha Democrasia na Maendeleo
CSBAG	Civil Society Budget Advocacy Group
CSO	Civil Society Organisation
CUF	Civic United Front
DGF	Democratic Governance Facility
DP	Democratic Party
EPRDF	Ethiopian People's Revolutionary Democratic Front
FDC	Forum for Democratic Change
FY	Financial Year
IFI	International Financial Institution
IPTL	Independent Power Tanzania Ltd
KANU	Kenya African National Union
LoP	Leader of the Opposition
MC	Movement Caucus
MCP	Malawi Congress Party
MP	Member of Parliament
NAAA	National Assembly Administration Act
NAIC	NRM NEC Ad Hoc Issues Committee
NCCR-Mageuzi	National Convention for Construction and Reform - Mageuzi
NEC	National Executive Committee
NGO	Non-Governmental Organisation
NRA	National Resistance Army
NRC	National Resistance Council
NRM	National Resistance Movement
OGCW	Office of the Government Chief Whip
PAC	Public Accounts Committee
PAFO	Parliamentary Advocacy Forum
PAP	Pan African Power Solutions
PAP	People's Action Party
PFOG	Parliamentary Forum on Oil and Gas
POAC	Public Organisations Accounts Committee
PRI	Institutional Revolutionary Party
PS	Parti Socialiste du Sénégal
PFMB	Public Financial Management Bill
RPF	Rwandan Patriotic Front
SACCO	Savings and Credit Cooperative Organisation

TANESCO …………………………………..	Tanzania Electric Supply Company Ltd
TIC …………………………………………….	Tanzania Investment Centre
TPLF ……………………………………………..	Tigrayan People's Liberation Front
UMNO ……………………………………….	United Malays National Organization
UMWU ………………………………………	Uganda Medical Workers' Union
UNATU ………………………………………	Uganda National Teachers' Union
UNC ……………………………………………..	Union Nationale Camerounaise (UNC)
UPC ………………………………………………	Uganda People's Congress
UPE ………………………………………………	Universal Primary Education
VAT ………………………………………………	Value Added Tax
YPA ………………………………………………	Young Parliamentarians' Association

1 Introduction

On 7 February 2008, Prime Minister Edward Lowassa of Tanzania took to the floor of Parliament and, to the apparent surprise of many in the Chamber, announced his resignation. This came after a parliamentary select committee tabled a report implicating Lowassa in the so-called "Richmond scandal". He stood accused of intervening to secure a contract for the Houston-based Richmond Company, which promised to supply 100 megawatts of emergency power in 2006 during a severe, nationwide shortage. Yet Richmond never did produce any power, and it later transpired that the company was registered in the US as a "printing shop and business services centre". Parliament's intervention, under the leadership of then Speaker Samuel Sitta, was therefore celebrated as a courageous and unprecedented act of self-assertion. MPs proclaimed that they were tired of being "muzzled" and that the legislature was a "rubber stamp" no more. Public excitement ran high and the media speculated about the dawn of a new, democratic era.[1]

There is another version of the Richmond story, though. Instead of recounting a victory for democratic accountability, this alternative narrative is rife with rumours, power struggles and deceit. Lowassa himself claimed, shortly before resigning, that Richmond was not the issue; "The problem was the premiership … they wanted the premiership."[2] Observers have since alleged that Speaker Sitta was acting on a personal vendetta. He used his authority in Parliament to frame the Prime Minister while President Jakaya Kikwete looked on, fearing Lowassa's growing popularity and political influence.[3] Within the ruling party, MPs and allied political financiers divided into rival factions, one aligned with Sitta and another with Lowassa.

The further Richmond recedes into the background, the more muddied the facts become and the more grandiose the rumours. Whatever the truth of the matter, the scandal did not mark

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[1] Accessed 18 February 2017: https://wikileaks.org/plusd/cables/08DARESSALAAM98_a.html

[2] Accessed 19 February 2017: http://www.thecitizen.co.tz/News/Richmond--Lowassa-and-the-race-to-Ikulu/1840340-2734086-bk2tpwz/index.html

[3] Interviews with journalists and MPs, including members of the select committee tasked with investigating the Richmond contract.

the end of the legislature's new-found vigour. Likewise, Lowassa was not the last of Kikwete's ministers to lose their position due to parliamentary pressure. A new trend had emerged in Tanzania, and people started talking about *Bunge lenye meno*, a parliament "with teeth". Elsewhere on the continent, such as in neighbouring Kenya, an assertive legislature was not a new phenomenon; even under one-party rule, Kenyan presidents knew they had to be wary of legislative opposition and manage it carefully.[4] It is with such variation in mind—both historical and geographical—that I ask, what explains legislative strengthening in African states? And what is its political significance?

I am certainly not alone in focusing my attention on African parliaments, or on authoritarian legislatures more generally. After a lengthy period of scholarly neglect, these institutions are again emerging as a notable focus of research.[5] The new literature divides roughly into two strands. One adopts a normative view of the legislature and how it *should* function to further democratization.[6] A second, by contrast, focuses on legislatures under authoritarian rule and, notably, their putative role in securing regime survival.[7] Both contributions have vastly enriched the academic discussion of parliaments, particularly in developing countries. They nevertheless also present certain problematic assumptions and blind spots. My own work, focused on legislatures in single and dominant party regimes, adopts a different analytical approach, emphasising how contrasting forms of elite contestation within ruling parties influence the nature and extent of legislative activity. This analysis, in turn, raises fresh questions about the political implications of an assertive parliament. Returning to the Richmond scandal, the legislature may appear as an empowered watchdog, checking executive corruption, or it may be a forum for factional score-settling and opportunistic power plays. Or both. To understand the political significance of heightened legislative activity requires some further exploration.

In this introduction, I briefly summarize my argument, present my methods of case comparison, outline my process-tracing technique and explain why I choose to focus on the cases of Tanzania and Uganda. I also introduce my data collection methods and, finally, my chapter outline.

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[4] Cheeseman, 2006; Opalo, 2015.

[5] Barkan, 2009; van Vliet, 2014; Opalo, 2015; Brierley, 2012; Lindberg, 2010; Salih, 2005; Nijinks et al, 2006.

[6] Barkan's influential edited volume falls into this camp. See also: Morgenstern and Nacif, 2002; Fish, 2006.

[7] Gandhi and Przeworski, 2006 & 2007; Gandhi, 2008; Lust-Okar, 2006; Truex, 2016; Wright, 2008; Wilson and Wright, 2015.

1.1 My argument

This thesis presents a novel theory of legislative institutionalization and its significance under authoritarian regimes. I include in this category cases where a single or dominant party holds power.[8] For reasons that will become apparent, my theoretical framework requires that these parties conduct routine national elections, including to parliament.

As elaborated in the following theory chapter, I assess differing levels of legislative strengthening or "institutionalization", first, in terms of the *institutional changes* that enhance the legislature's potential to influence the executive and, second, in relation to parliament's *actual performance*. To explain how trajectories of legislative institutionalization vary across African states, I follow several other scholars in positing an interdependent relationship between authoritarian party and legislative institutions.[9] I argue that, where a party is institutionally weak and vulnerable to internal division, the legislature emerges as an important forum for intra-elite negotiation and, consequently, is more likely to institutionalise. Conversely, where an authoritarian party is institutionally strong and cohesive, the party itself operates as an arena for intra-elite bargaining while the legislature remains marginal, undergoing very little institutionalization.

Where I diverge from the existing literature is on the fundamental question of what accounts for the emergence of strong versus weak authoritarian parties and, thus, of what fundamentally shapes the subsequent trajectories of party and legislative institutions. In constructing my alternative analytical framework, I draw insights from a critical political economy literature on institutional continuity and change, which I combine with an historical institutionalist approach to studying critical junctures and path dependence.[10]

My analysis begins with the initial process of regime consolidation, which I identify as a critical juncture. This designation applies, I argue, because during the period immediately following an authoritarian party's accession to power, the strategic choices of party leaders are likely to "trigger a path-dependent process that constrains future choices."[11] I isolate two sets of

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[8] Applying a single label to one-party and dominant party regimes runs counter to an important body of literature that distinguishes between the two, referring to the latter using terms like "competitive authoritarianism" or "hybrid" regimes. I am interested in authoritarian party trajectories, which frequently span a multiparty transition whereby an incumbent single party becomes a dominant party. While the "hybrid" regime literature tends to view dominant parties as occupying an analytically distinct category, I see this as a conceptual limitation that glosses over the important institutional inheritance from a single party past. Scholars including Magaloni and Kricheli (2010) make a similar point.

[9] Cheeseman, 2006; Gandhi,2008; Magaloni, 2008; Opalo, 2015.

[10] See chapter 2 for my literature review.

[11] Capoccia and Kelemen, 2007: 348. On what characterises a critical juncture, see also: Collier and Collier, 1991; Thelen, 1999; Mahoney, 2000.

choices, which I explain leaders routinely confront during a period of regime consolidation. The first relates to their preferred approach to state-led capitalist development while the second hinges on whether to invest in a strong party institutional apparatus. Leaders' decisions on these issues affect which of two ideal types an emerging authoritarian party is most likely to approximate, my argument being that not all authoritarian parties are organised according to the same logic.

A more fractious party, or what I call a "bargained coalition", takes shape where authoritarian leaders adopt an economic strategy that encourages the expansion of a private entrepreneurial elite and, consequently, a decentralized pattern of wealth accumulation. This choice then allows for the formation of more fragmented and potentially rival patronage networks within the party. At the same time, leaders opt to make only limited or unsuccessful party-building efforts, resulting in a weak institutional apparatus. In keeping with a critical political economy analysis of institutions, I argue that the first choice in favour of decentralized wealth accumulation reinforces the second, namely the decision not to prioritize party-building. The core contention here is that a diffuse distribution of power across patron-client networks discourages party institutional strengthening.[12]

A second party type, a more cohesive or "institutionalized coalition", emerges where party leaders make the opposite set of strategic calculations. They choose to concentrate control over wealth accumulation, and thus patronage networks, while making a concerted party-building effort. The result is more centralized patronage networks, which further reinforce the consolidation of strong party institutions. There are additional factors that may influence authoritarian party consolidation, for instance, the degree of ethnic polarization or a regime's coercive capacity. But, I argue, the two variables I identify, namely patterns of wealth accumulation and institutional strength, interact with these other factors in complex ways while nevertheless remaining fundamental in shaping the type of party to emerge from an initial period of regime consolidation.

Given the inverse relationship between party and legislative institutional strength, parties approximating the "bargained coalition" type lead to stronger legislatures while "institutionalized coalitions" lead to weak parliaments. These patterns of party—and thus parliamentary—institutional development become more entrenched or "path dependent" over time. The institutional reproduction that characterises this path dependence requires, first and foremost, that the party leadership *maintains established patterns of wealth accumulation* and thus

[12] Sangmpam, 2007; Khan, 2010. See also Mahoney and Thelen (2010) for a "power based" analysis of institutional evolution.

patronage distribution.[13] However, borrowing on Pierson's analysis of "increasing returns",[14] I argue that the initial process of authoritarian party formation gives rise to an additional form of institutional "lock-in", notably due to the initial "set up costs" as well as subsequent "coordination effects". In a "bargained coalition", it becomes progressively more difficult—not to say impossible—for party leaders to reverse course, belatedly trying to invest in party-building. This is because political elites, notably parliamentarians and their allied financiers, will have invested in informal patronage networks and personalised ties to a local political base, which constitutes a set up cost. With time, these same elites also grow accustomed, along with the mass electorate, to a system in which political actors mobilize through informal patronage organizations. They therefore continue to coordinate their actions as before in anticipation that rival political elites will do the same and voters will reward whoever satisfies their expectation of a patron. Meanwhile, in an "institutionalized coalition", considerable investment goes into creating a formal party apparatus that substitutes for the informal, more personalized networks prevalent elsewhere. The party has its own hierarchy of officials with a vested interest in ensuring they retain control over political organization and mobilization. Individuals secure their political futures primarily by advancing through the party ranks while the political stature of elected politicians, including parliamentarians, remains low.

Despite these powerful dynamics of path dependence, there are conditions that can bring about institutional change within the ruling party and, as a result, the legislature. This change occurs due to a shift in the wider distribution of power in an authoritarian regime. It is doubtful that leaders of a "bargained coalition" could recentralize control over wealth accumulation and invest in successful party-building without jeopardizing their own hold on power,[15] which makes any significant institutional reversals highly unlikely. However, where the leaders of an "institutionalized coalition" are no longer able to retain their centralized control over wealth accumulation, party institutions will begin to erode, and the legislature will gain in political significance and institutional strength. This change in the political economy of the regime may occur for a range of reasons, including economic decline, an expanding informal sector, or liberalization.[16] Whatever the cause, though, a more diffuse pattern of wealth accumulation fragments patronage networks, eroding the party's organizational monopoly as informal patronage organizations, centred on prominent local patrons, begin to assert themselves. Even

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[13] See Collier and Collier (1991) and Thelen (1999) on the importance of defining the "mechanism of reproduction", i.e. the factors or dynamic that explains institutional continuity, when developing a path dependence analysis.
[14] Pierson, 2000.
[15] See Boone, 1992: 25-26.
[16] See for instance: Hirschman, 1970; Thioub, Diop and Boone, 1998.

so, "institutionalized coalitions" do not simply collapse, reverting to a the "bargained" alternative party type; rather, the legacy of a strong party apparatus—and enduring effects of "increasing returns"—slow the process of de-institutionalization as political actors are compelled to work through and around existing organizational structures to extend their patronage networks and establish a political base for themselves. Given the gradual pace of party institutional decay, legislative institutionalization will also be halting, at least to begin with.

Drawing on this analysis of party and legislative institutional trajectories, I make a final set of claims regarding the political significance of a more assertive legislature. Specifically, I focus on how heightened legislative activity affects distributive outcomes. There is a considerable literature on this topic, which generally suggests stronger parliaments lead to more *progressive* redistribution.[17] By contrast, I argue that, given the significance of elite contestation in driving legislative interventions, this activity naturally tends to cater for elite interests, with largely *regressive* distributive implications.[18] This is *not* to say more progressive outcomes fail to materialise altogether, but they are the exception to a dominant trend. They also tend to require pressure from extra-parliamentary organisations, including unions, professional associations and advocacy groups, which help redirect elite tensions towards more constructive ends.

1.2 Within-case comparison and process-tracing

To test my causal argument, I employ a combination of within- and cross-case comparison. While each type of comparison presents unique advantages, the strongest inferences can be drawn by integrating the two as "partners in the iterative task of causal investigation."[19] In this section, I outline how I apply a process tracing technique to enable a rigorous within-case comparison before presenting, in the next section, my cross-case comparative approach and case selection.

A straightforward narrative recounting a succession of related events does not count as process tracing. Rather, this technique involves first theorizing and then rigorously testing a causal mechanism. The mechanism itself is composed of a series of steps or "entities that undertake activities", which together are "what transmits causal force through a mechanism."[20] Testing a causal mechanism then requires "[translating] theoretical expectations into case-specific predictions of what observable manifestations each of the parts of the mechanism should have if the mechanism is present".[21] The final stage of a process tracing analysis involves determining whether the expected "manifestations" of a causal mechanism's existence are indeed present in

[17] For a review and critique, see Golden and Min, 2013.
[18] This analysis draws inspiration from the alternative perspectives put forward, notably in Khan, 2005.
[19] Gerring, 2007: 83. See also: Capoccia and Kelemen, 2007.
[20] Ibid: 29.
[21] Ibid: 14.

a case.[22] Ultimately, the value of process tracing is to increase our confidence that a causal mechanism does indeed operate as theorized, linking a dependent X variable to the Y variable outcome, at least within a single case. My above-outlined argument identifies two causal chains, one of which leads to a strong authoritarian legislature and the second to a weak legislature. I develop this analysis further both in the next theory chapter and through a stylised account at the start of my empirical chapters, each of which address a particular element of the broader causal chain.

But leaving aside this within-case analysis, what exactly can be gained from adding a cross-case comparison?

1.3 Cross-case comparison and case selection

Whereas process tracing applies within a single case and can help verify the significance of each step in a theorized causal chain, cross-case analysis helps "to identify cases that reproduce the relevant causal features of a larger universe (representativeness) and provide variation along the dimensions of theoretical interest (causal leverage)."[23] While there are a range of different types of case comparison, I adopt a "most similar" comparative method. For a two-case comparison, this means that the "chosen pair of cases is similar on all the measured independent variables, except the specific independent variables of interest."[24] That is to say, all the "background conditions" are the same, but the relevant independent variables and potentially the dependent variable identified in the theoretical model differ.[25]

There are several advantages associated with "most similar" case comparison. The principle benefit is that, given the fixed nature of the "background conditions", it may be assumed that the presence or absence of the independent variables of interest is what causes variation in the dependent variable.[26] This advantage is especially significant for scholars pursuing a path dependence analysis. A common research design in the comparative historical literature involves focusing on cases where "the same kind of actors act in a similar strategic environment and face similar challenges."[27] Comparing the outcomes of an initial critical junctures across "most similar" cases then provides an opportunity to verify that "different decisions of the same actors can give rise to different outcomes, allowing variation and increasing the overall leverage of the analysis."[28]

[22] Beach and Pedersen, 2013: 15.
[23] Gerring, 2007: 88.
[24] Seawright and Gerring, 2008: 304.
[25] Gerring, 2007: 88.
[26]Seawright and Gerring, 2008: 304.
[27] Capoccia and Kelemen, 2007: 359.
[28] Ibid.

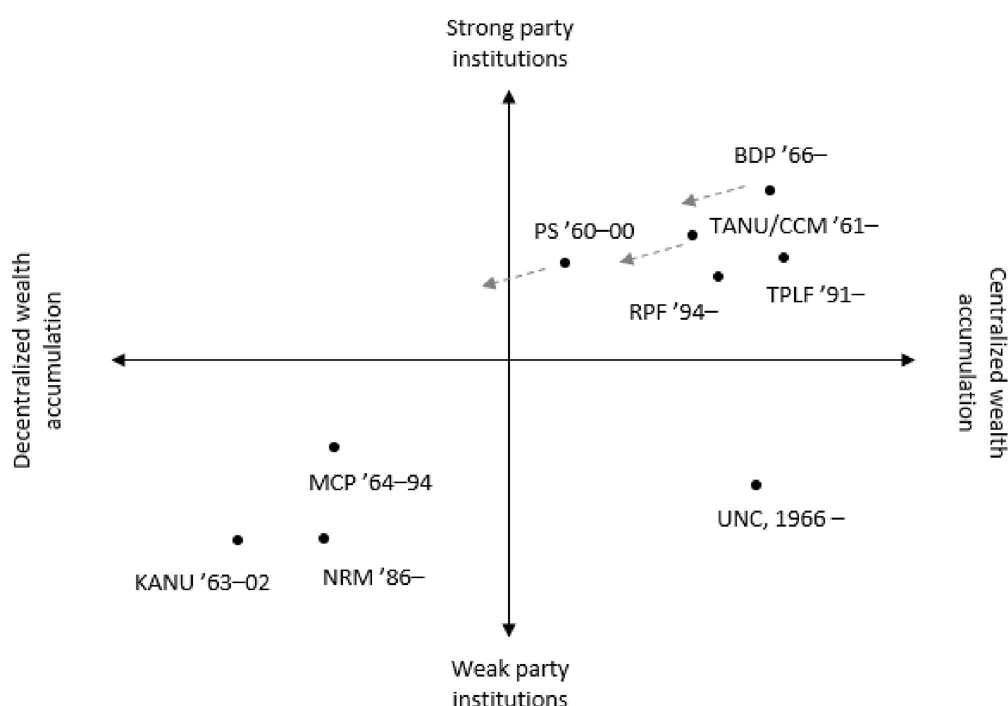
This comparative method also helps confirm the contingent nature of outcomes resulting from actors' decisions; it confirms that multiple options were available and that, as a result of different strategic decisions in different cases, contrasting historical paths ensued. Finally, comparing critical junctures and contrasting path dependent trajectories across "most similar" cases helps focus attention on the "important actors, moments and choices, while omitting less relevant contextual details."[29] This latter point exemplifies how within- and cross-case comparison are indeed "partners in the iterative task of causal investigation" as the most similar case comparison can feed back into a more parsimonious process tracing analysis.[30]

To proceed with a "most similar" comparative method requires that I first define my universe of cases from which to make a selection. As indicated at the start, my analysis relates to authoritarian single or dominant party regimes with routine elections, and centres on sub-Saharan Africa. This broad focus encompasses authoritarian regimes that consolidated immediately after independence from colonial rule in the 1960s and 1970s and generally formed one-party states. It also includes a cohort of dominant party regimes, which took power after Independence from minority white rule in the 1980s and 1990, and finally, a group of regimes which emerged after military coups and civil conflict, particularly in the 1980s and 1990s.

After defining this broad universe of cases, the next step is to differentiate amongst them based on their pattern of wealth accumulation and party institutional strength. This sorting exercise offers a snapshot of the overall diversity of cases. Figure 1.1 contains a sub-set of the total case universe, showing roughly where different authoritarian parties fall in relation to the two dimensions of interest. The placement of each case is an approximation based on a review of the secondary literature and requires a more rigorous sorting method to confirm its accuracy. The clustering of parties in the upper right and lower left quadrants nevertheless offers a provisional illustration of the theorized relationship between patterns of wealth accumulation and party institutional strength. By contrast, the upper left quadrant is largely unpopulated, except by more highly institutionalized parties that shift left after economic changes lead to a decentralization of wealth accumulation, again in keeping with my above-outlined argument. Finally, parties occupying the lower right quadrant are few and are notable in so far as they hold power in countries where petroleum exports provide a unique and highly centralize source of wealth accumulation.

[29] Ibid.
[30] Gerring, 2007: 83. See also: Capoccia and Kelemen, 2007.

Figure 1.1 – Variation across authoritarian parties



For my comparative analysis, I chose one case from each of the two quadrants of interest, the upper right and lower left. The selected cases therefore differ on the independent variables of interest, and it turns out, the dependent variable too. As discussed below, they also count as "most similar" in that they resemble each other on relevant "background conditions", although given the messy and diverse nature of real world case studies, this is always an approximation. The two selected cases are Tanzania under Chama Cha Mapinduzi, previously the Tanganyika African National Union (TANU), and Uganda under the National Resistance Movement (NRM). I here briefly summarise what patterns of of within- and cross-case variation they present.

First, these cases differ in that the Tanzanian ruling party, TANU, first consolidated as an "institutionalised coalition" while its Ugandan counterpart, the NRM, formed a "bargained coalition". At independence, the TANU leadership sought to implement a "socialist" or "ujamaa" economic approach, which included a range of economic interventions to ensure centralized control of wealth accumulation and thus patronage. At the same time, the leadership invested heavily in TANU and later CCM's institutional strength, turning the party into one of the most highly institutionalized on the continent.[31] By contrast, the NRM leadership—after leading a rebel insurgency to victory in 1986—adopted a series of policies favouring private sector expansion, albeit within certain, often politically circumscribed bounds. NRM leaders simultaneously opted

[31] Basedau and Stroh, 2008.

for a so-called “no-party” system of governance, which constituted a de facto one-party state albeit with minimal investment in the institutional strength of the ruling party itself.

Cross-case variation aside, Tanzania and Uganda also present valuable within case variation, which allows me to verify the nature and extent of institutional path dependence. Regarding Tanzania, the relevant changes have been politico-economic, altering the underlying distribution of power within the ruling party. These changes came about in the 1980s and 1990s as a combination of economic decline, an expanding informal sector and liberalizing economic reforms led to a gradual decentralization of wealth accumulation. I examine the consequences for CCM’s institutional coherence, showing how more diffuse accumulation led to the fragmentation of patron-client networks, which partially subverted CCM’s formal organization and procedure. However, CCM’s institutional erosion did not go unchecked. When contrasted with the ruling party in Uganda, among other “bargained coalition” cases, it is clear that CCM retains a relatively strong institutional apparatus. As such, we see how an enduring form of institutional lock-in, borne out of TANU’s early strength as an “institutionalised coalition”, continues to buttress the party today, its decline thus being only relative.

Uganda under the NRM has witnessed an inverse dynamic. Patterns of wealth accumulation have remained relatively decentralized, but after the 2005 return to multiparty politics, the ruling party leadership repeatedly tried to strengthen the NRM’s formal structures and procedures. These attempts failed, though. We thus see how, where patronage networks remain fragmented and a party started out institutionally weak, that party is likely to stay weak. However much the party leadership might want a stronger, more cohesive institution, the party remains locked into its own path-dependent trajectory.

Finally, the selection of Tanzania and Uganda for a cross- and within-case comparison is appropriate in that the two cases also differ on the dependent variable, legislative institutionalization. The Tanzanian legislature has remained weak by regional standers, with signs of a reversal in recent years amidst CCM’s institutional erosion. The Ugandan parliament, by contrast, is one of the most assertive in the region. I can thus apply my process tracing technique to confirm that my theorised causal chain links variation in party institutional strength to contrasts in legislative institutional strength and assertiveness.

This brings us to the issue of whether Uganda and Tanzania not only differ on the independent variables of interest, but also present similar “background conditions”, thereby qualifying as “most similar” cases. It is especially important that any conditions of direct theoretical relevance not be markedly dissimilar across the two cases. I now address several such variables in turn, although I also further probe to what extent they are in fact theoretically

significant through my discussion of alternative in subsequent chapters. For now, though, a first "background condition" of interest is the type of electoral system, which scholars argue affects the extent of party cohesion and discipline. A first-past-the-post system, for instance, is thought to encourage more personal voting while proportional representation confers more authority on the party leadership, particularly when they control where aspiring candidates appear on a party list.[32] Tanzania and Uganda, however, both use a first-past-the-post electoral system, so this variable cannot account for any differences between the two.

A second variable of interest relates to the degree of ethnic polarization in a given case. Scholars have, for instance, related CCM's strength to the low political salience of ethnicity in Tanzania.[33] The political salience of ethnic tensions has declined in Uganda under the NRM as well, though, and this despite the country's fraught history of ethnic politicization and conflict. Inter-party competition between the NRM and its main rival, the Forum for Democratic Change (FDC), does not have a strong ethnic dimension.[34] When it comes to competition *within* the NRM, ethnic differences again do not help to explain key outcomes. This internal competition often involves elites from the same region and *with the same ethnic background*. In other cases, it is patently not elite actors' ethnic differences but rather their long-standing personal antipathies that account for tensions between them.[35] This is not to say that ethnicity does not matter in Ugandan politics, but we can safely assume it is not of overwhelming significance, nor does it trump the independent variables identified in my theoretical framework.

On a related point, Tanzania and Uganda do present some variation when it comes to the political prominence of local or "traditional" elites and their relations with the national leadership. This variation is theoretically relevant in so far as some scholars, notably Riedl (2014), argue that close ties between national party leaders and local elites lead to stronger ruling party institutions while the marginalization and "substitution" of local elites through the cultivation of alternative means of political mobilization results in an organizationally weak ruling party. The difference between Tanzania and Uganda on this issue would be problematic except that the relationship is the reverse of what this theory would lead us to expect; TANU very early on sought to "substitute" local elites and is the far stronger party while the NRM has somewhat inconsistently sought to

[32] See Carey and Shugart (1995) for a more elaborate discussion of electoral system variation and its significance.
[33] See Green (2011) for a review of several arguments in this vein.
[34] There are some regions where the two parties play off ethnic cleavages, such as in Kasese district. But this is not a general trend.
[35] Other scholars also stress the shortcomings of trying to evaluate distributions of power and patterns of political contestation based on ethnicity, region or religion. As Behuria et al (2017) write, "A weakness of such strategies is that they assume that political mobilisation only occurs on the basis of on salient group identity and neglect the possibility that individuals may mobilize support within and across groups" (8).

partner with local elites, notably in Uganda's kingdoms, yet the party is relatively weak. Given this mismatch of independent and dependent variables, Riedl's theory does not account for party outcomes in my cases, and therefore does not compete with the explanation of party institutional strength advanced in this thesis.[36]

A final "background condition" worth considering is whether Uganda and Tanzania's ruling parties faced strong opposition when coming to power. The relevant theory, in this instance, suggests that confrontation with a "strong and well-organized opposition" during the period of regime consolidation leads to the formation of more cohesive and durable ruling parties or "organizational weapons".[37] Again, there are clear differences on this point between Tanzania and Uganda, yet the relative institutional strength of the two ruling parties is also the opposite of what we would expect based on the theory. TANU had a comparatively peaceful rise to power and developed into a strong party while the NRM fought a five-year rebel insurgency and later consolidated as an institutionally weak party.

Even so, the contrasting means by which the NRM and TANU attained power as well as the different time periods and conditions under which this took place deserve further attention. These are obvious points on which the two cases differ in their "background conditions". I address this issue by referring to two additional minor cases in this thesis, particularly when analysing the "critical juncture" period. I contrast TANU's regime consolidation with that of its geographical neighbour and immediate contemporary, the Kenyan African National Union (KANU), which consolidated as a "bargained coalition". I then contrast the NRM with the Rwandan Patriotic Front (RPF), which took power eight years after the NRM also following a protracted civil war and, unlike Uganda, a genocide. I show how the RPF, in contrast to the NRM, consolidated as an "institutionalized coalition". These additional case comparisons, albeit less developed, help confirm the validity of the main arguments of the thesis. Also, extending my analysis to cover different time periods and conditions of regime consolidation is valuable in its own right, despite the additional comparative challenges. I can demonstrate how similar logics govern authoritarian party consolidation through space and time, thereby affirming the relevance of my theory to a wider case universe. This runs counter to a comparative historical literature in African studies which tends to root any discussion of authoritarian trajectories in the immediate post-colonial period.[38]

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[36] This is not to suggest that variation in local-national elite relations is insignificant. Boone (2003) demonstrates how this variation affects African state institutional structures while Koter (2013) shows its impact on the political salience of ethnicity.
[37] Smith, 2005; Levitsky and Way, 2012.
[38] Arriola, 2013; Riedl, 2014.

1.4 Data collection and evidence

To conduct the above-outlined within-case process tracing and cross-case analysis, I rely primarily on qualitative data gathered from a variety of sources. Over a cumulative 15 months of field work in Uganda and Tanzania, I conducted 156 elite interviews and accompanied six Members of Parliament (MPs) to their constituencies. I attended parliamentary committee meetings, seminars and workshops; observed internal party meetings and public rallies; conducted archival research including in both the Ugandan and Tanzanian parliamentary archives as well as the East Africana archive at the University of Dar es Salaam; and collected documentation from party headquarters, NGO offices, and the archives of various media houses. The archival research involved both English and Swahili sources, which I could make use of following an initial period of intensive language training in Tanzania. In addition to these primary sources, I also rely on secondary literature in this thesis, particularly for the historical discussion of the early periods of regime consolidation. I compliment this qualitative data with quantitative measures, notably relating to parliamentary business (e.g. the number of bills passed). I also draw surveys data on MPs self-reported expenses, which I accessed through the Uganda country office of the National Democratic Institute.

For the most part, I use data from interviews and archival material to provide account evidence, which covers various aspects of a process, including how and why it unfolded as it did. I also use this data to derive information on the precise sequences of events. Both types of evidence are essential for process tracing analysis.[39] They also influenced my sampling methodology when conducting elite interviews. I sought a broadly representative sample of MPs from different parties, whose assertions I could then triangulate with interviews from a broad array of journalists and activists from advocacy organizations, among other interviewees. In addition to ensuring a representative sample, however, I also sought out interviews with specific individuals who I knew were directly involved in or observed an event of interest to me, e.g. the enactment of legislative institutional reform, party constitutional reform, and the like. I identified these key informants by using secondary literature, media coverage and snowballing techniques.

1.5 Plan of the thesis

Chapter 2 of this thesis presents my theoretical framework for understanding authoritarian party trajectories and their implications for legislative institutionalization. I situate my argument in relation to the broader literature on authoritarian political institutions as well as on

[39] On different kinds of evidence and their relevance in process tracing, see Beach and Pedersen, 2013.

democratization. This work offers important insights, particularly regarding the role of party and legislative institutions as tools for elite co-optation. I nevertheless align my own analysis with an alternative political economy approach to the study of institutions. I also draw on historical institutionalist concepts of critical junctures and path dependence to explain variation over time.

Building on the theoretical foundations laid out in chapter 2, the thesis presents four empirical chapters, two on authoritarian party consolidation and change and two on legislative institutional strengthening and performance. Each chapter is organised into three main parts. The first reviews my argument and methods for the relevant portion of my causal analysis. This involves further discussion of alternative arguments, how I intend to address them through my process tracing approach, and what evidence I bring to bear. The next two sections of each chapter address the Tanzanian and Ugandan cases in turn.

Chapter 3 examines the initial critical juncture period as TANU consolidated power in Tanzania and the NRM in Uganda. I also incorporate details from Kenya and Rwanda to offer additional causal leverage. For each case, I first trace the decision-making process that resulted in leaders choosing one economic policy approach over another. I then do the same for leaders' choice of party-building strategy. I contextualize these decisions in relation to a set of antecedent conditions, which I show influenced what options were most appealing in different countries. However, through a combination of within-case, cross-case and counterfactual analysis, I demonstrate the considerable degree of contingency characteristic of leaders' divergent strategic decisions, which culminated in the consolidation of an "institutionalized coalition" in Tanzania and Rwanda and "bargained coalitions" in Kenya and Uganda. This chapter relies largely on secondary literature, although augmented by my original empirical research.

Chapter 4 examines institutional continuity and change over time in TANU/CCM and the NRM. It illustrates the dynamics of path dependence in each case while also showing how party institutional trajectories remain sensitive to shifts in a country's wider political economy. The analysis adopts the selection process for parliamentary and presidential candidates within each party as a strategic focus. I show how, in the Tanzanian case from the early 1990s, CCM candidate selection grew increasingly fraught and subject to informal pressures, particularly when contrasted with the relatively staid and rule-bound nomination process of previous decades. I present this change as linked to Tanzania's liberalizing economic reforms in the 1980s and the consequent fragmentation of patronage networks within the ruling party. Candidate selection within the NRM, by contrast, was from the start loosely controlled and poorly institutionalized with aspiring parliamentarians seeking to enhance their chances through informal pressure and patronage expenditure. While the party leadership has made repeated attempts to enforce formal

procedures following the 2005 return to multi-party politics, these efforts have failed because, I argue, the underlying fragmentation of patron-client networks remains the same.

Whereas the two preceding chapters explained variation in party institutional strength over space and time, chapter 5 shifts focus, showing how differences in party institutions help explain variation in legislative institutional strength. The chapter first details why the legislature in Tanzania weakened in the late 1960s and throughout the 1970s amidst the consolidation of TANU/ CCM as a strong "institutionalized coalition". It then examines how this trend reversed with the gradual institutional erosion of CCM and growing factionalism following economic liberalization in the 1980s. In Uganda, by contrast, legislative institutionalization occurred early under the NRM, a "bargained coalition". The level of legislative institutional strength has, moreover, remained stable, despite repeated efforts on the part of the executive to claw back control. Ultimately, I demonstrate how legislative institutional reforms emerge out of individual parliamentarians' ambitions to advance their own career interests and, more importantly, wider factional struggles within the ruling parties. These struggles evolve in relation to the structure of patron-client networks outside of parliament and their influence over the nature and intensity of intra-elite contestation.

Moving on from legislative institutional strength, which only suggests the *potential* for legislative assertiveness, chapter 6 examines *actual* legislative performance. Again, I show how the strength of legislative challenges to the executive depends on the dynamics of intra-elite bargaining. As with legislative institutional strength, I find that the performance of the Tanzanian parliament, while weak when TANU was at its most cohesive and institutionally strong, began to improve as ruling party institutions eroded and factional competition increased. The performance of the Ugandan Parliament, by contrast, has proved more consistent and relatively strong. Beyond a simple study of performance, though, I probe the significance of a more assertive legislature, engaging directly with a literature on political institutions and their distributive impact. Through analysis of specific legislative interventions, a mix of budgetary, legislative, and oversight activities, I demonstrate how parliamentarians seek to extract material and political benefits for themselves and allied politico-economic elites, many of whom act as notable financiers during legislators' election campaigns. In addition to this elite focus, I also emphasise how a stronger legislature offers an opportunity for non-elite actors to mobilize, pushing for increased spending on sectors ranging from health to agriculture. Yet the influence of these more bottom-up pressures remains uneven and has only a marginal effect on redistributive outcomes, which are regressive and elite-focused.

In a final concluding chapter, I review the main contributions of this thesis before engaging with several important themes that, although touched on earlier, are not examined in depth. As such, I move beyond my primary focus on authoritarian single and dominant party regimes to dwell instead on the implications of more competitive multiparty politics for legislative strengthening. I also consider the relationship between legislative strengthening and a broader democratization process.

2 A theory of legislative institutional change

> "It is necessary from the very nature of things that power should be a check to power."
>
> – Montesquieu, *The Spirit of the Laws*, Book XI

Contrasting distributions of socio-economic power give rise to different patterns elite contestation, which then determine the strength or weakness of party and legislative institutions in authoritarian African regimes. That is this the central contention of this thesis in a nutshell. But to make my argument, and to evaluate its significance, involves engaging with a wide range of literatures, pushing back against some and drawing inspiration from others.

This chapter first situates the study in relation to the wider institutionalist literature on authoritarian and "hybrid" or democratizing regimes. My contention is that both the more general political science and specifically Africanist literatures present marked theoretical shortcomings. This criticism applies to scholars' explanations of what shapes institutions and, in turn, to their analysis of how these institutions affect key political outcomes, such as the extent of political participation and redistribution.

I respond by showing how a critical political economy approach to the study of institutions, combined with insights from an historical institutionalist literature, provides the foundations for an alternative analysis of legislative change. From these insights, I then build my own theory of how differing patterns of accumulation across African states affects the institutional strength and cohesion of authoritarian parties. Where competition across rival patron-client factions is rife and the ruling party divided, this elite contestation spills over into the legislature. Parliament then undergoes its own process of institutional strengthening, developing the institutional tools to challenge the executive. Actual parliamentary performance then depends on elite actors making use of those tools to pursue often competing ends.

What does this say, though, about the significance of a stronger parliament? I here focus on the legislature's effects on distributive outcomes. Given the role of elite contestation in driving legislative activity, I theorise that these interventions have regressive implications, thus contradicting a notable institutionalist literature on distributive politics. This does not mean that more progressive outcomes are impossible. Understanding these, though, involves appreciating the influence of extra-parliamentary and more popular organisations—notably unions, professional associations and other advocacy groups—that occasionally channel legislative activity towards more redistributive ends.

2.1 Towards an analysis of political institutions

A growing body of comparative research examines how political institutions, including both parties and the legislature, operate within authoritarian or democratizing regimes. Despite opening important new areas of inquiry, this institutionalist literature suffers from several shortcomings. I argue that these weaknesses can be addressed by adopting an alternative political economy approach. The overarching aim is to move away from an institutionalist analysis that takes parties and the legislature to be important explanatory variables, influencing key political outcomes, but *without offering a robust explanation of their formation and change*. I argue instead that we must start with a more compelling explanation of institutional origins and evolution, one rooted in a more probing study of their relation to the wider politico-economic context. Only then can we make sense of what independent explanatory powers institutions may have and thus their political significance.

2.1.1 Institutionalism and the legislature in comparative research

"Institutions matter" is now a pervasive motto in comparative politics. An emphasis on the explanatory power and, in some instances, the prescriptive value of institutions is certainly not new to political science. In his seminal critique of modernization theory, Huntington argued that only through political institutionalization—especially of political parties—could "changing societies" counter the destabilizing effects of economic development and thereby secure political order.[40] Other analysts, notably of African politics, arrived at similar conclusions, pointing to weak institutions as a principal cause for political and economic instability post-independence.[41]

While Huntington's view remains influential, more recent comparative work on political institutions derives much of its inspiration and analytical sophistication from elsewhere.[42] "New

[40] Huntington 1968.
[41] Zolberg, 1966; Sandbrook and Barker, 1985.
[42] Remmer, 1997.

institutionalist" approaches—particularly the rational choice variant—have fed a fresh wave of research.[43] While the debate continues over what exactly defines an institution, "whether they are rules or a set of factors that motivate regular behaviour", there is a general consensus *within the rational choice school* that institutions "structure social interactions and produce equilibrium outcomes, that is outcomes that no one has an incentive to alter."[44] With this idea in mind, scholars now look to explain key political and economic outcomes as a function of institutional variables.

Among those institutions to experience a renaissance in scholarly interest is the legislature. Outside industrialized democracies, parliaments were long dismissed as a mere "rubber stamp", *epiphenomena* with no causal import on politics.[45] Now, by contrast, there is a rapidly growing literature on legislatures both under authoritarian rule and in new democracies

Regarding authoritarian legislatures, recent scholarship presents them as fulfilling a range of functional roles, thereby directly influencing regime trajectories. Gandhi and Przeworski argue that, under certain conditions, dictators are incentivized to cultivate the legislature, and political parties, as part of a broader co-optation strategy.[46] By allowing opposition parties membership in a national parliament, dictators create an institutional arena within which to negotiate over policy concessions and to distribute rents. The legislature thereby contributes to extending the tenure of authoritarian leaders whilst also bolstering economic growth by curbing dictators' predatory behaviour.[47] Other scholars echo elements of Gandhi and Przeworski's arguments while offering some amendments. Boix and Svolik also stress the legislature's co-optation function, but they put more emphasis on how it promotes transparency and thus more effective monitoring of rulers' commitment to power-sharing arrangements.[48] Lust-Okar, meanwhile, maintains that authoritarian legislatures contribute little to the policy-making process but still serve as a channel through which to distribute rents to individual Members of Parliament and their constituencies.[49] Wilson and Wright counter that the policy influence of authoritarian legislatures is non-negligible and indeed bolsters economic growth, notably by supporting property protections.[50]

[43] See for instance North, 1990; Hall and Taylor, 1996.
[44] Levi, 2009: 128.
[45] See review in Mezey, 1979.
[46] Gandhi and Przeworksi, 2006; Gandhi, 2008.
[47] See also Gandhi and Przeworski, 2007.
[48] Boix and Svolik, 2013.
[49] Lust-Okar, 2006.
[50] Wright, 2008; Wilson and Wright, 2015.

In contrast to the literature on authoritarian legislatures, a separate and more established strand of research links strong political institutions with democratization.[51] Whereas scholars of authoritarian institutions stress the distinctive functional roles parties and parliaments serve in dictatorships,[52] theorists of democratic consolidation suggest that these institutions are by definition at odds with authoritarian rule and that their gradual strengthening paves the way for democracy.[53] The core contention, then, is that the gap in political development between industrialized democracies and authoritarian or "hybrid" regimes stems from differences in their institutional infrastructure. Countries democratize as they acquire the institutional trappings consistent with a Western model.[54] Applying this analytical lens to African politics, Bratton and van de Walle argue that the continent's "neo-patrimonial" regimes—characterized by presidential dominance, pervasive clientelism and abuse of state resources—will democratize where key political institutions "gain organizational strength and win popular acceptance".[55] Amongst the institutions they reference are the legislature, judiciary and political parties. Barkan echoes this analysis in his influential study of African parliaments, stressing the importance of legislative strengthening as a basis for overcoming enduring "neo-patrimonial" tendencies and for providing a necessary check on executive power.[56]

In sum, scholars interested in either authoritarian rule or democratization differ in how they evaluate the causal role and significance of political institutions, notably the legislature. Authoritarian legislatures are seen as moulded by dictators to help secure regime survival. Viewed from a different perspective, a strong legislature becomes both an explanatory factor and a prescription for the realization of democratic consolidation. What these two opposing sub-sets of the comparative literature nevertheless share is the conviction that political institutions can and should be studied as *explanatory variables* to help make sense of political and economic outcomes, even if there is disagreement as to what those outcomes may be.

2.1.2 A critique of the institutionalist view

There are two critiques of the institutionalist view of legislatures, one minor and one more fundamental. The first raises questions about the importance of the legislature relative to other political institutions, specifically political parties. The second critique, which targets institutionalist

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[51] Barkan, 2009 & 2013; Bratton and van de Walle, 1997; Diamond, 1999; Fish, 2006; Linz and Stepan, 1996; Schedler, 1998: 99-101.
[52] Gandhi, 2008: 187-8. See also Lust-Okar, 2006.
[53] Bratton and van de Walle, 1997; Diamond, 1999.
[54] Ibid. See also Linz and Stepan, 1996. On democratization by elections, see: Schedler, 2002; Lindberg, 2006 & 2009.
[55] Bratton and van de Walle, 1997: 236.
[56] Barkan, 2009 & 2013; Fish, 2006.

analyses more generally—whether they concern parties, legislatures or some other entity—questions the extent to which political institutions do, in fact, "matter".

Before tackling this latter charge, I briefly review the more modest critique of the literature on authoritarian legislatures and their relative significance vis-à-vis political parties. Responding to Gandhi and Przeworski's work, scholars challenge the claim that dictators can co-opt rival groups in society through legislative seats and influence over policy decisions. They maintain, rather, that authoritarian legislatures do not exercise effective policymaking power and that dictators instead rely on political parties, specifically ruling parties, to co-opt and maintain a loyal coalition.[57] In their view, an institutionalized political party enables the routinized circulation of elites. It ensures access to political office and its perquisites while generally providing a stable mechanism for cultivating elite consensus.[58]

A more nuanced version of this argument indicates that the role and significance of the legislature varies depending on the strength of the ruling party. In her later work, Gandhi's analysis evolves to approximate this view. She acknowledges that a ruling party can serve a similar co-optation function, thereby substituting the legislature. However, where the dictator's party does not encompass a sufficient range of opposition actors, multiple parties then form thereby displacing the process of intra-elite bargaining to the legislature.[59] But even in single or dominant party regimes, there is still considerable variation in the institutional strength and cohesion of the party in power, which in turn accounts for variation in the strength of the legislature. In this vein, Cheeseman argues that institutional variation *across ruling parties* alters the significance of the legislature as a negotiating forum.[60] Drawing on this work, Opalo distinguishes between dictators who choose to cultivate strong party institutions versus those who rely more on the coercive capacities of an administrative apparatus. He argues that, in the latter instance, the absence of a strong party raises the prominence of the legislature as an arena for intra-elite bargaining and co-optation, which in turn leads to its gradual institutionalization. In brief, where ruling parties are organizationally strong and cohesive, the institutional strength and significance of the legislature is lower than where the party itself is weak and divided.

Recognizing the interdependent relationship of party and legislative institutions is an important analytical first step, which this thesis builds on. It nevertheless raises further, more challenging questions: What accounts for variation in the institutional strength and cohesion of parties themselves? And once we identify what shapes party institutional strength, can we still say

[57] Magaloni, 2008; Magaloni and Kricheli, 2010.
[58] Ibid. See also: Brownlee, 2007; Levitsky and Way, 2010.
[59] Gandhi, 2008: 78.
[60] Cheeseman, 2006; Opalo, 2015.

that parties as institutions matters? Or is it only the underlying factors shaping party cohesion and strength that are of genuine significance?

These queries point to a central preoccupation of the wider institutionalist literature, which has struggled to explain institutional formation, reproduction and change. It has consequently, some argue, failed to account for institutions' causal significance. Indeed, to substantiate any causal claim regarding the effect of institutions on political outcomes it is crucial, first, to identify what factors shape institutions themselves (Path A, Fig. 2.1). We then need to demonstrate that institutions retain some explanatory power (Path B) *independent* of the factors that both influence their own evolution and the political outcomes of interest (Path C).[61] The various new institutionalist approaches in comparative politics—and particularly the rational choice variant with its emphasis on self-reinforcing equilibria—have long relied on references to exogenous shocks to explain alterations in the "rules of the game".[62] Critics maintain that this is unsatisfactory; yet to contemplate an alternative analysis, centred on some form of endogenous change, entails admitting that the very same actors whose behaviour institutions allegedly constrain can, in fact, manipulate institutional rules and influence the political outcomes that institutions supposedly shape.[63] As such, institutions risk losing much of their explanatory value.

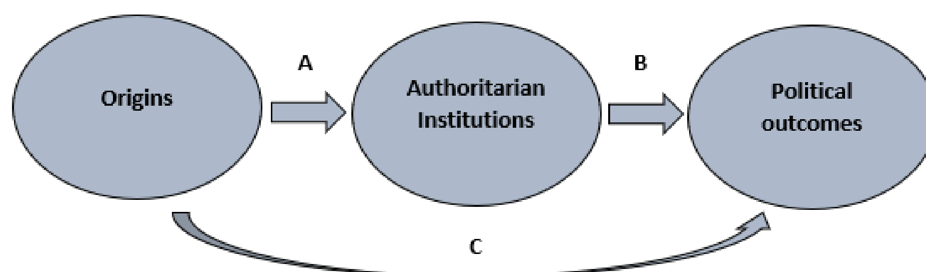

Figure 2.1 – Institutional origins to political outcomes

Scholars offer various ways around this dilemma, which from a rationalist perspective, involves satisfying the criterion that "the individuals whose behaviour institutions constrain must fear the manipulation of institutional rules".[64] This poses a challenge to the literature on authoritarian regimes, which generally presents political elites, particularly "the dictator", as capable of moulding institutions to strengthen their own hold on power. Yet this same literature suggests that when the distribution of power within a regime shifts, thereby changing the political imperatives confronting the dictator or ruling coalition, political institutions change or even

[61] I draw inspiration for this observation and also borrow the diagram from Pepinsky, 2014: 632-3.
[62] Hall and Taylor, 1996.
[63] On the "Riker objection", see: Pepinsky, 2014: 633-635.
[64] Pepinsky, 2014: 634.

disappear. We then rightly begin to wonder what role these institutions actually play. In this vein, Gandhi avers—without acknowledging the implications for the logical coherence of her argument—that authoritarian rulers "will eliminate [institutions] when no longer reliant on their presence to neutralize opposition."[65] Brownlee, meanwhile, argues that "elite consensus" enables the formation of strong ruling parties, which facilitate regime survival, but adds that "elites behave opportunistically in response to the political context" and may weaken the party that binds them, thereby expediting regime collapse.[66] Reuter and Remmington offer a more rigorous analysis of what distribution of power between an autocrat and a wider political elite may lead the two sides to reach an "elite consensus" and to form a dominant party.[67] Their case study of United Russia, however, casts doubt on their causal claims that a dominant party, once created, can independently fulfil core political functions, such as elite co-optation.[68] Rather, the detail of their account indicates that the institutional configuration of United Russia is itself an ongoing focus of elite contestation and manipulation. Opalo (2015), meanwhile, maintains that different patterns of authoritarian party consolidation variously channel elite contestation; he overlooks, however, the influence of a shifting distribution of power on party consolidation itself, as well as later institutional change. While this analysis obfuscates the underlying logical quagmire facing institutionalists, it clearly does not address the problem.[69]

Leaving aside authoritarian politics, much of the institutionalist literature on democratization suffers from a similar under-theorization of institutional formation and change, which again raises questions about the extent to which institutions have an independent influence on political outcomes separate from the forces that shape their own reproduction. Bratton and van de Walle, for instance, offer a strangely circular but not altogether unusual analysis, stating that, "The less democracy is undergoing consolidation, the more unlikely it will survive at all and the more likely it will suffer reversal. Put another way, […] the process of consolidation [will begin] when the democratic phase leads to some institutionalization and legitimation of democratic rule."[70] They effectively equate democratization with institutionalization while also seeking to explain democratization in terms of institutional strengthening.[71] On legislative institutions

[65] Gandhi, 2008: 187.
[66] Brownlee, 2007: 37 & 40.
[67] Reuter and Remington, 2009. See also: Reuter, 2017.
[68] Ibid: 519.
[69] Opalo's failure to engage adequately with prevailing structures of power in his analysis of party origins is due, in part, to his assumption that variation in the power of Africa's economic elites was minimal at independence and therefore played no part in the early stages of party and legislative institutional consolidation (2015: 4). As detailed below, I take issue with this analysis.
[70] Bratton and van de Walle, 1997: 237.
[71] There is a wider literature that embraces the idea of a "virtuous circle" connecting institutional strengthening and democratization, including some more sophisticated analysis of the mechanism driving

specifically, Barkan notes that a "coalition for change" uniting "reformist" and more "opportunist" legislators can lead to institutional reforms that bolster the autonomy of the legislature vis-à-vis the executive. He, however, provides only a cursory explanation of what factors lead to the initial formation of a "coalition for change", thereby leaving his analysis inconclusive. He also suggests that a multiparty transition constitutes an important watershed, and in Africa specifically, the end of the "era of neo-patrimonialism" with new scope for institutional consolidation.[72] This point is more asserted than actually theorized, though, a concern I return to in the below, more expansive discussion of legislative strengthening.

In sum, a first critique of the institutionalist view of the legislature highlights the interdependence of party and legislative institutions with a stronger ruling party making for a weaker legislature and vice versa. A second critique, this time applicable to the institutionalist literature more broadly, indicates that prevailing theories of institutional formation and change are either underdeveloped or else open to the charge that institutions are merely the product of shifting strategies of elite manipulation and thus have limited independent influence on political outcomes. In short, this critique challenges scholars to first understand where institutions come from—what accounts for their formation and change—before trying to make sense of whether they "matter", in the sense of wielding independent explanatory power.

2.1.3 An alternative political economy approach

The weaknesses of the more mainstream, predominantly rational choice institutionalist literature suggest the need for a different analytical approach, one that better captures the determinants of institutional change and, as a result, can more accurately gauge whether and how institutions retain some explanatory power. On the first point, a critical literature on the socio-economic roots of institutional formation and change helps clarify what factors—or what dynamic historical processes—shape institutional evolution. On the second point, namely whether institutions can have an independent effect on political outcomes, insights from the historical institutionalist tradition prove useful.

A critical political economy approach, when applied to an authoritarian context, emphasises leaders' *economic strategies* for managing the distribution of power across politico-economic elites and thus for maintaining a ruling coalition. Only in a second instance does it examine how these strategies of economic management—and the power structures to which they

this positive, self-reinforcing dynamic. Literature on the supposed process of democratization by elections has provided some of the more widely cited recent analysis in this vein. It has, however, also prompted numerous reflections seeking either to challenge or moderate its main conclusions.
See: Schedler, 2002; Lindberg, 2006 & 2009; Levitsky and Way, 2010; Edgell et al., 2018.

[72] Barkan, 2009: 16-17.

give rise—affect the institutional landscape.[73] Drawing inspiration from Marxist structural analysis, scholars variously refer to the "pre-eminence of politics" and the importance of "social foundations" to emphasise how political institutions reflect patterns of elite domination and accumulation.[74] Note the contrast with a rational choice institutionalist approach, which takes the elite power distribution largely for granted and assumes that autocrats adapt their strategies of institutional manipulation according, securing regime survival through institutional rather than direct economic management.[75] Note also that, whereas the institutionalist literature often implies a high level of control by "the dictator", critical political economy analysis does not make the same assumptions; rather, it examines leaders' economic strategies even as it takes on board the significant socio-economic and thus institutional change unfolding beyond authoritarian leaders' controlling reach. Of particular significance are structural changes brought about by capitalist development. As observed by Roban and Jayasuriya, "Friction associated with capitalist development obviously includes patterns of ownership and control in the economy, around which a host of political conflicts and alliances ensue."[76] This "friction" then has implications for political institutions as it affects "the way that power and authority is exercised to constrain and/or enable certain forms of political organization to function."[77]

The specific dynamics of capitalist development—and the ways it is managed by political elites—have a notable influence on the organizational cohesion of authoritarian party institutions.[78] Pepinsky, for instance, details how Malaysia's ruling party, the United Malays National Organization (UMNO), "has evolved to reflect the changing underlying socio-economic reality of post-Independence Malaysia."[79] Responding to popular dissatisfaction among the party's economically backward core constituency, the UMNO elite reformed the party organization in the 1970s, endowing it with a more prominent role in economic management. The party developed its own corporate interests while also nurturing a politically well-connecting Malay entrepreneurial class to rival Chinese Malaysians. While Pepinsky's analysis helps account for the UMNO's survival throughout the latter half of the 20th century, Roban and Jayasuriya stress

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[73] See for instance: Behuria et al., 2017; Boone, 1992; Gray, 2018; Khan, 2005 & 2010; Pepinsky, 2014; Rodan and Jayasuriya, 2012; Sangmpam, 2007; Whitfield et al, 2015.
This analysis echoes an alternative strand of the democratization literature, which emphasises how rising economic groups and new forms of elite contestation contribute to institutional change and democratization.
See: Ansell and Samuels, 2014; Moore, 1966.
[74] Sangmpam, 2007; Rodan and Jayasuriya, 2012.
[75] See especially: Gandhi, 2008; Boix and Svolik, 2013.
[76] Rodan and Jayasuriya, 2012: 181.
[77] Ibid.
[78] Khan, 2010; Pepinsky, 2014; Roban and Jayasuriya, 2012.
[79] Pepinsky, 2014: 636.

how the party's strategy of managing intra-elite bargaining through distribution of patronage came under pressure after the 1997 Asian financial crisis.[80] The economic downturn produced an intra-elite rupture that compelled the UMNO leaders to curb non-transparent practices of patronage distribution and to open up political space to ruling party opponents. Together, these two accounts demonstrate how the UMNO's political survival and its eventual acquiescence to democratizing reforms are best understood not through a focus on the ruling party organization or the gradual consolidation of democratic institutions, as per the institutionalist literature;[81] rather, it is the consequences of UMNO leaders' closely linked strategies of managed capitalist development and institutional manipulation that account for the regime's extended authoritarian rule and its subsequent democratic opening.

Through a comparison of the UMNO and Singapore's People's Action Party (PAP), Robin and Jayasuriya further illustrate how differing strategies of state-managed capitalist development lead to varying degrees of party organizational strength and cohesion, and thus differing levels of regime stability.[82] Whereas the UMNO became increasingly reliant on a semi-autonomous class of Malay entrepreneurs who later fuelled intra-party tensions, PAP responded to early political challenges in the 1960s by merging state and party. It thereby created a dominant politico-bureaucratic elite while simultaneously pursuing a variant of state-led capitalist development that rendered many Singaporians economically dependent on the ruling party. In the absence of economic and social bases from which to mount a political challenge, and contrary to the UMNO case, PAP has retained its organizational strength and avoided destabilizing intra-elite tensions that might loosen its hold on power.

It is worth emphasising how critical political economy analyses differ from rational choice institutionalist studies of the "political economy of dominance".[83] Magaloni (2006) argues that for a dominant party equilibrium to endure, economic growth must remain high enough to provide sufficient resources to co-opt both voters and elites. Greene (2007) adds that, "Privatization weakens dominant parties because it limits their access to public funds, and without these funds, well-greased patronage networks run dry […]."[84] Both analyses draw on the case study of Mexico's long-ruling Institutional Revolutionary Party (PRI) while formalizing and generalizing their conclusions to apply across a broad universe of dominant party regimes. These accounts, however, oversimplify the implications of economic changes in Mexico in the 1980s and 1990s,

[80] Roban and Jayasuriya, 2012: 184-5.
[81] See Brownlee's (2007) discussion of the UMNO.
[82] Ibid: 186-7.
[83] See for instance: Greene, 2007; Magaloni, 2006.
[84] Greene, 2007: 34.

and therefore in other regimes to which they claim to generalize. The focus is on how changes in access to public sector spoils—whether they rise or fall—affect elite incentives to defect from the ruling party. Even Greene, with his interest in privatization, fails to acknowledge its effects beyond a reference to the PRI's declining "resource advantage". Yet an alternative reading, more attuned to the specific *structural conditions* of the Mexican case, would stress how privatization fundamentally altered the PRI's initial strategy of state-led capitalist management and intra-elite bargaining, exposing the party to new internal tensions. Privatization gave rise to an expanded semi-autonomous entrepreneurial class whose demands the ruling party struggled to satisfy. This class ultimately spurred the opposition's 2000 election victory after a faction of wealthy businessmen defected from the ruling party to finance a rival presidential candidate.[85] Without looking at the changing dynamics of capitalist development and its impact on the distribution of power in this way, an explanation of why the PRI lost power is incomplete. What's more, Magaloni and Greene's explanations fail to differentiate across dominant party regimes, some of which collapse immediately following a decline in their "resource advantage" while others, like the PRI, manage to survive for far longer.[86] Again, differentiating in this way requires a far better understanding of structural variation across cases.

A critical political economy approach thus diverges from more mainstream, institutionalist efforts to factor in economic change. It offers a fundamentally different perspective on the relationship between institutional change and a shifting distribution power, including changing elite patterns of accumulation and domination. The question nevertheless remains, if institutions largely depend on a particular "social foundation" or political dynamic, can they still have an independent effect on political outcomes? Or are they, in fact, merely epiphenomenal?

While critical scholars like Sangmpam or Roban and Jayasuriya accept that institutions, once created, *do* exert some influence on actors' behaviour, they fail to specify how.[87] Historical institutionalists offer some helpful insights here. First, there is a natural affinity between a critical political economy approach and the historical institutionalist view. Rather than define institutions as equilibria-maintaining in line with a rational choice analysis, historical institutionalists "are more likely to reverse the causal arrows and argue that institutions emerge and are sustained by features of the broader political and social context."[88] What an historical institutionalist approach then adds, which a critical political economy analysis lacks, is an understanding of how institutions,

[85] Greene (2007) even describes this process in his empirical analysis but without linking it into a more fine-tuned theoretical framework.
[86] For examples of ruling parties that lost power relatively quickly in the face of economic decline and privatization, see: UNIP in Zambia, the PRPB in Benin.
[87] Sangmpam, 2007: 204.
[88] Thelen, 1999: 384.

once formed, may affect political outcomes. Of particular relevance is the historical institutionalist contention that institutions can engender "path dependent" trajectories, changing the structural constraints within which actors operate and thereby independently influencing their subsequent actions. This analysis is premised on the idea that, once a path is set, "institutions continue to evolve in response to changing environmental conditions and ongoing political manoeuvring *but in ways that are constrained by past trajectories*."[89] This institutional "lock-in" has distributional implications as institutions come to "reflect, and also *reproduce and magnify*, particular patterns of power distribution in politics."[90] This last point is crucial. In effect, institutions become a source of power in their own right; they "actively facilitate the organization and empowerment of certain groups while actively disarticulating and marginalising others."[91]

An historical institutionalist approach offers a final set of advantages in that it avoids certain pitfalls associated with rational choice institutionalism. As already mentioned, it does not treat institutions as "neutral coordinating mechanisms" sustaining an "equilibrium order".[92] Consequently, it also avoids the dilemma whereby institutions, as equilibria-sustaining mechanisms, both govern individual behaviour yet are also vulnerable to manipulation. Lastly, while not all rational choice analysis is functionalist,[93] there is a strong functionalist tendency in the authoritarian politics literature, notably its portrayal of the "dictator" choosing to create party or legislative institutions to serve a certain goal, like regime survival. An historical institutionalist approach, by contrast, challenges the notion that institutions, once created, perform as their creators intended. Rather, the emphasis is on the various ways institutions engender unanticipated and unintended consequences, at least from the perspective of their creators.[94]

To summarize, then, a critical political economy approach to the study of institutions, combined with an historical institutional analysis of "path dependence", has the potential to address many of the deficiencies of contemporary research on authoritarian institutions and democratic transition. How this combination can be achieved, and what light it can shed on both the causes and consequences of authoritarian party and parliamentary change, nevertheless remains to be seen.

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[89] Ibid, my emphasis.
[90] Ibid: 394.
[91] Ibid. See: Pierson, 2000.
[92] Thelen, 1999: 394.
[93] For a critique of functionalist analyses coming from a key architect of rational choice theory, see Shepsle, 1989: 139-141.
[94] See Pepinsky, 2014: 636-7.

2.2 A theory of political institutions in Africa

This thesis sets out to explain variation in legislative institutional strength and its significance, focusing on the sub-Saharan African region. In what follows, I briefly define legislative institutionalization before laying out a theory of institutional change. This theory begins with the identification of two single or dominant party types, referred to here simply as authoritarian parties. I then combine elements from the aforementioned critical political economy approach and "path dependence" analysis to explain contrasting trajectories of party formation and change. The identification of different patterns of party rule then serves as the basis from which to explain variation in legislative institutionalization. Finally, this theorization of legislative institutional formation and change enables me to proceed with a discussion of the legislature's varying political significance across authoritarian regimes, and notably its effects on redistribution.

2.2.1 Legislative institutionalisation

I equate legislative institutional strength with the degree of "institutionalization" achieved. That said, the concept of institutionalization can often appear excessively slippery, engendering seemingly intractable debates over definitions and measurement. In his seminal article, Polsby (1968) reviews two centuries of institutional change in the US House of Representatives (HoR) and derives three key indicators of an institutionalized legislature.[95] While Polsby's definition remains among the most influential, it has come under fire for, among other things, arbitrarily assuming that the HoR of the 1960s could substitute as a model institution against which to assess other legislatures.[96] Scholars also challenge the very notion of measuring "institutionalization" based on a fixed set of indicators. Cooper and Brady (1981), for instance, argue that the impact of any given institutional feature on legislative performance is not intrinsic to the institutional form itself, or at least not entirely; it is instead liable to vary depending on the wider political environment.[97] Building on this insight, I focus on identifying the relationship between changes in an external political economy and its consequences for legislative institutional change and performance. Hence, it is the latter two variables that I group together under the label "institutionalization" and whose definition and measurement needs to be established here.

I adopt the notion that the level of legislative institutionalization—as it relates to institutional form—can be defined by the "complexity" and "coherence" or "boundedness" of the legislature's organization and procedures. This is in keeping with Polsby, who also appears to have

[95] Polsby, 1968; Huntington, 1968.
[96] Hibbing, 1988: 188-2015; Judge, 2003: 497-516.
[97] Cooper and Brady, 1981: 988-1006.

drawn inspiration from Huntington.[98] Complexity refers broadly to the multiplication and differentiation of organizational subunits.[99] As widely recognized across the legislative studies literature, parliamentary committees are crucial to an internal division of labour that enables effective executive oversight as well as legislative and budgetary review.[100] As such, I measure complexity in terms of the number of committees, which is a crude but expedient approach,[101] and the powers awarded to these committees, particularly the power to summon government officials and request information. Institutional coherence or boundedness I define as organizational and procedural separation from entities external to the legislature, specifically the ruling party and executive. I operationalize this in terms of: (a) the mode of selecting Members of Parliament, focusing in particular on the percentage of MPs directly elected by voters as opposed to appointed by the President or nominated through party channels; (b) whether Independent candidates are allowed to run in elections; (c) whether MPs, once expelled from their party, automatically lose their parliamentary seats; (d) the mode for selecting parliamentary leaders—notably the Speaker and committee chairs—and, specifically, whether this selection is by legislators, party officials or the President; and, (e) control over the legislative budget, including remuneration of members and administrative staff.[102]

Regarding legislative performance, there is no straightforward quantitative measure.[103] Comparing the share of executive bills passed or the number of amendments to the government budget offers some insight,[104] but these measures fail to capture the qualitative significance of legislative activity. Additional challenges arise when national parliaments do not keep accurate records such that potentially useful data is unavailable. I therefore measure performance in terms of a simplified quantitative measure, namely the share of executive bills passed relative to the

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[98] Polsby, 1968; Huntington, 1968.
[99] Huntington, 1968: 20.
[100] Olson, 1994.
[101] See Polsby, 1968: 153.
[102] This definition and operationalization of 'boundedness' differs from Polsby, who relates it to parliamentary turnover. The relevant literature does suggest that levels of turnover affects the emergence of long-term career opportunities and the commitment of legislators to enhancing their power through legislative institutional reform (see also Squire, 1992). That said, in the African context where turnover rates remain persistently high across countries, this is not an especially useful means of differentiating between strong versus weak legislatures. Moreover, in the context of an authoritarian or hybrid regime, maintaining clear institutional boundaries between a dominant executive and ruling party, on the one hand, and a would-be autonomous legislature, on the other, is of paramount importance. This definition is thus tailored to the specific case universe to which this thesis relates. For instance, it arguably would not make much sense to insist on a strict institutional separation between parties and parliament in established multiparty democracies where parties are themselves seen as representative institutions with a mandate to govern.
[103] On the difficulties of measuring legislative performance, see: Blondel, 1970 & 1973; Arter, 2006; Shepsle, 2002.
[104] Saiegh, 2014.

number tabled and the proportion of private members' bills relative to government legislation. I then examine a series of case studies—legislative review of government bills, amendments to the national budget and corruption probes. I select each case because it constitutes a "power drama", an executive-legislative clash that, while an exception to the usually more mundane parliamentary routine, nevertheless helps reveal how intra-elite bargaining is channelled through the legislatures and the extent to which this parliamentary assertiveness poses a genuine challenge to the executive.

2.2.2 Two Authoritarian party ideal types

Having defined legislative institutionalization, I now turn to the wider "political environment" that shapes it. This discussion begins with a focus on the institutional characteristics of single or dominant parties, which have monopolized the domestic political arena across many African states since independence.

As previously mentioned, much of the comparative literature on authoritarian or dominant parties fails to make meaningful distinctions amongst them, instead assuming the modal dominant party to be relatively strong and cohesive.[105] Much of the specifically Africanist literature adopts a similarly uniform analysis, albeit projecting a contrasting image of weakly institutionalized, heavily personalized ruling parties.[106] A minority of scholars do differentiate between organizationally strong versus weak ruling parties, although as previously discussed, they tend not to offer satisfactory explanations as to how these differences are sustained.[107]

I argue that we should find a more systematic way to differentiate across authoritarian parties, and that this can be done by comparing parties in relation to two interrelated dimensions. These are, first, the extent of centralized control over patronage resources within a party and, second, the degree of institutional strength characteristic of that same party.

I focus on access to sources of patronage—or political finance—to define the structure of patron-client networks that bind together a ruling party elite. At one end of the spectrum, a decentralized patron-client network consists of a loosely knit constellation of patrons operating at different levels within the party organization and benefitting from access to independent sources of political finance, either their own wealth or that of independent political financiers. At the other end of the spectrum, a centralized network emerges where control over political finance is dominated by the party's top leadership, comprised of a relatively narrow and cohesive elite.

[105] Magaloni, 2006 & 2008; Greene, 2007.
[106] Manning, 2005; Mozaffar and Scarrit, 2005; Randall and Svasand, 2002a; van de Walle, 2003.
[107] Brownlee, 2007; Levitsky and Way, 2010; Opalo, 2015.

This patronage is distributed as per the leaders' specifications down a chain of political dependents occupying lower level positions within the party.

In defining the second dimension, party institutional strength, I refer to Panebianco and Huntington's influential criteria. As observed elsewhere, however, their two measures overlap while each has its advantages and disadvantages.[108] I therefore opt for an amalgamation of four indicators, namely: (1) the strength of a party's central bureaucracy; (2) the degree of "complexity" or differentiation amongst a party's organizational sub-units; (3) the degree of internal "coherence" and clear organizational "boundaries", which I assess in terms of the "degree of correspondence between a party's statutory norms and its 'actual power structures;'" and (4) a party's "adaptability," which I narrow here to refer to an organization's "generational age" or the number of peaceful successions from one set of leaders to another.[109] This last indicator is especially relevant to authoritarian parties in developing countries given the extensive literature documenting the destabilizing effects, in particular, of presidential succession battles.[110]

I argue that these two dimensions—control of patronage resources and party institutional strength—combine to define two authoritarian party ideal types. A first type, what I call a "bargained coalition", consists of an institutionally weak party featuring decentralized patron-client networks. A second type, an "institutionalized coalition", has the reverse characteristics, namely a strong institutional apparatus and centralized control over patronage resources. In relating these two dimensions in this way, I borrow from the above-referenced critical political economy approach and, particularly, its portrayal of institutions as mapping onto an underlying distribution of power. My narrower focus on the structure of patron-client networks, meanwhile, comes from my reading of Mushtaq Khan. In developing countries, Khan observes that the exercise of power is "based on informal organizations, typically patron-client organisations" such that the "structure of patron-client networks" reflects the distribution of power in a given context.[111]

In addition to this critical political economy approach, there are other traditions in the study of institutions that reinforce my characterisation of party types,[112] most especially an elite-focused literature on political parties. From Michels (1911) to Panebianco (1988), scholars have

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[108] Randall and Svasand, 2002b.
[109] Panebianco, 1988: 58; Huntington, 1968: 17-22.
[110] See for instance: Cooper, 2017; Cheeseman and Hinfelaar, 2009; Magaloni, 2006.
Note that I do not use Huntington and Panebianco's "autonomy" indicator, which references a party's independence from external actors, because I argue it is a cause rather than a marker of party institutional strength. Similarly, I do not include Panebianco's indicator regarding the nature of party finance, although I share his view about its significance.
[111] Khan, 2010: 5 & 46;Khan, 2005.
[112] Mahoney and Thelen (2010), for instance, on a "power based" analysis of institutional change.

viewed parties as instruments for consolidating the power of a particular party elite, a ruling "oligarchy" or "dominant coalition."[113] It is through the study of the "alliances and struggles for power" amongst the different elite actors that we can explain "the functioning and activities of [party] organizations."[114] Central to these "struggles for power" is the distribution of material resources within the party, which has a direct effect on the organization's strength. Michels illustrates this point through his comparison of socialist parties across Europe at the turn of the 20th century. The German Socialist Party was well endowed as an organization while its individual members remained relatively poor. This material imbalance, Michels argues, accounted for the power and cohesion of the party leadership, the discipline of salaried party officials, and the "maintenance and reinforcement of the organization" as a whole.[115] Conversely, the prevalence of "desertion and treason" and the general organizational weakness of French and Italian socialist parties was symptomatic of their lack of designated party funds and the "peculiar form of financial authority" exercised by a minority of well-endowed members.[116] In a similar vein, Panebianco maintains that a more institutionalized party likely disposes of a "revenue system based on a regular flow of contributions from a plurality of sources," which enables the "maintenance of bureaucratic structures" and "safeguards the party from external control."[117]

2.2.3 Capitalist development and party trajectories

Having differentiated between authoritarian party ideal types, how can I now explain the origins of these differences, and their significance over time?

Drawing again on a critical political economy approach, I argue that the initial consolidation of an authoritarian party—and the type of party to emerge—is closely bound up with the party leadership's preferred strategy for managing capitalist development. As illustrated through the examples of Malaysia's UMNO and Singapore's PAP, party leaders can—through their economic interventions—help reshape patterns of accumulation and party organisation in a regime. I build on this insight by systematically relating different forms of economic intervention to the emergence of contrasting patronage structures and hence party institutional outcomes. I then adopt an historical institutionalist frame to account for change over time. I identify as a "critical juncture" the initial period of regime consolidation when leaders choose their economic strategy and mould the ruling party to approximate one of the two ideal types. I then theorize how different party types follow contrasting "path dependent" trajectories. Domestic economies

[113] Michels, 2001 (originally published, 1911); Panebianco, 1988.
[114] Panebianco,1988: xii.
[115] Michels, 2001: 68-83, 76.
[116] Ibid: 68 & 73.
[117] Panebianco, 1988: 58.

change, altering the distribution of power in the process, but in some instances, the effects of institutional lock-in prevent party institutions from evolving to mirror these changes, at least in the short- to medium-term.

First, though, it is somewhat controversial to argue that capitalist development has led to variation in patterns of accumulation and thus the distribution of power within African states. The literature on Africa's supposedly "neo-patrimonial" politics refers to the near universal centralization of power. Exploitation of state resources enables a distinctive pattern of "presidentialism", or "the systematic concentration of power in the hands of one individual".[118] The African President or "Big Man" strategies of clientelist redistribution, meanwhile, only reinforced this centralization of power. In his influential book on African economies, van de Walle maintains that while a small coterie of presidential allies may become rich, "there is no reason to believe that the overwhelming majority of clients derive significant wealth or empowerment from their relations with state patrons. On the contrary, they are completely or partly dependent on the state for their income and welfare."[119] One consequence of this state of affairs is "the absence of a powerful indigenous private sector" as the business class remains "dominated by rent-seeking" and thus politically subservient due to its dependence on access to state resources.[120]

There is a fresh wave of Africanist literature emerging, which challenges this image of a uniformly centralized distribution of power with limited to no variation resulting from capitalist development.[121] This contemporary research also echoes an older literature on authoritarian control, class formation and development.[122] Focused on the immediate post-independence years, this earlier work characterizes the process of regime consolidation as a moment of great political contingency during which choices made by nationalist leaders determined whether a regime would survive and, if it did, what sort of coalition would emerge out of the "heterogeneous" independence elite.[123] Central to this process were leaders' strategies of state intervention in the economy, which led to politically determined patterns of wealth accumulation. These differing forms of "politicized accumulation", in turn, defined the structure of patronage networks in African states.[124] Far from uniform in character, all equally dependant on a President's politico-cum-economic control, these patron-client networks instead varied in line with the strength of an indigenous entrepreneurial class.

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[118] Bratton and van de Walle, 1997: 63.
[119] Van de Walle, 2001: 120.
[120] Ibid: 120-121.
[121] See, for instance: Arriola, 2013; Gray, 2018; Whitfield et al., 2015.
[122] Boone, 1992; Iliffe, 1983; Lubeck, 1987; Shivji, 1976; Sklar, 1979.
[123] Boone, 1992: 23-26; Sklar, 1979: 537.
[124] See Boone, 1992.

In his volume, *The Emergence of African Capitalism*, John Iliffe identifies three general patterns of accumulation post-independence, all of which depended on the size and strength of the domestic private sector.[125] First, fearing the political consequences, some leaders "sought to prevent the emergence of private African capitalists in any form."[126] For instance, Kwame Nkrumah of Ghana feared, according to a senior advisor, "that if he permitted business to grow, it will grow to the extent of becoming a rival power to his and the party's prestige."[127] In a second set of cases, leaders used state power to "acquire property and business interests so that holders of office are also owners of property."[128] This could be managed in different ways with varying implications for the structure of patron-client networks. Leopold Senghor in Senegal used the state to ensure that the "growing Senegalese business community was tied to a party-bureaucratic political machine and, consequently, did not emerge as an independent political force."[129] By contrast, Mobutu Sese Seko in Zaire was less concerned with finding a stable means of "channelling local private accumulation," as in Senegal;[130] instead, loyalty to him, as "the patron of patrons," was "the ultimate requirement for entry and continued membership" of a relatively "fluid" and factional ruling elite.[131] Finally, a third category of nationalist leaders—notably in Nigeria, Kenya and arguably Cote d'Ivoire—oversaw the emergence of a capitalist elite who could control "substantial areas of enterprise" and who, in the process, gained a degree of economic independence from the state itself.[132]

Nationalist leaders could define the contours of "politicized accumulation" and engender such variable results, in part, due to the dependence upon the State of a generally small class of African entrepreneurs at Independence. These early leaders also benefitted from the institutional inheritance of an economically interventionist colonial state, which had developed the tools to regulate and reform all sectors capable of generating significant rents.[133] This ability to use the power of the state to reshape patterns of domestic accumulation was not, however, restricted to Africa's post-Independence leaders alone. Rather, regimes that came to power in the 1980s and 1990s, notably following a period of civil war, have also proved remarkably adept at moulding the economy to suit their political interests, and this despite implementing donor-backed liberalizing economic reforms. For instance, the Rwanda Patriotic Front (RPF), a former rebel outfit which

[125] Iliffe, 1983, chapter 4.
[126] Iliffe, 1983: 77.
[127] Ibid.
[128] Iliffe, ibid.
[129] Boone, 1990: 433.
[130] Boone, 1990: 433.
[131] Callaghy, 1987: 101.
[132] Iliffe, 1983: 77; Lubeck, 1987; Schatz, 1977.
[133] See Whitfield et al, 2015; Cooper, 2002; Young, 2012.

came to power in 1994, has cultivated party and military investment groups, which have helped the leadership retain "centralized control over the distribution of rents while dispersing power among several elites whose loyalty and performance remains in check."[134] Despite liberalizing economic reforms, the party and military continue to dominate strategic holdings while many private investors are foreign or else loyal capitalist partners to the regime.[135] As a result, there are few elites with the economic base either to pose a threat to the RPF's hold on power or, less ambitiously, to foment factional infighting. In Ethiopia, the ruling political coalition, the Ethiopian People's Revolutionary Democratic Front,[136] and particularly its dominant member, the Tigrayan People's Liberation Front, adopted elements of this same strategy.[137] Uganda's National Resistance Movement (NRM),[138] meanwhile, offers a counter example. Under President Museveni, the economic elite has expanded markedly, buoyed by a combination of rent-seeking and private investment. While entrepreneurs remain politically vulnerable should they choose to oppose Museveni's rule directly, the extent of private wealth accumulation by politicians and allied financiers has fuelled factional politics within the NRM.[139]

The above discussion further illustrates how patterns of wealth accumulation do indeed vary across African states in keeping with differing, politically-motivated strategies of state-led capitalist development. This variation then gives rise to contrasting patronage structures, some centralized and others more fragmented. As indicated earlier, differences in the configuration of patron-client networks directly affect the extent of party strengthening. Some of the Africanist literature hints at this relationship. For instance, it is implied through the above-cited emphasis on the need to prevent private wealth becoming a rival to "party prestige" or "party-bureaucratic political machines".[140] There are also individual case studies that make the link between governments' preferred strategies of economic intervention and the organizational make-up of ruling parties.[141] The literature in this area is nevertheless sparse and does not offer a systematic analysis of the link between patronage and party organization. What's more, some of the work that goes furthest in illustrating variation in economic strategy and patronage regimes completely ignores its implications for party institutional configurations.[142]

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[134] Behuria, 2016: 6.
[135] Ibid; See also Behuria and Goofellow, 2016.
[136] The EPRDF came to power in 1991 following a protracted civil war.
[137] Vaughan and Gebremichael, 2011.
[138] The NRM took power in 1986 after a five-year civil war.
[139] Tangri and Mwenda, 2013; Tangri, 2015; see chapters 3 & 4, this thesis.
[140] Iliffe, 1983, 77; Boone, 1990: 433.
[141] Okumu and Holmquist, 1984.
[142] Arriola, 2013.

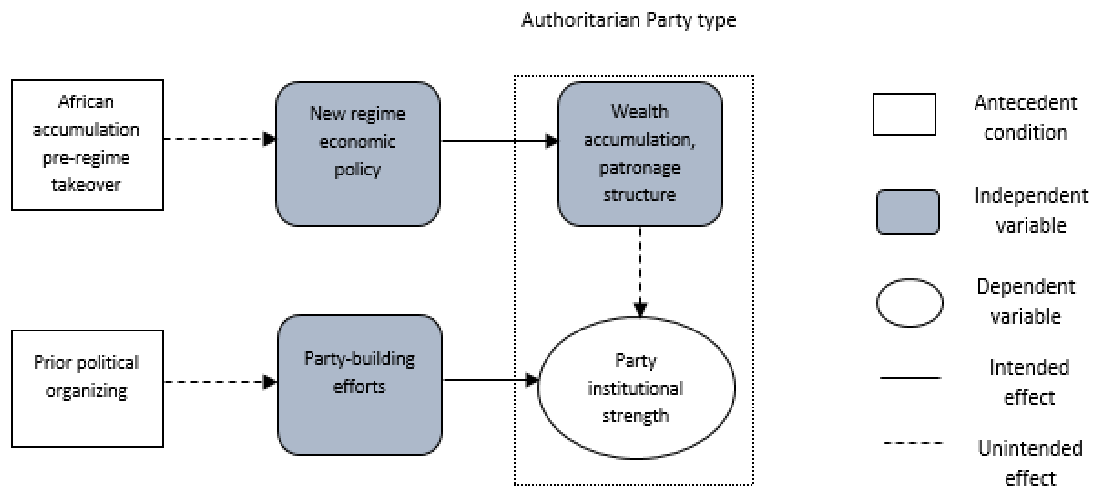
In what follows, I outline how a "path dependence" analysis can help clarify the ways in which variation in patronage distribution and party institutional strength interrelate. While a party's institutional strength is initially closely tied to the prevailing distribution of power, there is an element of institutional lock-in, which can lead to the partial decoupling of the two over time. I break down the path dependence analysis into three different phases below, indicating how an initial period of regime consolidation influences subsequent patterns of institutional continuity and change.

The critical juncture. The early period of authoritarian regime consolidation is a moment of contingency during which leading political actors, although influenced by "antecedent conditions" confront a series of "critical decisions"; that is, they are presented with choices that have the potential to reshape the structural parameters within which future political action is pursued.[143] Newly instated authoritarian leaders make just such a "critical decision" when, looking to build their support base, they choose a preferred strategy of "politicized accumulation". Through this choice, they have the opportunity to influence both the structure of patron-client networks in a regime and the long-term prospects for authoritarian party institutional strengthening. Where leaders allow for a more decentralized pattern of accumulation and thus patronage networks, notably where a political-cum-entrepreneurial elite achieves some measure of economic independence, party institutionalization likely remains low and a "bargained coalition" takes shape. By contrast, where leaders either insist on greater state economic control or otherwise constrain private accumulation, prospects for party institutionalization improve, although institutional strengthening is by no means guaranteed. Rather, an "institutionalized coalition" emerges where authoritarian leaders *combine* the centralization of accumulation and

[143] Note that theorists of path-dependency identify a critical juncture as a moment of "significant change" (Collier and Collier, 1991: 29-30) and "contingency" (Mahoney and Snyder, 1999; Thelen, 1999). When defining contingency, the focus tends not to be on exogenous shocks or chance happenings but rather on the heightened importance of individual agency and choice (Mahoney, 2000; Ermkaoff, 2015). There is still considerable debate, however, about what exactly contingency entails and, consequently, how to identify a critical juncture. My analysis is most influenced by Capoccia and Keleman's (2007) characterization of a critical juncture as a "situation in which the structural (that is, economic, cultural, ideological and organizational) influences on political action are significantly relaxed for a relatively short period, with two main consequences: the range of plausible choices open to powerful political actors expands substantially and the consequences of their decisions for the outcome of interest are potentially much more momentous" (343). Ermakoff (2017) further clarifies that a critical juncture "is *not something you identify in retrospect*", observing how many scholars make the mistake of retrofitting an analysis to match events (131). Rather, building on Capoccia and Keleman, he "grounds the analysis of open-ended conjunctures in the concept of 'critical decisions', that is, decisions that actors know are highly consequential for other people, entail individual risk, and substantially alter the cost structure of subsequent options once the decision is made." Identifying a critical juncture empirically thus becomes a matter of confirming when actors are confronted by "critical decisions", as discussed further in the next chapter.

patron-client networks with concerted party-building efforts. Whether to invest in party-building thus constitutes a second "critical decision", albeit one that hinges, in part, on the first (Fig. 2.2).

Figure 2.2 – Authoritarian party formation



Institutional reproduction. In keeping with theories that link institutional forms to an underlying distribution of power, I argue that the maintenance and reinforcement of authoritarian party types depends on the endurance and further consolidation of early patterns of accumulation and patronage distribution. In a "bargained coalition," the more decentralized character of patron-client networks requires that party leaders employ a range of political and economic tools to maintain or renegotiate the original elite "bargain." The party organization, meanwhile, remains weakly institutionalized as a loose confederation of political elites and financiers concentrate on building up local political machines. Regarding "institutionalized coalitions," by contrast, leaders must ensure the continued centralization of accumulation and patronage to maintain and further consolidate a strong party organization.

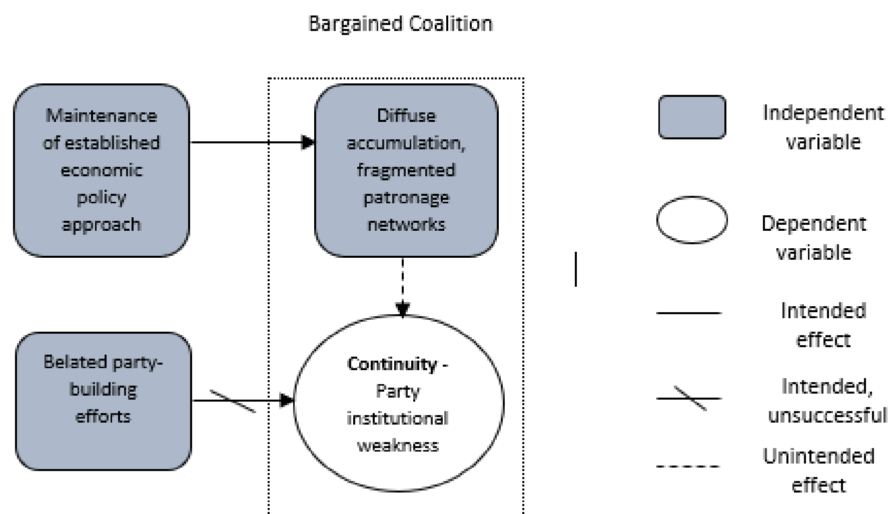
Continuity and change. The underlying distribution of power is not, however, the only factor contributing to institutional reproduction. Party institutions generate their own set of distributional effects, which while initially a reflection of the prevailing balance of power, may diverge over time.[144] Pierson points to a dynamic of "increasing returns" whereby new institutions cause individuals to commit to particular forms of political organization and mobilization, after which point "their cost of exit from established arrangements rises dramatically".[145] This is because of the set-up costs themselves, which incentivize people to stick with an existing institution, as well as "coordination effects", which compel individuals to adopt particular

[144] Thelen, 1999; Pierson, 2000.
[145] Pierson, 2000: 259.

strategies of political mobilization in response to "the anticipated actions of others in the system".[146] Also significant is the influence institutions have on collective learning and the formation of shared expectations about political processes, which help further perpetuate established patterns of association and mobilization.

Given the effects of "increasing returns", I argue that, over time, different party institutions become resistant to changes in the underlying patronage structure, which at an earlier stage would have led to their rapid transformation. The trajectory of a "bargained coalition" is the more straightforward of the two party ideal types (Fig. 2.3). It is highly unlikely that the party leadership could muster the political momentum and material resources required to dramatically recentralize control over patronage without jeopardizing regime survival.[147] Under the circumstances, it is even less likely that the party leadership could invest in effective party institutional strengthening. Instead, political mobilization will continue to centre on individual patrons, their local fiefdoms and allied patronage networks.

Figure 2.3 – Trajectory of a bargained coalition



More interesting because less obvious is the fate of "institutionalized coalitions" (Fig. 2.4). The leadership's centralized control over wealth accumulation can erode for a variety of reasons, including the failure of party-owned enterprises, an expanding informal sector, and liberalizing economic reforms.[148] The emergence of new sources of political finance enables elites to invest in a personal political base whilst simultaneously exacerbating factional rivalries. These developments are likely to engender a process of party de-institutionalization as the party's

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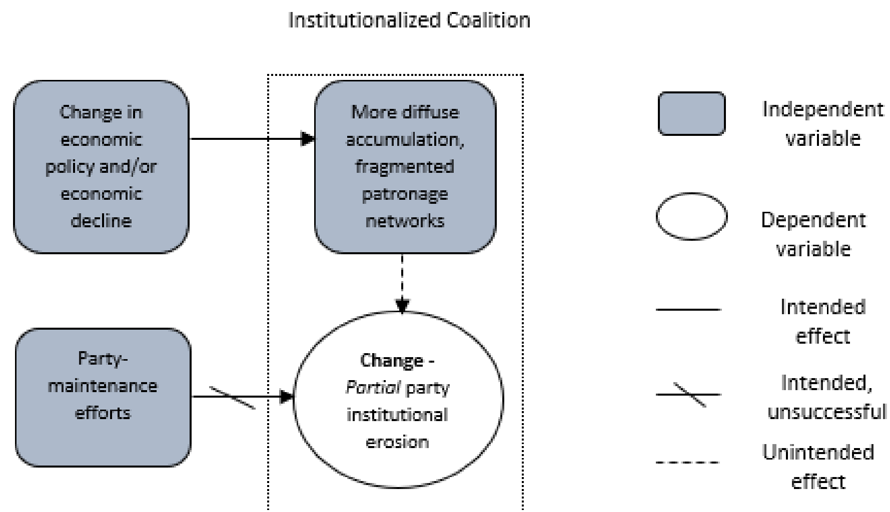
[146] Ibid: 263.
[147] Boone, 1992: 25-26.
[148] See, for instance Thioub, Diop and Boone, 1998.

centralized authority structure and binding procedural rules are contested. However, an "institutionalized coalition" does not simply revert to a "bargained" version. The process of institutional decay will be gradual and potentially reversible in the short- to medium-term, and this due to the dynamics by which party institutions themselves become a barrier to change. These institutions, along with the forms of political organization and mobilization they help sustain, will persist, at least temporarily, in the face of a changing distribution of power.

Figure 2.4 – Trajectory of an institutionalised coalition



The above discussion of authoritarian party trajectories is rooted in two ideal types. As such, real world cases can only approximate the idealized model. But the point is not to explain away all relevant institutional variation. Any study of the political world inevitability leads us to appreciate the complexity of causal relationships with multiple, intersecting paths leading to the same outcome.[149] What I identify are a set of underappreciated analytical dimensions and historical processes that, I argue, can help guide the in-depth study of authoritarian parties, each with its own idiosyncrasies. This discussion of party trajectories, in turn, provides the foundation from which to build a theory of legislative institutional change under authoritarian rule.

2.2.4 From parties to parliament

Put simply, my argument is that, where the ruling party in an authoritarian regime resembles a "bargained coalition", the legislature is likely to undergo an institutionalization process. By contrast, where the ruling party is an "institutionalized coalition", the legislature is likely to remain institutionally weak. However, if an "institutionalized coalition" begins to erode, losing some of its organizational cohesion, the legislature will gain in prominence and institutional strength. It is

[149] Beach and Pedersen, 2013.

unlikely, however, to acquire the same degree of autonomy as it otherwise might under a "bargained coalition".

On a surface level, this analysis aligns with at least some of the existing literature on authoritarian institutions. This literature highlights the interdependent relationship of party and legislative institutions. Where ruling parties are organizationally strong and cohesive, this discourages legislative institutionalization; where they are weak and disunited, this engenders legislative strengthening.[150] These conclusions also align with the literature on democratic parliaments, which identifies variation in party unity as a key factor influencing legislative autonomy and institutional strengthening.[151]

Scholars cite two primary reasons for this party-legislature relationship. First, the literature on democratic institutions and some work on authoritarian politics identify individual legislators as the proximate drivers of legislative institutional change.[152] The basic intuition is that legislators push for legislative institutional reform where this enhances their ability to achieve their own political goals. It then follows that, where party cohesion is low and discipline weak, legislators are better able and thus more likely to pursue an institutional reform agenda.

The second reason for the party-legislature relationship comes from the literature on authoritarian institutions and, as discussed earlier, emphasises the significance of varying executive strategies of elite co-optation. An authoritarian leadership—or individual "dictator"—can rule via a strong party; this involves ensuring the routine circulation of elites through official party positions while using party decision-making organs as a negotiating forum to secure an elite consensus.[153] Alternatively, the "dictator" may prefer a strong legislature, which itself becomes the main arena for intra-elite bargaining and co-optation.[154]

I do not reject either of these explanations outright. Individual legislators do play an important role in driving legislative institutional change. Likewise, an authoritarian party or legislature can serve as an alternative arena for intra-elite bargaining. My analysis nevertheless furthers our understanding in several important ways.

First, it offers a different interpretation of the relationship between elite contestation, on the one hand, and party and legislative institutional strength, on the other. As noted, rational choice institutionalists tend to favour a functionalist analysis, indicating how rulers "choose" to introduce a strong party or parliament, using these institutions to channel elite bargaining and co-

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[150] Cheeseman, 2006; Gandhi, 2008; Opalo, 2015.
[151] Olson, 1994.
[152] Mayhew, 1974; Squire, 1992; Strom, 1997; Cheeseman, 2006; Opalo, 2015.
[153] Magaloni, 2008; Magaloni and Kricheli, 2010; Opalo, 2015.
[154] Opalo, 2015.

optation.[155] My contention, by contrast, is that it is broader shifts in the distribution of power within a regime that determine the dynamics of elite contestation and, consequently, whether this contestation can be managed through a strong ruling party or whether it spills over into the parliamentary arena, thereby propelling a process of legislative strengthening.

This structural analysis linking politico-economic trends and institutional change does not, however, mean that I lose sight of the micro-level drivers of legislative reform. To the contrary, it helps clarify when and why individual legislators push for institutional change. I underscore how differences in patterns of accumulation and patronage distribution alter the incentives of individual politicians, affect the kinds of factions they are likely to form, and consequently whether their political ambitions can be tamed by a strong ruling party or whether they seek out alternative means of advancement through the legislature.

I do not want to suggest, due to my emphasis on more prominent recent studies, that the legislative studies literature ignores the significance of structural variation and extra-parliamentary political struggles. Far from it. Histories of Western parliaments, for one, associate their gradual consolidation with the shifting balance of power between a monarch and a group of influential notables.[156] Leaping ahead in time, there is a literature on institutional change in the United States Congress, which rejects a tendency to study the legislature in "isolation" and instead examines the link between its institutional history and "the broader contextual features of American politics". [157] For instance, Brady and Epstein argue that as industrialization blurred the urban-rural partisan divide in the late 19th century, legislators from the two main parties came to represent a far more heterogenous and overlapping set of interests, which then led to a decline in partisan decision-making and a decentralization of power away from party leaders within Congress.[158]

My analysis of legislative institutional change also draws inspiration from an older literature on legislatures in Africa. Scholars interested in post-Independence regime consolidation identified the legislature as an important arena within which the struggle for control played out. In states where a strong party took power, parliament was quickly marginalized, supplanted by the ruling party "as the centre of debate."[159] In other cases, ruling parties atrophied and the legislature became a site of elite contestation.[160] Crucially, these accounts tended to relate

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[155] Brownlee, 2007; Gandhi and Przeworski, 2006; Gandhi, 2008; Magaloni, 2008; Magaloni and Kricheli, 2010.
[156] Maddicott, 2010.
[157] Sheingate, 2010: 198.
[158] Brady and Epstein, 1997.
[159] Lee, 1963: 384-5. See also Kjekshus, 1974; Tordoff and Molteno, 1974.
[160] Gertzel, 1970.

legislative politics and the degree of party control to divergent patterns of "class" formation.[161] In one fascinating account, Tordoff suggests that the emergence of a more prominent entrepreneurial class in Zambia "played a role in a more vocal parliament" following the 1973 elections.[162] He then speculates that, "if the business class becomes less dependent on the state, the standing and powers of Parliament would at least be altered and might be enhanced with bourgeois politicians providing a check on the executive."[163] While he did not carry his analysis any further, I hope to demonstrate through this thesis the truth in Tordoff's passing remarks.

2.2.5 The authoritarian legislature and its significance

But ultimately, why do we care about authoritarian legislatures, strong or otherwise? Does the legislature do anything other than mirror the underlying distribution of power in a regime? Does it have any explanatory power of its own? Whose interests does a more assertive legislature serve?

As argued earlier, it is through an analysis of what leads to a strong parliament that we can understand what political influence it may have, independent of the factors responsible for its own consolidation. My contention here is that, as the legislature strengthens, its capacity grows to serve as an institutional channel through which rival factions can pursue their often-competing interests. The actual performance of the legislature will nevertheless depend on the particular constellation of factions at a given point in time, and how factional tensions cut across the executive and legislature. As such, even an institutionally strong legislature may go through periods of relative quiescence, only to reassert itself when the prevailing factional alignment shifts, reactivating executive-legislative tensions.

Regarding the *effect* of a strong parliament on broader political and economic outcomes, I differ in my analysis from some other scholars. I do not, for instance, see the legislature on its own as directly influencing authoritarian regime survival.[164] Similarly, I would hesitate to argue that stronger parliaments have an independent and galvanizing effect on democratization.[165] I also do not subscribe to the view that authoritarian legislatures buttress economic growth, which is an ambitious and ill-founded claim.[166]

What I do argue is that, where the legislature is more assertive, it plays a role in the politics of redistribution. Contra a well-established institutionalist literature, however, I challenge the

[161] Holmquist, 1984.
[162] Tordoff, 1977.
[163] Ibid.
[164] Gandhi, 2008.
[165] For arguments on how strong legislatures lead to strong democracies, see: Fish, 2006; Barkan, 2009.
[166] See Wilson and Wright, 2015. See Magaloni and Kricheli (2010) for criticism.

notion that this redistribution primarily benefits the larger mass of voters. Studies of the aggregate distributive effects of stronger democratic institutions—including legislatures—seek to validate the hypothesis that these institutions favour progressive redistribution, and this because they ostensibly encourage greater accountability and responsiveness to the median voter.[167] The findings of these studies are inconclusive, however,[168] and I do not seek to imitate them. Instead, I open what has often remained the black box of actual legislative decision-making. By examining specific legislative interventions, all with clear fiscal implications,[169] I can better identify whose interests legislators are responding to when they seek to influence an executive agenda. I can thereby revisit mainstream assumptions in the literature and offer an alternative explanation of legislative activity and its distributive consequences, one that may then be amenable to testing at the aggregate level in future work.

My expectation is that, if legislators' energy is largely consumed by factional jockeying, as theorised above, it then follows that this legislative activity has *regressive* distributive implications; politicians focus their legislative activity on directing material rewards towards themselves and their patron-client factions. To put this in perspective (Fig. 2.5), my argument is that, where power is relatively diffuse and the ruling party factionally divided, the legislature becomes an arena for intra-elite bargaining (Path A). As such, some redistributive decisions are made through parliament (Path B). Much intra-elite bargaining, though, still occurs outside legislative institutional channels (Path C). The key point, therefore is that where parliament is strong, we need to study both Path B and C to understand how distributive outcomes are *variously* determined.

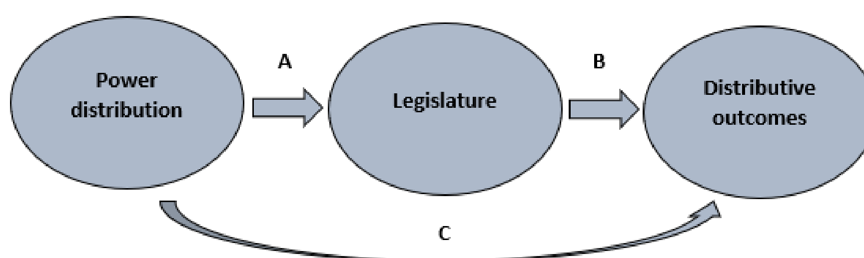

Figure 2.5 – From legislative institutional origins to distributive outcomes

A final caveat. In suggesting that legislators are largely preoccupied by intra-elite bargaining, I do not mean that they ignore their voters or that there is no prospect for more

[167] For a review and critique, see Golden and Min, 2013.
[168] Ibid. De Kadt and Liebermann, 2017; Khan, 2005; Nel, 2005; Ross, 2006.
[169] For instance, changes to the national budget and amendments to some legislation, e.g. tax legislation.

progressive redistribution. My expectation is that MPs' interest in consolidating a political base can lead them to divert resources to their own constituencies and to back popular redistributive policies. However, contra many rational choice analyses,[170] I do not anticipate that politicians' *individual incentives* to address constituency concerns are sufficient to motivate collective, legislative action. Rather, I expect that more ambitious parliamentary interventions occur in the relatively rare moments when power is temporarily concentrated in horizontal, non-elite organizations, be they labour unions, farmers' association, faith or other advocacy groups. These external pressures—especially when able to play off elite tensions—can help galvanize legislative action of a more progressive bent.

2.3 Conclusion

This chapter first reviews the literature on political institutions in authoritarian or democratizing regimes, highlighting some of its weaknesses and proposing an alternative, critical political economy approach. It then offers a novel theory of institutional variation across ruling parties, and its implications for legislative institutionalization under authoritarian rule.

In brief, the argument goes as follows. Variation in legislative institutionalization, across both space and time, is a function of the institutional make-up of ruling parties whose members comprise the majority of legislators. I offer a "path dependence" analysis of authoritarian party trajectories, beginning with an initial period of regime consolidation. During these founding moments, authoritarian parties evolve to approximate one of two ideal types. The outcome depends on the strategic decisions of the party leadership, first regarding the preferred strategy of state-led capitalist development and, second, whether or not to invest in party-building. Where the prevailing strategy of economic management leads to more diffuse pattern of wealth accumulation and consequently more decentralized patron-client networks, prospects for party-building are limited and the party forms a "bargained coalition". Where leaders, by contrast, centralize control over wealth creation and, consequently, also over patronage networks and where they *also* invest in party institutions, an "institutionalized coalition" emerges.

In light of the institutional weakness and factionalism characteristic of a "bargained coalition", the legislature in this case is more likely to emerge as a significant arena of intra-elite bargaining, which in turn helps ensure its gradual institutionalization. Under an "institutionalize coalition", by contrast, the greater degree of organizational strength and cohesion means that the legislature remains a marginal institution and undergoes very little by way of institutional reforms.

[170] See Lindberg (2010) for an example of this rational choice analysis.

Once formed, it is very unlikely that a "bargained coalition" will see any significant change in either the structure of patronage networks or the party's institutional strength. There is, by contrast, a possibility of within-case variation where an "institutionalized coalition" begins to decay. This occurs as a result of economic changes, which weaken the party leadership's ability to maintain its centralized control over wealth creation and rent distribution. As more fragmented patronage networks begin to form within the party, its institutional coherence will also suffer. Under such circumstances, the legislature gains in prominence as it becomes a forum within which to negotiate across newly empowered factions.

As noted earlier, this theoretical framework is not meant to explain all variation across authoritarian parties and legislatures given the complexity of real world causal processes and the propensity for multiple, intersecting variables to come into play. It is my contention, however, that the wider literature too seldom considers a political economy analysis of institutional variation, much less an analysis rooted in the study of alternative patterns of capitalist development and wealth accumulation. What's more, some explanations of institutional variation that do get more currency present notable theoretical shortcomings or else simply do not stand up to empirical scrutiny in the African context. I will further detail and assess the validity of these alternative arguments as I test the various steps in my causal chain, beginning in the next chapter with my analysis of the early period of regime consolidation.

3 Authoritarian party consolidation – Critical junctures and institutional divergence

> "[T]he people who anxiously watch to see whether we will become 'Communist' or 'Western Democrats' will both be disconcerted. We do not have to be either. We shall grope forward, and it may be that we shall create a new synthesis […]."
>
> - Julius Nyerere, July 1961[171]

> "Clearly, we needed some outside help. Accordingly, in 1986 we began debating among ourselves, the International Monetary Fund and the World Bank on how best to tackle these problems. We did not, however, reach an agreement until 1987. We had to resolve some conceptual problems […]. Hence we spent the year sorting out those conceptual problems within the cabinet and the caucuses of the movement, and between ourselves and the international financial institutions."
>
> - Yoweri Museveni, 1997[172]

Periods of authoritarian regime consolidation are marked by uncertainty, debate, and political struggle. Their outcomes are shaped by the decisions of key actors as they experiment with and finally settle on a new mode of political control.

The above citations from two newly anointed leaders speak to one aspect of this early period of heightened uncertainty, namely the choice of economic policy orientation. Leaders'

[171] Nyerere, Julius. "Groping Forward" speech at Kivukoni College inauguration. Reprinted in Nyerere, 1967.
[172] Museveni, 1997: 183-184.

preference on this issue will shape their subsequent legitimating narrative, development outcomes and, of particular relevance for this study, the patterns of "politicized accumulation" underpinning their regime's hold on power. Julius Nyerere, Tanzania's founding President, speaks of "groping forward", searching for a "new synthesis" between East and West, between "Communist" and Capitalist or "Western Democrats". Intervening at a very different historical juncture, with the Eastern bloc in decline and an externally imposed Structural Adjustment agenda as the new norm, Uganda's President Yoweri Museveni still talks of a contested process requiring the resolution of "conceptual problems" both internally and with outside creditors.

It may appear that, with fewer external economic and ideological constraints, Nyerere was in a better position to deliver his "new synthesis". In what follows, I nevertheless demonstrate how both leaders—working within a wider elite coalition—exercised a high degree of agency in tailoring their preferred economic strategy. I then show the significance of this elite agency in shaping not only economic strategy and thus patterns of "politicized accumulation" but also, crucially, the institutional strength and cohesion of authoritarian parties. In this way, leaders' early actions contribute to defining the structural parameters within which subsequent regime politics play out.

3.1 Argument and methods

To reiterate, I argue that the early period of regime consolidation constitutes a critical juncture during which authoritarian leaders make two sets of key strategic decisions. Together, these define subsequent party institutional trajectories (Fig. 3.1).[173] The first and most fundamental decision relates to leaders' preferred strategy of "politicized accumulation". The second concerns whether to invest in strengthening ruling party institutions. The two decisions are not independent of each other. Indeed, where leaders' economic interventions favour a decentralized pattern of wealth accumulation and thus the emergence of more fragmented patronage networks, this choice makes investment in party strengthening difficult if not impossible, thereby leading to weak party institutions and the emergence of a "bargained coalition". Conversely, where leaders' economic decisions favour the centralization of wealth accumulation and thus patronage networks, this outcome is compatible with party institutional strengthening. This strengthening is not inevitable, however. Rather, an "institutionalized coalition" emerges where nationalist leaders combine the centralization of wealth accumulation with *concerted* party-building efforts.

[173] See Chapter 2 for a full theoretical discussion.

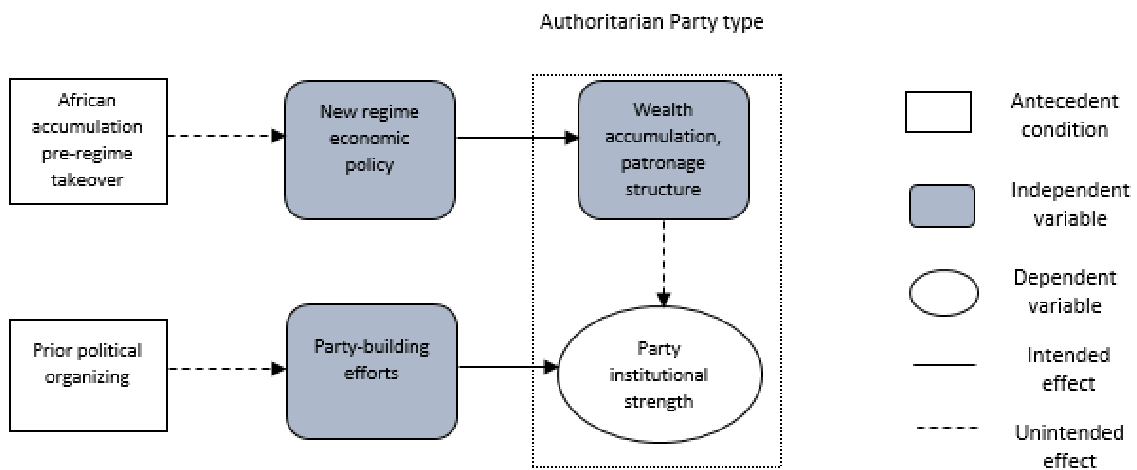

Figure 3.1 – Authoritarian party formation

Certainly, authoritarian leaders' decisions regarding both economic policy and party strengthening are influenced by "antecedent conditions", notably the patterns of indigenous wealth accumulation and political organizing that existed before they took power. Higher levels of indigenous accumulation could predispose leaders to favour more decentralized patterns of wealth accumulation, for instance, while a more unified pattern of political organization and mobilization could encourage authoritarian party strengthening. The decisions of newly instated leaders on these issues are not, however, a foregone conclusion, which if true would negate the notion that authoritarian regime consolidation constitutes a critical juncture. Indeed, applying a critical juncture analysis comes with certain methodological exigencies.

As briefly discussed in previous chapters, a critical juncture is a moment of heightened contingency during which powerful political are confronted with a series of "critical decisions", as in, decisions that have the potential to reshape the structural parameters within which future political action is pursued.[174] When seeking to demonstrate the presence of a critical juncture, process-tracing techniques are an essential tool as they can capture both the importance of actors' decisions as well as the presence of alternative options, that is, the contingency of the moment.[175] Process tracing involves elaborating a theory-guided narrative, which in this instance, "should specify not only the decisions and actions that were taken but also those that were considered but ultimately rejected".[176] This narrative should also highlight the "consequences of the decisions that were taken" and, through a counterfactual analysis, "the likely consequences of those that could plausibly have been taken but were not."[177]

[174] Ermakoff, 2017: 131; Capoccia and Kelemen, 2007. See Chapter 2 for further discussion.
[175] Capoccia and Kelemen, 2007.
[176] Ibid: 357.
[177] Ibid.

Cognizant of these methodological demands, I elaborate two parallel theory-guided narratives to compare historical processes across my main cases, Tanzania and Uganda. As noted in the introduction to this thesis, I also strengthen my comparative research design for the critical juncture period by adding two shadow cases, Kenya and Rwanda. I directly compare the consolidation of Tanzania's TANU party as an "institutionalized coalition" with that of the Kenya African National Union (KANU), a "bargained coalition". I do the same for Uganda's NRM, a "bargained coalition", and the Rwandan Patriotic Front (RPF), an "institutionalized coalition".

I add the shadow cases for two reasons. First, although Tanzania and Uganda approximate "most similar" cases, there are still theoretically significant differences in their "background conditions", most notably regarding the *timing* and *manner* of the ruling parties' ascent to power. As noted at the start regarding timing, the fact that TANU consolidated in the 1960s-1970s while the NRM came to power in the 1980s might seem to account for the differences in patterns of accumulation; faced with economic crisis and externally-imposed structural adjustment, NRM leaders might appear to have had little choice but to adopt policies favouring private sector expansion and thus more decentralized patterns of wealth accumulation. I nevertheless demonstrate that this difference in timing is not significant, and this through the pair-wise comparison of TANU and KANU—both of which emerged in the 1960s yet cultivated very different strategies of "politicized accumulation"—and of the NRM and RPF, which took power in 1986 and 1994 respectively but *also* favoured starkly contrasting patterns of politicized accumulation.

Regarding the *manner* by which each party took power, TANU experienced a smooth handover from the departing British colonial administration while the NRM fought its way into government through a five-year insurgency. Some scholars maintain that, when a party gains power through violent means and in the face of strong opposition, this encourages the development of stronger party organizations.[178] Such arguments do not hold for the NRM, which I present as an example of a party with a weak organization, despite its history of armed struggle. I offer, however, a more robust rejection of the violence-equals-party-strength hypothesis by showing variation in party strength both between parties that assumed power peacefully (TANU and KANU) and through civil war as rebel insurgencies (NRM and RPF). Ultimately, by adding the two shadow cases, I can demonstrate that my own theoretical argument holds while confirming that seemingly important differences in "background conditions" are of little significance in explaining divergent economic or institutional outcomes (Table 3.1).

[178] Smith, 2005; Levitsky and Way, 2012.

		Party type	
		Institutionalized Coalition	Bargained Coalition
Background conditions	1960s No insurgency victory	TANU (Main case)	KANU (Shadow case)
	1980s-1990s Insurgency victory	RPF (Shadow case)	NRM (Main case)

Table 3.1 – Variation in party type and background conditions

Beyond accounting for differences in background conditions, the second reason for adding the two shadow cases is directly linked to the requirements of a robust critical juncture analysis. In general, cross-case comparison aids the analysis of critical junctures and particularly the evaluation of contingency, and this because "a counterfactual argument in one unit may actually be a factual argument in another."[179] In other words, whereas we may be left to speculate about what the consequences of the road not taken would be in a given case, we can observe those consequences directly and judge their significance by examining another case where the key political actors did choose the alternate option. Strengthening the "most similar" quality of my case comparison with the addition of the two shadow cases helps me contrast leaders' decisions with more specificity and thus offer a more persuasive illustration of the counterfactual. Of particular significance in this regard is that, even as the overarching strategies remained the same, the policy options available to leaders seeking to achieve a more centralized or decentralized pattern of wealth accumulation varied between the post-Independence regimes of the 1960s and the post-conflict governments of the 1980s and 1990s. As such, the shadow cases help me demonstrate in more granular detail and with a more direct comparison of like with like the implications of leaders choosing one economic policy over another.

In what follows, I first develop a theory-guided narrative for the post-independence authoritarian parties, TANU followed by KANU. I then do the same for the post-conflict parties, the NRM followed by the RPF. For each case, I examine the decision-making process surrounding the preferred strategy of "politicized accumulation". I then ascertain whether the party leaders invested or not in party-building while, in parallel, assessing the indirect effects of the prevailing pattern of wealth accumulation and patronage distribution on the success of these efforts. As detailed in Chapter 2, I assess extent of party-strengthening based on: (1) the strength of a party's central bureaucracy; (2) the degree of "complexity" or differentiation amongst a party's

[179] Capoccia and Kelemen, 2007: 359.

organizational sub-units; and (3) the degree of internal "coherence" and clear organizational "boundaries", assessed based on the degree of congruence between statutory rules and actual practice. I do not, at this stage, include the fourth indicator of party institutional strength, namely "adaptability" or "generational age", as it is too early to be relevant.

3.2 Post-Independence regimes

In the heady political atmosphere of the 1960s, newly instated nationalist governments were under pressure to deliver the "fruits of independence" and to shore up their ruling coalition. They had considerable choice in how they approached these tasks, not only because of the prominence of both left and right-wing ideologies but also because of the defining structural features of African economies and state institutions at the time. A capitalist private sector was only beginning to emerge across much of the continent and indigenous entrepreneurs held a marginal position within it, overshadowed by their Asian, Lebanese and European counterparts.[180] Independent African states, meanwhile, inherited a range of tools to intervene in the economy and actively mould the emerging capitalist sector as per the preferences of the ruling elite.[181]

Among other strategic decisions, governments could choose: whether to favour the dominance of state-owned enterprise through aggressive and extensive nationalization; whether to, instead, support private sector expansion, notably through improved access to credit, procurement contracts and a more lenient regulatory regime;[182] whether to favour more direct state control over land or to support individualized ownership and the accumulation of capital surpluses through agriculture;[183] and, whether to favour or discourage "straddling", a highly significant trend in many countries whereby public sector employees and politicians used their official salaries to invest in the private sector and thereby join a class of capital accumulators.[184] Although they by no means comprise an exhaustive list of policy options, leaders' policy orientation across these strategic areas contributed to the divergence between more centralized, state-centric versus decentralized, private sector-promoting patterns of wealth accumulation in independent African states (see Table 3.2 for summary).

[180] Asians, a label used to refer to communities of mainly Indian and Pakistani descent, were prominent as an intermediary class in eastern Africa while Lebanese communities comprised a significant entrepreneurial elite in much of west Africa.
[181] Iliffe, 1983: 77; Whitfield et al., 2015: 26. See also: Kennedy, 1988; Young, 2012; Cooper, 2002.
[182] For a succinct review of the tools available to African governments, see: Kennedy, 1988: 64-5. See also: Lubeck, 1987; Swainson, 1980;
[183] Swainson, 1987.
[184] Kennedy, 1988: 53-54. See also: Iliffe, 1983.

Key areas of economic decision-making		Pattern of wealth accumulation	
		Centralized	Decentralized
	Private v. public investment focus	Preference for public sector expansion, including through nationalization, preferential allocation of credit to state-owned enterprise, and increased public sector capital investment; parallel restrictions on private sector expansion, including limits on access to credit and regulatory constraints (e.g. regarding tax, licensing, etc.)	Preference for private sector expansion, including through additional facilities to improve private sector access to credit, public subsidies, and a more permissive regulatory environment; limited nationalization and public-sector investment
	Land tenure system	Restrictions on freehold land tenure; may involve State control over land through leasehold land tenure and State administrative control over customary land.	Support for expansion of freehold land tenure, i.e. individualization of land ownership & growth in the private land market.
	Attitude towards "straddling"	Limits on public employees and elected officials' ability to engage in private enterprise, controls on corruption as a means of personal enrichment.	Support for public employees and elected officials investing in private enterprise, limited or weak control over corruption

Table 3.2 – Policy orientation and accumulation patterns of post-Independence regimes

In what follows, I endeavour to explore less the significance of these early interventions in determining economic outcomes—a separate topic to the one covered in this thesis—but rather how divergent patterns of "politicized accumulation" fed into logics of regime survival and authoritarian party institutional consolidation. I compare the Tanzanian and Kenyan regimes, showing how the first cultivated a more centralized pattern of wealth accumulation and the second a more decentralized pattern. For each country, I examine how these divergent patterns emerged, emphasising the significance of uncertainty, debate and political struggle during the initial "critical juncture" period. I then consider the wider institutional context, evaluating the ruling elites' attitude towards party strengthening and how the success of their efforts (or lack thereof) was influenced by the prevailing patterns of accumulation and patronage distribution.

3.2.1 Tanzania – Consolidation of an "institutionalised coalition"

After Independence in 1961, the *Tanganyika African National Union* (TANU), rechristened *Chama Cha Mapinduzi* (CCM) in 1977, consolidated as an "institutionalized coalition", featuring a relatively centralized control over wealth accumulation and patronage combined with a robust party institutional apparatus. "Antecedent conditions" linked to Tanzania's experience under colonial rule influenced what strategic decisions were available to TANU leaders as they sought to mould the party's post-Independence trajectory. While taking these conditions into account, I

nevertheless show how leaders' preferences for centralized wealth accumulation and party institutional strengthening were not set in stone from the start. Rather, TANU only consolidated as an "institutionalized coalition" after a period of policy experimentation, debate and political struggle, which lasted throughout much of the 1960s.

3.2.1.1 Economic policy

The TANU-led government eventually adopted a package of policies that, together, discouraged private wealth accumulation and favoured state-led economic expansion. As discussed in more detail below, this package combined, most notably: a commitment to curbing "straddling" practices through a strict Leadership Code; limited support for private enterprise in favour of public sector growth; and, the abolition of freehold land tenure coupled with an emphasis on state-led agricultural production.

Certainly, pre-Independence patterns of indigenous accumulation helped ensure the political space needed for TANU, once in power, to pursue a statist economic strategy. For a variety of reasons, the British colonial administration in mainland Tanzania—then Tanganyika[185]—did not invest heavily in promoting capitalist expansion and even less in the emergence of African capitalists.[186] In the absence of a notable African capitalist elite, the nationalist coalition in Tanzania comprised agricultural and trading cooperatives, teachers, traders, unionists, and clerks, among others.[187] As such, some scholars conclude that subsequent government policies owed "much to the fact that those who took control of the state in 1961 were not capitalists."[188]

An emphasis on the significance of this colonial legacy nevertheless paints too simplistic a picture of Tanzania's post-colonial development trajectory. It risks glossing over early policy contradictions while failing to appreciate the private-led *capitalist expansion* that characterized the early years of Independence, only to be forestalled by the end of the 1960s. In the early to mid-1960s, the Government, led by the Cabinet, and the Party, dominated by its National Executive Committee (NEC), pursued alternate policy agendas with contrasting ideological implications.[189] Government policy, heavily influenced by World Bank-drafted development plans, favoured growth in commercial farming and thus agricultural exports. It further emphasised the role of private capital in expanding internal trading networks and driving industrial development. The Party, meanwhile, under the leadership of the NEC, reaffirmed its long-held socialist or

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[185] Mainland Tanzania, which is the focus of this thesis, was referred to as Tanganyika until it formed a union with Zanzibar in 1964.
[186] See, for instance: Hartmann, 1983; Iliffe, 1979; Kimei, 1987; Makoba, 1998; Mueller, 1981; Shivji, 1976.
[187] Coulson, 1982: 108; Mueller, 1981: 459.
[188] Coulson, 1982: 108. See also: Shivji, 1976; Mueller, 1981.
[189] Hartmann, 1983, especially chapters 2-3; Makoba, 1998, chapter 2.

Ujamaa principles, which it supported with calls for an end to freehold land tenure and the resettlement of peasants into planned villages. Some resettlement of subsistence farmers did occur, but as production in the new collectivized villages remained low, the overall economic significance of this move was negligible. What's more, Party members' socialist commitment arguably faltered as they issued a more conventional set of demands for the "fruits of independence", notably for Africanization of the public service and private enterprise. The idea was that this process would entail a large-scale redistribution of wealth from the predominantly Asian commercial elite into private, African hands.[190] Caught between the Government and Party position, President Julius Nyerere—Tanzania's pre-eminent nationalist leader—alternated between the two. He was still "groping forward", searching for a suitable development strategy.[191]

Several factors eventually compelled Nyerere to pursue a more uncompromising socialist agenda, one which was then owned by the Party and—with more reticence—accepted by the President's Cabinet ministers. Nyerere was preoccupied by the growing class stratification in Tanzania, which was notable in rural areas where African capitalist farmers were becoming more prominent, although Europeans and Asians still dominated.[192] In urban areas too, industry expanded rapidly as did construction, particularly in Dar es Salaam where senior politicians and civil servants were using their more generous government salaries to invest in real estate.[193] Two unanticipated events also fed Nyerere's malaise, notably a diplomatic row with Britain and West Germany, which resulted in the suspension of financial assistance from both countries, followed by a politically fraught strike by University students demanding exemption from National Service requirements.[194]

Nyerere ultimately intervened with what later became known as the Arusha Declaration, a speech delivered at a meeting of the TANU NEC in January 1967.[195] Drafted by Nyerere himself, the Declaration committed the Party and Government to a far stricter policy of "socialism and self-reliance". It presented a vision of development rooted in agriculture and reliant on the mobilization of peasant labour. Crucially, the Declaration also introduced a Leadership Code, which greatly limited prospects for private accumulation by TANU officials and politicians. TANU leaders were barred from engaging in "practices of Capitalism or Feudalism", including holding

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[190] Iliffe, 1979: 573-5; Hartmann, 1983.
[191] Pratt, 1976: 2; Hartmann, 1983.
[192] Pratt, 1976: 216-225; Van de Laar, 1972: 109.
[193] Coulson, 2013: 221-2 & 235.
[194] Hartmann, 1983: 164-9; Coulson, 2013: 221-3; Makoba, 1998: 160.
[195] The speech was not on any NEC meeting agenda and was introduced at the meeting by Nyerere. See, Mwansasu, 1979: 184.

company shares or directorships in any privately-owned enterprise, receiving two or more salaries, or owning houses for rent.[196]

It took time for the effects of the Arusha Declaration to become clear and for a policy agenda to crystallize, and this due to continued debate and political jostling.[197] The socialist agenda gradually gathered momentum, though, leading to the consolidation of a distinctly statist economic strategy and a more centralized pattern of wealth accumulation.[198] These macro outcomes came about as a result of a constellation of different policy interventions. One element of the Declaration that Nyerere was adamant should be implemented immediately was the Leadership Code. He emphasised the significance of its timing for shaping patterns of accumulation in Tanzania, noting, "Had we delayed, you would discover two years from now that our leadership has become rather entrenched in the accumulation of personal property."[199] Indeed, by driving a wedge between political and business spheres, the Code aimed to stymie the practice of "straddling", a core vehicle for the emergence of a new, capitalist accumulator class. Somewhat predictably, the Code proved a bitter pill to swallow, eliciting the strongest opposition of all the provisions contained in the Declaration.[200] Nyerere, nevertheless, made only minor concessions in response to pressure from politicians and government officials.[201] The material impact of the Code, meanwhile, was immediately apparent as its enforcement prompted a collapse in the Dar es Salaam real estate market, which as noted earlier, had been booming largely due to investments by politicians and public servants.[202]

The effective enforcement of the Code would likely not have been possible, however, without further statist interventions.[203] Of particular note was the dramatic post-Arusha Declaration expansion of the public enterprise sector. Even here, though, the process took time to accelerate as policy debate and experimentation continued. While the Arusha Declaration gave way to an early wave of nationalisation, this was short-lived and restricted to foreign capital. The initial government take-overs included all banks and external trading firms as well as a select set of private firms involved in the production of everything from beer to cement.[204] Nyerere was quick to call an end to the nationalisation drive, though, insisting that private investors were still

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[196] Arusha Declaration, 1967.
[197] See Hartmann (1983), chapter 5 on the Arusha Declaration as a process rather than a one-off, triggering event.
[198] For a general assessment, see: Coulson, 2013; Gray, 2018; Makoba, 1998; Mueller, 1981; Tripp, 1997.
[199] Transcript from Press conference, March 1967, cited in Pratt, 1976: 236.
[200] Hartmann, 1983: 202-3.
[201] See, "The Arusha Declaration: Answers to Questions", 1967.
[202] Ibid.
[203] For examples of states where Leadership Codes were introduced but with very little impact, see Zambia under Kaunda and Uganda under Obote. See on Zambia, for instance: Baylies and Szeftel, 1984.
[204] See: "Public ownership in Tanzania", first published in the *Sunday News*, 12 February 1967.

welcome.[205] The halt proved temporary. After first heeding the warnings of several Cabinet Ministers, in 1969 Nyerere ceded to pressure from the Party and Parliament to proceed with a rapid nationalisation of domestic capital, mostly at the expense of Tanzanian Asians.[206] In 1970, wholesale trade was nationalised. This move was later followed by the nationalization of citizen-owned industries and rented properties.[207] Another blow to private entrepreneurs came in 1976 with *Operation Maduka* (shops). Vice President Rashidi Kawawa announced that all private shops in collectivized *Ujamaa* villages (see below), on state farms or near state-owned industries should close and be replaced by cooperative shops run by residents and workers.[208]

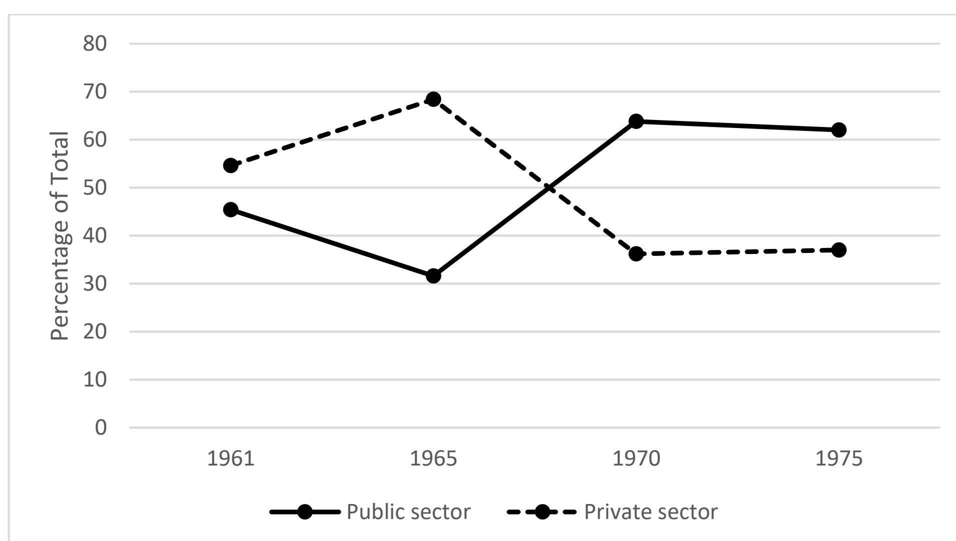
Nationalisation aside, Government development planning and credit provision further favoured the public enterprise sector as "the major agent of development and accumulation of capital" while "downgrading" private capital.[209] The Second Five-Year Development Plan (1969-1974) assigned the bulk of new development projects to the public sector.[210] The National Development Corporation, created in 1964 to help attract foreign capital investment, became in the immediate post-Arusha Declaration period the principal "instrument for establishing new companies plus expanding existing ones within the parastatal sector."[211] Meanwhile, publicly-owned banks favoured parastatals as a matter of government policy, leaving private sector entrepreneurs to struggle.[212] Indeed, some argue that financial restrictions on private borrowers in the post-1967 period were even more severe than under colonial rule when the British administration limited access to credit by African entrepreneurs.[213] Industrial and import licenses, backed by the allocation of foreign exchange from the Central Bank, were also difficult to secure and were given out on a discretionary basis to a select few private firms. These were largely Asian-owned companies while African entrepreneurs—and the majority of less politically favoured Asian entrepreneurs—remained marginalised.[214]

The effects of the Tanzanian government's emphasis on parastatal growth, achieved at the expense of private sector expansion, can be measured using range of indicators. The number of parastatals rose rapidly from 64 in 1967 to over 400 by the end of the 1980s.[215] Lending to the public sector continued to dwarf lending to private enterprise such that by 1980 the public sector

[205] Ibid.
[206] Hartmann, 1983: 203 & 206.
[207] Ibid: 244-5.
[208] Makoba, 1998: 198; Accessed 19 July 2017: https://www.tzaffairs.org/1976/07/
[209] Hartmann, 1983: 262; Coulson, 2013: 245; Mwapachu, 2005.
[210] Makoba, 1998: 316.
[211] Ibid: 309.
[212] Mwapachu, 2005: 377-8; Kimei, 1987; Makoba, 1998; Nyagetera, 1992.
[213] Kimei, 1987: 2012.
[214] Mwapachu 2005: 377-8.
[215] Makoba, 1998: 303; Pitcher, 2012: 51.

received 90.7 percent of total credit and the private sector just 9.3 percent, leaving aside informal financial markets.[216] Investment trends, meanwhile, reversed after 1967 with the public sector replacing the private sector as the leader in gross fixed capital formation (Fig. 3.2).[217] Employment patterns reflected the shifting balance with private sector employment stagnating between 1969 and 1974 even as employment in the parastatal sector doubled.[218] The impact on private accumulation was also clear as the pre-tax incomes of "capitalist entrepreneurs" reportedly fell by 47 percent between 1969 and 1975.[219]

Figure 3.2 – Gross fixed capital formation by the public and private sectors, 1961-1975



The preference for public sector growth ultimately dovetailed with a general trend towards the entrenchment of relatively narrow, party-aligned bureaucratic elite. The post-Arusha Declaration period marked a new phase in the Africanization process, which after the first wave of nationalisation, encompassed managerial positions in foreign-owned multinationals.[220] As the appointing authority of parastatal CEOs and board members, President Nyerere invariably favoured CCM cadres and in particular a narrow group of top government officials, primarily ministers, principal secretaries and technocrats.[221] The emergence of African capitalists, meanwhile, largely stalled in the 1970s with few capitalist farmers and traders and a total absence of African industrialists.[222] This elite had no collective lobbying power as "government was able,

[216] Nyagetera, 1992: 78; Kimei, 1987: 213.
[217] Ndulu and Mutalemwa, 2002: 124-125.
[218] Coulson, 2013: 327-8.
[219] Ibid: 239-40.
[220] Makoba, 1998: 193-4.
[221] Chijoriga, 1999: 21; Makoba, 1998: 196-7 & 199; Shivji, 1976: 89.
[222] Makoba, 1998: 198; Mwapachu, 2005: 376.

through the instrumentality of discretionary resource allocation, to divide the business sector and deal with it on a company-by-company basis."[223] As mentioned above, this approach favoured a select group of firms owned by Asian Tanzanians who were careful to cultivate a low political profile.[224] Unsurprisingly, very few members of Tanzania's capitalist elite were represented in the TANU NEC, Cabinet or Parliament.[225] In his influential volume on Tanzania's political economy, Issa Shivji concluded that the post-Arusha Declaration period signalled the consolidation of a "bureaucratic bourgeoisie", a ruling class dependent on the state and ruling party for its reproduction.[226]

Despite the significance of parastatal enterprise, perhaps most fundamental to the TANU government's overall statist approach and consequently more centralized control of wealth accumulation was its rejection of freehold land tenure and its preference for state-led agricultural production.[227] Both under colonial rule and after Independence, Nyerere and the TANU NEC opposed the individualization of customary land tenure, believing it would lead to the consolidation of ownership in private hands and the rise of a landed bourgeoisie.[228] Even though government policy in the early 1960s favoured "progressive" capitalist farmers,[229] the Cabinet pushed through—at Nyerere's behest—legislation "nationalizing" land, i.e. converting all freehold land titles into 90-year leases and ensuring direct state administrative control over customary land.[230] The full significance of this move became apparent after the Arusha Declaration as export-oriented capitalist agricultural policies were eclipsed by efforts to introduce collectivized or *Ujamaa* villages. After some early, abortive attempts at "villagization", Nyerere in 1969 called for a renewed push whilst directing government to discriminate against commercial farmers, denying them access to credit and agricultural inputs.[231] In the absence of individual land tenure, farmers' inability to mortgage their land further inhibited their access to loans.[232] The villagization drive

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[223] Mwapachu, 2005: 376.
[224] Ibid; Balachandran, 1981: 322. Balachandran does indicate Asian entrepreneurs, with some notable exceptions, were less concerned about concealing their economic success, choosing "quite imprudently" to "flaunt their wealth" (324).
[225] Makoba, 1998: 198.
[226] Shivji, 1976. Numerous scholars have embraced Shivji's term (for a review see Sklar, 1979: 544). Some follow Shivji in using it as the basis for a political analysis based on class interests while others critique this approach or simply prefer to use the 'bureaucratic bourgeoisie' as a descriptive label (for further discussion, see Hartmann, 1983). I am sympathetic to the latter interpretation.
[227] I characterise these interventions as "most fundamental" because of the primarily agrarian nature of the Tanzanian economy coupled with the importance of agricultural surpluses as a basis for capitalist expansion and economic diversification.
[228] Shivji, 1976: 51; Mueller, 1981: 468 & 477.
[229] Iliffe, 1979: 574-5. See also Coulson, 2013; Hartmann, 1983.
[230] Coulson, 2013: 182; Boone and Nyeme, 2015: 71.
[231] Coulson, 2013: 201 & 256-9.
[232] Kimei, 1987; BOT report.

also became more aggressive with time as TANU resolved in late 1973 that the whole rural population should live in collective villages by the end of 1976.[233] The ensuing forced resettlement and expropriation of African-held landholdings affected about half of Tanzania's rural population as people were relocated into eight thousand new villages.[234] Any remaining rural economic power bases, notably concentrated around large-scale farmers, were further eroded in 1976 with the nationalization of the Cooperative Unions—generally dominated by more established farmers—and their replacement with government corporations.[235] The combined effect of these measures was to ensure that the nuclei of rural capitalism, which expanded in 1960s, disappeared or saw their development forestalled in the 1970s.[236] There were exceptions. Some rich farmers in the relatively affluent cash-crop growing areas were able to turn villagization to their advantage, yielding a form of "kulak Ujamaa".[237] Party officials and state bureaucrats also found ways to leverage their positions for personal gain as small-scale agrarian capitalists.[238] But this only yielded a relatively unproductive capitalism "stunted in its most backward form".[239]

In sum, during the early period of regime consolidation, the TANU government's economic policy converged on a strategy of statist economic intervention and centralized wealth accumulation. To appreciate the contingent nature of this outcome, and thus the importance of leaders' early economic policy decisions, we need only look to the immediate post-Independence period of policy contradictions and capitalist expansion. It took a concerted effort on the part of President Nyerere—backed by sympathetic TANU leaders—to operate a reversal in the late 1960s, which set the TANU regime on a new developmental path. As numerous scholars have noted, the capacity of the TANU regime to extend its control over the economy and engineer an economic transformation was limited by Tanzania's poverty; the results of TANU's efforts fell short of outcomes achieved by richer socialist regimes in Eastern Europe and the USSR while the Party never managed—or truly sought—to quash all independent capitalist enterprise.[240] Even so, the effects of its interventionist measures were significant. Taking stock of the Party's progress following the 1976 cooperative nationalization, one observer noted, "In less than ten years from the Arusha Declaration, the state had taken a controlling interest in virtually all productive

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[233] Ibid: 296.
[234] Boone and Nyeme, 2015: 71.
[235] Samoff, 1989.
[236] Iliffe, 1983: 79.
[237] Makoba, 1998: 209-210; Mueller, 1981: 494.
[238] Mueller, 1981: 495-6. See also Von Freyhold, 1979: 120.
[239] Mueller, 1981: 496.
[240] See for instance: Gray, 2018, especially chapter 4. For an earlier debate on this issue, see Bienen's (1970) analysis of TANU's limited ability to transform the economy and Saul (1972) & Cliffe's (1972) rejoinders.

institutions that could easily be nationalized."[241] Meanwhile, Nyerere himself declared in 1977 that the previous decade of reforms had "stopped and reversed a national drift towards the growth of class society," meaning a capitalist society with its characteristic concentration of wealth amongst bourgeois accumulators.[242]

3.2.1.2 Party strengthening efforts

The TANU regime's emphasis on centralized wealth accumulation evolved alongside its investment in party institutional strengthening. As was true of its statist economic strategy, the success of TANU's party-building efforts was by no means a foregone conclusion, although there were favourable "antecedent conditions". Immediately after Independence, TANU went through a period of institutional erosion, which only later gave way to a concerted party strengthening effort. Crucially, given the theory advanced in this thesis, party-building efforts were directly abetted by state-control over wealth accumulation and patronage distribution. The paucity—not to mention strict regulation—of private political finance prevented the emergence of strong local patrons or personalized "big man" politics even as Party and administrative control over access to key resources reinforced the strength of formal institutional structures.

In the latter days of British colonial rule, TANU was undoubtedly in a better position than many other nationalist parties to extend its territorial reach and to invest in organizational strengthening. This was notably due to the relatively "yielding" attitude of the colonial administration.[243] TANU leadership also appreciated the significance of coupling mass support with "minute organization" and pushed for the creation of branches and the bureaucratization of the party with paid officers at national and local levels.[244] As one scholar nevertheless insists, TANU was not a "mass party"; it did not have a "hard-core party bureaucracy" nor a stable source of finance before Independence.[245] The party's weakness only seemed to increase after 1961 as it struggled to collect vital membership dues and as many of its most able officers went into government.[246] In the words of one close observer, "It is hard to exaggerate the disorganization and incompetence that existed in the central offices of the party by 1965."[247]

Despite this weakness, the early 1960s bore witness to a range of formal changes to TANU's structures and authority, many of which proved highly significant later on. Local

[241] Coulson, 2013: 209.
[242] Cited in Iliffe, 1983: 79.
[243] Bienen, 1970: 52-3. Iliffe, 1979: 552-4.
[244] Iliffe, 1979: 557-8.
[245] Bienen, 1970: 61-2.
[246] Ibid: 65; Pratt, 1976: 210.
[247] Pratt, 1976: 210.

government reforms introduced in 1962 provided the first opportunity to strengthen the party bureaucracy through a fusion with local government administration.[248] The reforms abolished Native Authorities and replaced them with Regional and Area Commissioners, who automatically became regional and district TANU secretaries while also assuming ex officio membership of the TANU National Conference and National Executive Committee (NEC).[249] An army mutiny and the revolution in Zanzibar in 1964 provided further impetus for party strengthening, motivating in particular the reinvigoration of the TANU youth league as well as the introduction of party cells.[250] These formed the basic unit of the party, comprising just 10 households responsible for electing their cell leader. TANU saw its de jure strength further reinforced with the adoption of the 1965 Interim Constitution, which turned Tanzania into a one-party state while elevating the authority of TANU party organs, particularly the NEC, which acquired a status on a par with the National Assembly.[251] The constitutional change also altered the composition of the National Assembly, notably by stipulating that Regional Commissioners would be members.[252]

As noted, the perception of party organisational weakness nevertheless endured despite these formal changes. It was only in the latter half of the 1960s, and particularly after the Arusha Declaration in 1967, that "quietly but effectively the party's competence as an organization was greatly strengthened."[253] This party strengthening process depended on the integration of changes to the party organization with parallel efforts to centralize wealth accumulation and patronage distribution as per TANU's commitment to *Ujamaa*. The dual-track process allowed for the *de facto* distribution of power to reinforce the *de jure* structures and authority of the ruling party.

Additional *formal* changes to party's structures and functions post-1967 included: the more "systemic" and top-down creation of party cell units and the re-election of cell leaders;[254] the introduction of more elected posts within the party and the formalization of the candidate vetting and nomination process (1969);[255] the establishment of TANU branches in public sector work-places and ujamaa villages (1969);[256] the reduction in the size of the Central Committee and its division into sub-committees tasked with handling particular policy areas (1969);[257] the parallel

[248] Cliffe, 1967: 14.
[249] Bienen,1980: 67-8; Van Cranenburgh, 1990: 106; Velzen and Sterkenburg, 1972: 261.
[250] Bienen, 1970: 375; Cliffe, 1967: 14; Van Cranenburgh, 1990: 106.
[251] Van Cranenburgh, 1990: 75.
[252] Martin, 1988: 80.
[253] Pratt, 1976: 259.
[254] Levine, 1972; Bienen, 1974: 443.
[255] Mwansasu, 1979: 184; Pratt, 1976: 259.
[256] Hartmann, 1983: 231. Mwansasu, 1979: 180.
[257] Mwansasu, 1979: 185. The number of these sub-committees rose from four in 1969 to seven in 1974.

reorganization of the party Headquarters into departments to service the sub-committees;[258] the further bureaucratization of the party and its fusion with the state administration following "decentralization" in 1972 and, in 1973, the creation of Ward Secretaries through the merger of TANU branch secretaries and Ward Executive Officers;[259] a constitutional amendment adopted in 1975 transforming TANU's *de facto* hegemony into *de jure* supremacy over all state organs;[260] and, the replacement in 1977 of the 1965 Interim Constitution with a permanent constitution, which further reinforced the supremacy of the ruling party. The new constitution also accounted for the Party's rechristening, henceforth known as *Chama Cha Mapinduzi* (CCM),[261] a change that resulted from the merger of TANU and Zanzibar's *Afro-Shirazi Party*.[262] A final raft of bureaucratic reforms conducted in 1982 brought CCM to what one scholar referred to as the Party's "apogee".[263] Introduced after the 1981 party "guidelines" (*Mwongozo*) reaffirmed CCM's socialist principles, the reforms ensured that the various departments of the CCM Secretariat could "compete" with "every bureaucracy" of the government and also elevated the position of party Secretary General to number three in the State hierarchy.[264]

These formal changes became effective in practice as TANU leaders used a combination of disciplinary measures and centralized patronage resources to rebalance power between appointed party and government officials, on the one hand, and elected political representatives and local-level party leaders, on the other. Of particular note was the way in which elected leaders' *informal* patronage roles were minimized, leaving the Party and Government to dominate. One key source of tension was the relationship between Regional Commissioners as party-cum-administrative officials and elected Members of Parliament. Both could ostensibly claim to play a development role at the local level. Certainly, MPs surveyed in the early 1960s saw themselves as performing a function as local patrons, their job being "to get something from the government for the people."[265] Regional Commissioners, meanwhile, oversaw Regional Development Committees responsible for allocating important development funds.[266] They also had a direct hand in the

[258] Ibid. As observed by Mlimuki and Kabudi (1986), the Party was creating structures "comparable to those in government on the pretext of supervising implementation of its policies" as "each of the sub-committees was charged with supervising activities of a set of ministries and their parastatals" (73).
[259] Coulson, 2013: 300-1; Mwansasu, 1979: 181-2; Msekwa, 2012: 35-6; Tordoff, 1977: 36.
It is widely noted that the "decentralization" reforms actually reinforced the hand of the central government and Party.
[260] Mlimuki and Kabudi, 1986: 73; Mwansasu, 1979: 172-9.
[261] This translates as "party of the revolution".
[262] Van Cranenburgh, 1990: 81 & 108-9; Mwakyembe, 1986: 56.
[263] Martin, 1988: 89.
[264] Mlimuki and Kabudi, 1986: 80; Van Cranenburgh, 1990: 119-20.
[265] Hopkins, 1971: 165-6.
[266] Velzen and Sterkenburg, 1972: 261.

administration of land following the previously mentioned abolition of Native Authorities, many of whose powers were transferred to Commissioners.[267]

Disagreement over the exact remit of MPs versus Commissioners came to a head shortly after the Arusha Declaration. Two MPs from the West Lake region clashed with their local RCs over plans to introduce collectivized villages in their area, a central plank of the newly reinvigorated *Ujamaa* agenda. Following this incident, the MPs were subjected to an internal party enquiry, which concluded that legislators should not "interfere with leadership", a formula which observers noted was "vague enough to condemn any further opposition by an MP to the Regional Commissioner or other TANU functionaries."[268] The two MPs were later expelled from TANU along with five of their parliamentary colleagues, all of whom were deemed to have "grossly violated the Party creed."[269] This episode set a powerful precedent; it effectively marginalised MPs as local development actors while also discouraging further opposition from elected leaders to the local dominance of Commissioners.[270]

Over the subsequent decade, state and party officials—the two often being indistinguishable—continued to assert their authority in overseeing local development efforts and distributing centrally-sourced patronage. A dramatic increase in the TANU budget helped fund a growing number of salaried officials, turning party jobs into a popular career choice for university graduates.[271] The so-called "decentralization" reforms of 1972, meanwhile, "meant that [elected] local government was replaced in each region and district by an arm of the central civil service", which was further supervised by Party Officials.[272] Starting in 1976, salaried "village managers" assumed more powers than elected village chairman since they could influence and elicit funds from party and government officials in the district and regional offices.[273] The result was that, "By the end of the 1970s, in almost every sector of life in Tanzania, power resided with officials."[274] Elected representatives were themselves drawn into the expanding sphere of officialdom. For instance, by the 1980s, the "most notable extra-parliamentary function" fulfilled by Members of Parliament was membership on the boards of Tanzania's over 400 parastatals, "almost all of [which] have one or more MPs" with some serving as executive chairmen.[275] These positions certainly added to legislators' personal incomes, but as appointed officials, it also encouraged

[267] Boone and Nyeme, 2015: 71.
[268] Velzen and Sterkenhurg, 1972: 261.
[269] Ibid.
[270] Ibid. See also Martin, 1988.
[271] Bienen, 1974: 440; Nyang'oro, 2011; Mlimuki and Kabudi, 1976: 72.
[272] Coulson, 2013: 300; Msekwa, 2012: 35-6.
[273] Coulson, 2013: 323-4.
[274] Ibid.
[275] Van Donge and Liviga, 1986: 237.

them to “speak with the voice of government” while leaving “little room” to access or distribute patronage.[276]

The parliamentary nomination and election process within TANU offers a final indication of the balance of power between a party-state bureaucracy and elected politicians. The party took the lead in managing electoral campaigns while legislators’ own mobilisation—and notably their political spending—was heavily circumscribed. In 1965, ahead of the first one-party election, TANU adopted a system whereby various party organs from local to national level were tasked with nominating two candidates who then ran against each other in the general election.[277] Already in 1965, the party used public funds to finance all campaign meetings while banning unofficial campaigning by candidates, particularly the use private resources to influence voters.[278] Enforcement of these restrictions strengthened with time. In the 1970 election, the first after the Arusha Declaration, there was a “fervent campaign to bar the business community from entering the race.”[279] Some unofficial campaigning did persist, but it was kept to a minimum.[280] The party leadership, meanwhile, ensured it retained ultimate control over the candidates selected. The TANU NEC, which had powers to veto nominees suggested by lower level party organs, increasingly used these powers to reject would-be candidates.[281] The Party and especially the Party leadership also controlled the official campaign message. In this vein, the Vice Chairman of the Electoral Commission in 1975 called on voters to “hire” or “fire” candidates based on whether they satisfied the requirements of the party manifesto, which he likened to a “vacancy advertisement that sets out the schedule of duties assigned to the advertised position and indicates the minimum qualifications required.”[282] Elected politicians, even during campaigns, thus lacked the opportunity and resources to present themselves as strong local patrons, leaving it instead to the party to broadcast its own organizational strength and development agenda to voters.[283]

In emphasising the preponderance of the centrally-funded party-state bureaucracy, it is nevertheless important not to exaggerate its strength. Several scholars have stressed that Tanzania’s poverty and thus the scarcity of resources available to the State prevented TANU’s

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[276] Ibid.
[277] For detailed descriptions of the parliamentary selection process see: Bienen, 1970; Harris, 1967; Hyden and Leys, 1972; McHenry, 1983; Mwansasu, 1974.
[278] Ibid. See also: Mpangala, 1994.
[279] Kiondo, 1994: 72.
[280] Ibid; See also Hyden and Leys, 1972.
[281] McHenry, 1983: 339.
[282] Cited in McHenry, 1983: 339
[283] On a similar point, see Harris, 1967: 30.

consolidation as a "disciplined organizational juggernaut";[284] communication between the national and local levels was not always smooth, and the interpretation and performance of various party duties by local level officials remained inconsistent.[285] This administrative weakness was further aggravated by the persistence of low-level factionalism amongst contending local elites.[286] But what the TANU leadership was able to ensure, despite the Party's deficiencies, was the *relative* strength of its bureaucratic structures vis-à-vis any potential challenger. Certainly, elected leaders could not effectively challenge the party. The argument here is that leaders' weakness was largely due to their inability to access private sources of political finance and thereby to establish themselves as local patrons. Even if centralized patronage resources remained limited, so long as a state-led form of capitalist expansion dominated and private wealth accumulation—particularly by African elites—was curtailed, TANU's ability to assert the superior authority of the party bureaucracy could endure.

The above analysis outlines how TANU consolidated as an "institutionalized coalition" featuring a more centralized pattern of wealth accumulation and patronage distribution alongside a relatively strong party institutional apparatus. This outcome was not inevitable, determined solely by "antecedent conditions"; rather, it was arrived at following an early period of experimentation and political realignment. Crucially, the TANU leadership's eventual commitment to a statist development strategy and centralization of wealth accumulation was essential in enabling the success of its parallel, party-building efforts, notably by consolidating the flow of patronage distribution within the party bureaucratic channels while marginalising would-be local "big men" and political entrepreneurs. To fully appreciate this point, and to provide a concrete illustration of the counterfactual whereby the leadership allowed for a more decentralized pattern of wealth accumulation, we now turn an analysis of the Kenyan case.

3.2.2 Kenya – Consolidation of a "bargained coalition"

It is undeniable that, as was true in Tanzania, "antecedent conditions" linked to the legacy of colonial rule in Kenya influenced the institutional trajectory of the post-Independence regime, the outcome in this case being the consolidation of a "bargained coalition". The foregoing analysis nevertheless shows the extent of debate and political contestation that informed what were ultimately *contingent* decisions made by Kenya's leaders both to favour a pattern of decentralized

[284] Bienen, 1970: 445. See also: Martin, 1988.
[285] Ibid. The administrative strength and "coherence" of TANU was hotly debated by scholars in the 1960-1970s. For a summary, see Mwansasu, 1979.
[286] See Martin 1988 for an extended discussion of TANU local politics.

wealth accumulation and to largely forego party-building efforts, which were in any case undermined due to more fragmented patronage distribution. The discussion of Kenya, as a shadow case, is less extensive than the treatment of Tanzania, the main aim being to highlight the contrast between the two. In so doing, the analysis lays bear the consequences of alternative decisions made by leaders when faced with a similar set of strategic choices.

3.2.2.1 Economic policy

Post-Independence, the KANU-led government in Kenya opted for a set of economic policies that, despite certain statist elements, nevertheless favoured the expansion of an African—as well as Asian—capitalist elite, and thus a more decentralized patter of wealth accumulation. Through a series of decisions diametrically opposed to those of their Tanzanian counterparts, the ruling elite in Kenya undertook the following measures: crucially, they encouraged individualization of land tenure, particularly in areas where land was reclaimed from departing settlers, thereby favouring the growth of capitalist farmers; they pursued a less extensive nationalisation process than in Tanzania while actively assisting private sector expansion; and, they encouraged "straddling", hiking public sector salaries and funnelling patronage resources through individual politicians, who were *explicitly told* to cultivate their private wealth.

First, regarding the "antecedent conditions" influencing Kenya's post-colonial development trajectory, some scholars contend that even before Independence in 1963, "the economic and political weight of the indigenous owners of capital was already decisive."[287] Unlike in neighbouring Tanganyika, a class of African accumulators had started to coalesce under colonial rule.[288] Its growth was the result notably of British efforts to promote commercial agriculture through the provision of individual land titles to African farmers.[289] Concentrated in Kenya's Kikuyu-dominated Central Province, many of these early accumulators also took up leading positions in Kikuyu organisations involved in the nationalist movement.[290] With a Kikuyu Prime Minister and later President Jomo Kenyatta leading Kenya at Independence, it did indeed look as though an "effective 'power bloc' under the hegemony of the Kikuyu bourgeoisie" was poised to take "strategic control over the post-colonial political re-alignments needed for the next phase of accumulation."[291]

It is too simplistic, however, to suggest that the mere presence of an indigenous bourgeoisie predestined the post-colonial Kenyan state to adopt policies consistent with further

[287] Leys, 1978: 249.
[288] See: Shivji, 1976; Mueller, 1981; Kennedy, 1988.
[289] Gertzel, 1970: 47-48.
[290] Kennedy, 1988: 93-94.
[291] Leys, 1978: 50.

capitalist expansion. For one, there are examples of other states, such as Ghana under Nkrumah, where a landowning capitalist class began to consolidate under colonial rule yet saw its growth stymied by the policies of the post-Independence government.[292] Kenya's own post-colonial economic trajectory was the focus of intense debate and political struggle throughout the 1960s and into the 1970s. By 1965, how to manage land—and thus the distribution of agricultural surpluses—was perhaps *the* key source of disagreement dividing both the KANU parliamentary caucus and the Cabinet.[293] A "conservative" faction favoured the Government's settlement policies, which involved selling off land, particularly in the formerly scheduled (i.e. European settler) areas. An opposition faction of "radicals" advocated an alternative policy aimed at ensuring a more equitable distribution or cooperative management of land by the landless African masses. The chief concern of Government critics was that the prevailing policy would allow for the further concentration of land in the hands of a few wealthy individuals capable of buying large tracts; it would, however, exclude the majority, who had participated in the nationalist struggle on the assumption that they too would benefit from the fruits of Independence.[294]

Ultimately the conservatives retained the upper hand, although not without a political fight. Their dominance within KANU was reinforced after the party absorbed its only opposition rival post-Independence, the *Kenya African Democratic Union* (KADU).[295] President Kenyatta "bought in" KADU notably by using the settlement scheme to redistribute land in areas populated by the minority ethnic communities from which the opposition party leaders drew their support.[296] The merger with KADU presented Kenyatta with a fresh political challenge, though, as tensions intensified within KANU itself.[297] The power struggle, which saw rivals aligning with either the radical or conservative faction, culminated in the KANU Vice President, Oginga Odinga, being stripped of his position in 1966 and subsequently leading a faction of radicals to defect and form the opposition *Kenya People's Union* (KPU). Kenyatta and the KANU leadership responded to this new threat by clamping down on dissent within KANU while repressing and, in 1969, banning KPU.

The political victory of the conservatives paved the way for Kenyatta's Government to adopt a more comprehensive strategy of "politicized accumulation" favouring the further expansion of an indigenous bourgeoisie. On the land issue, the Government continued to favour individual ownership and the take-over of areas previously held by European settlers. This

[292] Iliffe, 1983: 77; Boone, 1992: 25; Kennedy, 1988: 94-95.
[293] Gertzel, 1970: 32-54; Ghai, 1965.
[294] Gertzel, 1970: 45-49.
[295] Ibid: 54.
[296] Bienen, 1974: 69 & 146-9; Throup and Hornsby, 1998: 12.
[297] Gertzel, 1970: 55-72; Bienen, 1974: 68-9.

arrangement, coupled with enabling agricultural policies,[298] allowed for the expansion of commercial agriculture and provided the primary means of accumulation by an African elite through agricultural surpluses.[299] Additional policies favouring further private sector growth included preferential licensing for African entrepreneurs, privileged access to credit and the take-over of Asian-owned businesses. Together, these measures spurred the diversification of African capitalist enterprise and its expansion into commercial, real estate and, by the end of the 1970s, manufacturing sectors.[300] Despite losing out to "Kenyanization" policies, the remnants of the Asian community in Kenya also prospered, adding to the ranks of capitalist traders and industrialists.[301] One indicator of overall private sector growth during the 1960s and into the 1970s is the domestic credit to the private sector as a percentage of GDP, which rose sharply from 13.2 percent at Independence in 1963 to a pre-crisis high of 21.8 in 1980.[302] Meanwhile, nationalisation and public sector expansion was less extensive in Kenya than in Tanzania. One crude measure of this is the number of state-owned enterprises, which by the 1980s figured 240 in Kenya versus 425 in Tanzania, nearly twice as many despite Tanzania's far smaller economy.[303] The end result was that the private sector contributed a significant share to overall processes of capitalist expansion and wealth accumulation in Kenya even as the public sector remained *relatively* small by regional standards.

While actively fostering a capitalist elite, government ensured—through support of "straddling" practices—that this business elite directly reinforced and indeed overlapped with the KANU political and administrative elite. Instead of driving a wedge between politics and business, as was true in Tanzania, the KANU leadership moulded Kenya's decentralized pattern of accumulation to bind together well-connected politico-business factions within the ruling coalition. Civil servants were allowed and even encouraged to use their salaries to invest in private business interests.[304] Kenyatta also condoned MPs' lavish pay and special access to bank loans.[305]

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[298] Bates and Galiani, 2014.
[299] Swainson, 1977 & 1987.
[300] Swainson, 1977 & 1987; Leys, 1978; Balachandran, 1981.
[301] Balachandran, 1981: 321.
[302] Accessed 20 July 2017: http://data.worldbank.org/indicator/FD.AST.PRVT.GD.ZS?locations=KE-TZ-UG-RW
Note that similar data is not available for Tanzania until 1988, when it started to be collected as part of the financial liberalization process.
[303] Pitcher, 2012: 51.
[304] Swainson, 1977: 43.
[305] Contrast Kenyatta's sentiment with Nyerere's outburst shortly before delivering the Arusha declaration: "Our salaries are too high. You want me to cut them? [Some applause] Do you want me to start with my salary? Yes, I'll slash mine. [Cries of 'No']. I'll slash the damned salaries in this country. Mine I slash by twenty percent as from this hour… The damned salaries! […] Me and you. We belong to a class of exploiters" (Cited in Coulson, 2013: 221).

He even tolerated their use of public office for private gains, a far cry from TANU's strict Leadership Code.[306] In a similar vein, the KANU Government set few restrictions on entrepreneurs who were keen to cultivate political ties in exchange for preferential access to credit and other benefits.[307] In some instances, these politico-business relations were expressly organized. For instance, the Gikuyu, Embu and Meru Association (GEMA) was formed in 1971 "largely as a political and economic vehicle for the most powerful sections of the indigenous bourgeoisie".[308] Long-time government ministers were among those to head GEMA.[309] A final tool for coalition-management introduced by Kenyatta were *Harambee*. These "self-help" projects were managed by politicians, notably MPs, who used a combination of personal and public funds to support constituency development. As observed by Widner (1992), "*Harambee* contributions by the president, vice president, senior ministers and spokesmen for ethnic groups provided the currency to build coalitions and compensate groups for losses in representation or share of resources".[310]

In sum, faced with a similar set of choices regarding land, private-sector promotion and regulation of political finance, KANU leaders made series of decisions that contrasted sharply with those of their Tanzanian counterparts. The cumulative effect was the entrenchment of a more decentralized pattern of wealth accumulation favouring the further consolidation of an African politico-cum-entrepreneurial elite.

3.2.2.2 Party strengthening efforts

The flip side of KANU leaders' strategy of "politicized accumulation" was a willingness to forego party institutional strengthening. Where a degree of party-building was attempted, the effort proved largely unsuccessful. This failure was in large part due to the way Kenya's more decentralized wealth accumulation encouraged the formation diffuse and factional patronage networks within the ruling party, which in turn, corroded KANU's institutional strength and coherence.

Again, regarding "antecedent conditions", some argue that KANU's institutional weakness can be explained "as a legacy of colonial policy which tried to prevent the construction of a united national party" and instead restricted political organizing to the district level.[311] Even so, scholars maintain that the colonial legacy was "not the only factor that made for maintenance of a district

[306] Cheeseman, 2006: 158.
[307] Bienen, 1974: 146-9. See also Shivji, 1976.
[308] Swainson, 1987: 155.
[309] Ibid.
[310] Widner, 1991: 34; see also Cheeseman, 2006.
[311] Bienen, 1974: 85-6; Gertzel, 1970: 9.

base in Kenyan politics."[312] Other significant factors included Jomo Kenyatta's seeming distaste for party-building in the post-Independence period, as he preferred to rely on the civil service alone "as an instrument of rule."[313] He therefore "never appeared to take seriously the prospect of ruling through the party."[314]

The "benign neglect" of party institutions aside,[315] their strength and coherence was further undermined by the fractious patronage politics within KANU, which were in turn fuelled by the willingness of politicians and allied financiers to pour cash into building district-level political machines. The significance of this political finance and its consequences were perhaps most apparent during party primaries, which from 1969 replaced multiparty general elections.[316] During the Kenyatta years (1963-1978), primaries remained a largely free and open channel through which political elites could compete amongst themselves for voters' support. With no limits set on the number of candidates per constituency, on average four contested each parliamentary seat with some constituencies contested by upwards of ten candidates.[317] Who ultimately won these internal party contests was, to a significant degree, a function of candidates' ability to out-bid their rivals, funnelling their own resources into campaigns while also marshalling the support of more far-reaching factional alliances and private sector backers.[318] Any official party presence, by contrast, was minimal if not entirely absent.

Given the lack of a cohesive and disciplined party organization, coalition maintenance under KANU hinged on the skilful management of "politicized accumulation", patronage distribution and, where all else failed, coercive measures. Until his death in 1978, Kenyatta deflected any latent political threat—not least from newly enriched local "Big Men"[319]—through a roughly proportional national redistribution of patronage, although he favoured an inner circle of Kikuyu elites most closely linked to Kenyatta's home district of Kiambu. The primary platform for this Kiambu faction was the above-mentioned GEMA, which through the GEMA Holdings Company developed its economic interests in agriculture, real estate, commerce, banking and manufacturing.[320] The Association, meanwhile, acted as a "substitute" for the "defunct" KANU party, mobilizing funds and fielding election candidates.[321] The Kiambu elite had to tolerate certain

[312] Bienen, 1974: 87.
[313] Okumu and Holmquist, 1984: 50.
[314] Bienen, 1974: 79.
[315] Okumu and Holmquist, 1984: 50.
[316] Hyden and Leys, 1972; Okumu and Holmquist, 1984.
[317] Hyden and Leys, 1972: 397.
[318] Ibid: 404.
[319] Throup and Hornsby, 1998: Cheeseman, 2006: 166; Ajulu, 1999.
[320] Swainson, 1987: 155-6.
[321] Ibid.

degree of compromise so as to preserve the wider KANU coalition. Where directly challenged, though, particularly from within its own Kikuyu ethnic bastion, it resorted to repression and, it at least three cases, political assassination.[322]

This apparent preference for informal as opposed to formal political organisation and mobilisation within KANU did not go unquestioned. Indeed, the costs incurred as a result of ad hoc elite bargaining prompted repeated "injunctions to KANU to be better organized and disciplined."[323] Despite some genuine efforts, belated party-building attempts proved unsuccessful. Amidst falling voter turnout and a general concern that the party was losing touch with the *wananchi* (poor masses),[324] Kenyatta appointed a special KANU committee in 1970 to make recommendations on how best to "reorganize, reactive and revitalize KANU", thereby ensuring the Party stayed "attuned to the aspirations of the people".[325] Somewhat unsurprisingly, the Committee's report observed that "the [KANU] constitution was not followed as stipulated", and "instead of the Constitution ruling the Party, this was replaced by personality cult and individuals gave directives far removed from the constitution only to bring about dissatisfaction and disillusions […]."[326] To address these concerns, the report recommended a "thorough overhaul of the structure of the Party", detailing a series of reforms. These were later approved by a meeting of the KANU National Governing Council, during which Kenyatta condemned the corrosive effects of "corruption and bribery" in the Party.[327] The belated "overhaul" was undermined, though, notably due to the fragmented distribution of patronage within the Party. KANU's Organizing Secretary, John Keen, described the party's organization by the mid-1970s as "appalling", noting that the last delegates' conference was held in 1962, the Secretariat last met in 1964, no formal party sub-branch, branch or national elections had been held for over a decade, the party debt exceeded 20,000 pounds, and party staff had gone without pay for seven months.[328] To the extent that there was a national party system under KANU in the 1960s and early 70s, it remained "one of patron-client ties built around individuals who cross[ed] into each other's districts or organizations".[329]

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[322] Throup and Hornsby, 1998: 19-20; Cheeseman, 2006: 166-170.
[323] Bienen, 1974: 79.
[324] Ibid: 91.
[325] KANU (1970), "Report by the KANU Re-Organizing Committee." Accessed in Lionel Cliffe's personal archive.
[326] Ibid.
[327] KANU (1971), "Meeting of the KANU National Governing Council." Accessed in Lionel Cliffe's personal archive.
[328] Throup and Hornsby, 1998: 18.
[329] Bienen, 1974: 99.

To recap, this section accounts for KANU's consolidation as a "bargained coalition" featuring relatively decentralized patron-client networks competing within the loosest of institutional frameworks. While influenced by the legacy of colonial rule, this outcome was nevertheless the product of a critical juncture. An early period of political struggle and debate in post-colonial Kenya culminated, unlike in neighbouring Tanzania, in a decision by KANU leaders to favour a relatively decentralized pattern of wealth accumulation while largely foregoing party-building efforts. Once entrenched, Kenya's more diffuse wealth accumulation and fragmented patronage structure ensured that subsequent, half-hearted efforts to strengthen the party came to naught. The contrasting outcomes in Tanzania and Kenya ultimately bear testament to the ability of post-Independence leaders, when faced with a similar set of economic policy and party-building options, to pursue starkly contrasting paths, each leading to very different forms of party institutional consolidation.

With regards to post-Independence regimes, it is worth nothing that the labels of "socialist"— applied to the likes of Tanzania, Ghana under Nkrumah, and Zambia, among others—or "capitalist"—most often applied to Kenya and Nigeria—are not necessarily a useful shorthand for discerning leaders' policy orientation and associated strategy of "politicized accumulation". For instance, Kenneth Kaunda seemingly espoused a modified socialism through his *Humanism* philosophy and was undoubtedly influenced by Nyerere and TANU in Tanzania. Yet Kaunda also found it politically expedient to allow for "indigenization" and the growth of an African entrepreneurial elite. The more decentralized pattern of wealth accumulation then allowed for the fragmentation of patronage networks within Zambia's ruling United National Independence Party, eroding its institutional strength and ultimately contributing to its defeat by the Movement for Multiparty Democracy in 1991.[330] As such, the Zambian case indicates the need for careful empirical analysis of actual economic policy and its effects, rather than a reliance on ideological labels, if we are to understand authoritarian party consolidation and regime outcomes.

3.3 Post- "liberation" regimes

Following the initial wave of decolonization in sub-Saharan Africa, subsequent regimes differed from their 1960s counterparts in that they generally gained power through coercive means: after a belated and more conflictual Independence struggle;[331] after a military coup;[332] or starting with

[330] For a discussion of economic policy under Kaunda and Zambia's business elite see: Baylies and Szeftel, 1984; Makoba, 1998.
[331] These include, for instance, the Portuguese colonies as well as countries under white minority rule, such as in Zimbabwe and Namibia.
[332] For instance, the *People's Revolutionary Party of Benin* (1975-1990).

Uganda in 1986, on the back of an armed insurgency.[333] These later regimes also faced a transformed economic and geo-political environment. By the 1980s, the economic crisis sweeping across the region and the International Financial Institutions' (IFIs) new insistence on structural adjustment reforms narrowed the range of economic policy options available to ruling elites. The fall of the Berlin wall and collapse of the Soviet Union by the 1990s further limited what policies remained on the table.

As briefly discussed at the start of this chapter, the changed circumstances of these later regimes might be expected to have influenced both their economic and institutional consolidation. The IFIs emphasis on "curbing corruption" through "less government" and private sector-led growth suggests ruling elites would no longer be free to pursue their preferred strategies of "politicized accumulation".[334] At the same time, a more violent struggle to gain power is thought to encourage the consolidation of "organizational weapons" and, subsequently, stronger ruling party institutions.[335] In reality, though, the determinants of authoritarian regime consolidation in the 1980s and 1990s were similar to those informing regime outcomes in the post-Independence period.

First, newly instated ruling elites still exercised high levels of agency in moulding patterns of "politicized accumulation" to their advantage. As one observer noted of the EPRDF regime after it formed a government in 1991, "[…] Ethiopian state-building was driven less by world-historical forces, and more by the energies and capabilities of [President Meles] who briefly succeeded, through intellectual power and political skill, in centralizing control over rent in his office."[336] To achieve their desired ends, leaders deployed many of *the same* strategies of politicised accumulation as before. They still made use of discretionary enforcement of regulatory and tax requirements, granting of licenses, and allocation of procurement contracts to identify winners and losers within the private sector, and to influence overall private sector expansion. They also continued to espouse diverse strategies of managing land ownership, despite IFI-backed efforts to promote a transition towards regimes of private property rights.[337] Finally, many authoritarian leaders still encouraged "straddling" practices along with predatory forms of accumulation, again despite the IFIs' insistence on fighting corruption. African leaders did have to abandon large-scale nationalization efforts, though, as donors pressured governments to privatise existing state-

[333] These include the *National Resistance Movement* of Uganda (1986), the *Ethiopian People's Revolutionary Democratic Front* (1991), the *Eritrean People's Liberation Front* (1991) and the *Rwandan Patriotic Front* (1994).
[334] World Bank, 1989: 55 & 61.
[335] Smith, 2005; Levitsky and Way, 2012.
[336] De Waal, 2015: 12.
[337] Boone, 2007.

owned enterprises. Yet the new regimes found alternative ways of centralizing wealth accumulation and patronage, such as through the cultivation of party- and military-owned enterprises (Table 3.3).[338]

Key areas of economic decision-making		Pattern of wealth accumulation	
		Centralized	Decentralized
	Promotion of private entrepreneurs or party- and military-owned enterprise	Preference for party- and military-owned enterprise, which benefit from access to credit, procurement contracts and other financial benefits that the state can still control; parallel restrictions on the strength and autonomy of private entrepreneurs.	Preference for private entrepreneurs, albeit favouring a regime-aligned business constituency. Absence of notable party- or military-owned firms.
	Land tenure system	As before.	As before.
	Attitude towards "straddling"	As before.	As before.

Table 3.3 – Policy orientation and accumulation patterns of post-liberation regimes

Besides pursuing contrasting strategies of "politicized accumulation", regimes consolidating in the 1980s and 1990s also formed contrasting party institutions. Despite their shared experience of violent confrontation, ruling elites allowed for weak party organizations in some cases and built up strong ones in others. As before, these contrasting institutional outcomes were informed by differences in underlying patterns of wealth accumulation.

The ensuing analysis illustrates these points through a comparison of the Ugandan and Rwandan cases. It demonstrates how the newly instated ruling elites in the 1980s and 1990s pursued a range of strategies of "politicized accumulation", and this even as they acquired reputations as "donor darlings" for seemingly embracing IFI-backed economic reforms. The contrasting outcomes of these "politicized accumulation" strategies—leading in Uganda to decentralized and in Rwanda to more centralized wealth accumulation—then determined the extent of party-strengthening. This institutional variation came about despite both the Ugandan and Rwandan regimes pursuing a military path to victory.

3.3.1 Uganda – Consolidation of a "bargained coalition"

After taking power in 1986, the *National Resistance Movement* (NRM) consolidated as a "bargained coalition", featuring a relatively diffuse pattern of wealth accumulation and

[338] See, in particular, Rwanda and Ethiopia.

fragmented patronage structure as well as low levels of party institutionalization. This outcome, while influenced by both antecedent conditions domestically and externally-imposed constraints, was nevertheless decisively shaped by a set of strategic decisions made by the NRM leadership. I address these in turn, analysing first the choice of economic policies and then the preference for an ad hoc and personalized form of party organisation.

3.3.1.1 Economic policy

The NRM leaders settled on a strategy of politicized accumulation that, while encouraging private accumulation, nevertheless tended to ensure the continued political vulnerability and dependence of this emerging class of accumulators. The NRM leaders' strategy involved, on the one hand, favouring foreign and Asian entrepreneurs and condoning accumulation by an elite strata of regime loyalists; on the other hand, NRM leaders generally failed to support or actively discouraged domestic entrepreneurs, particularly those deemed politically hostile. The key measures taken to enable this outcome included: advocating the return of Asian investors expelled under Amin's regime and favouring the business interests of Asian and foreign investors over Ugandan Africans; manipulating land ownership through a series of de jure and de facto interventions; and managing the IFI-backed privatization process to benefit well-connected local elites. A final point, and a theme underpinning the NRM's economic strategy generally, concerns the leaderships encouragement of predatory forms of accumulation.

The tendency to favour foreign and Asian capital while catering for a predatory, regime-aligned elite is not without precedent in Uganda. The country's first post-Independence President, Milton Obote, hailed from the economically marginalized northern region. After political relations soured with the more affluent Buganda Kingdom in central Uganda,[339] Obote resisted introducing economic policies that would have encouraged the further expansion of an indigenous—and Baganda-dominated—entrepreneurial elite. Instead, he pushed a controversial "Ugandanization" policy that favoured notably Ugandan citizens of Asian origin.[340] This Asian commercial and industrial elite, in turn, helped finance the ruling party, the *Uganda People's Congress* (UPC).[341] Obote also sought to secure the loyalty of the fractious UPC coalition by allowing Ministers, party officials and parliamentarians to use corrupt means to accumulate their own private fortunes.[342] Following the 1971 coup, Idi Amin responded to popular disaffection with the Asian elite by overseeing the mass expulsion of Asians in 1972. Expropriated Asian properties were then

[339] Twaddle and Hansen, 1998: 12.
[340] Mamdani, 1995: 35; Jorgensen, 1981: 248-252
[341] Jorgensen, 1981: 249.
[342] Ibid: 252.

redistributed to regime supporters, a process of appropriation and redistribution repeated after Amin's 1979 overthrow and Obote's return to power in 1980.[343]

When the National Resistance Movement, under the leadership of Yoweri Museveni, took power in 1986, it promised "fundamental change", including an end to "corruption and the misuse of power."[344] While the NRM initially sought to implement an avowedly socialist economic agenda, engaging in barter trade with Cuba and Russia, the leadership did a U-turn in late 1986 amidst fears that a worsening economic crisis would erode the NRM's as-yet fragile popular support.[345] Museveni's government reached a first agreement with the IMF in 1987. While efforts on the part of the Ugandan government to stall or flout implementation of IMF conditionalities continued for another year, a sharp increase in inflation rates prompted the NRM government to commit to a donor-backed reform package in 1988.[346] As one NRM official from the time recalls, "We went from extreme left ideas to extreme right."[347] In his autobiography, President Museveni further emphasises the governments new commitment, stressing, "We did not adopt market economics as a consequence of pressure, but because we were convinced it was the correct thing to do for our country."[348]

This apparent conversion to a "free market economy",[349] a move many observers saw as inevitable given the dire economic situation,[350] was not the end of the story, however. Indeed, what followed was a period of experimentation, debate, and political struggle. This experimentation included various forays down what proved to be blind allies. The NRM dabbled, for instance, in a variety of military- and party-owned enterprises. Shortly after coming to power, the then *National Resistance Army*, the military wing of the NRM, created the National Enterprise Corporation, which Museveni declared would "train, organize and utilize the army personnel to develop and carry out scientific, technological, industrial, construction and contracted service activities on a commercial basis."[351] The Corporation continues to operate but is of negligible significance to the wider Ugandan economy.[352] Two attempts at starting party-owned enterprises,

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[343] Mamdani, 1988: 1161-2; Hansen, 2013.
[344] NRM, 1992: 281.
[345] Mugyenyi, 1991: 69-70.
[346] Ibid: 73; Ochieng, 1991: 58.
[347] Interview with NRM MP, Simon Mulongo, Kampala, November 2014.
[348] Museveni, 1997: 181.
[349] Ibid: 182.
[350] Southall, 1988: 67; Mugyenyi, 1991: 75.
[351] Mudoola, 1991: 241.
[352] The Corporation was recently tasked with catalysing a transition to commercial farming through a costly yet ultimately ineffective tractor hire scheme. This example suggests the Corporation may be little more than a means of channelling patronage through the military. Accessed 24 April 2017: http://www.sunrise.ug/news/analysis/201406/can-the-army-feed-uganda-when-it-can-t-feed-itself.html

meanwhile, turned into nothing more than pre-election efforts to raise funds for NRM campaigns, ultimately through fraudulent means.[353]

Given the NRM's failure to develop its own entrepreneurial interests, President Museveni and his inner circle focused their attention instead on a series of initiatives that, far from approximating a "free market" ideal, favoured the consolidation of a politically dependent class of entrepreneurs and non-productive accumulators. A first key intervention concerned the decision to return expropriated property to its original Asian owners. This move had both an economic and political rationale to it. Asians re-investing in the Ugandan economy promised to boost growth and to increase government revenues.[354] Meanwhile, their return heralded the re-emergence of a politically non-threatening, even dependent entrepreneurial elite; indeed, they would be in a similar structural position and serve a similar political purpose as their counterparts under the Obote regime of the 1960s. While various accounts suggest that a policy to return expropriated properties was first pushed as one of the IMF conditionalities,[355] President Museveni soon became the chief defender of the move. Faced with considerable opposition within the NRM government, he recalls personally chairing the Cabinet meetings and the sitting of the National Resistance Council (NRC)—the then legislative body—to see through the initiative.[356]

Ultimately a small minority of some 8,000 expelled Asians sought to repossess their properties, although they were mostly the former owners of large-scale industrial, commercial and residential assets.[357] The Asian presence nevertheless soon became pronounced across all major sectors of the economy, including commercial agriculture and processing, trade, manufacturing, banking and forex, among others.[358] Some of the most prominent family names from the colonial and immediate post-colonial period, such as the Madhvani and Mehta families, were "rejuvenated".[359] Others, like the Ruparelia family rose to new heights.[360] Meanwhile, President Museveni and his Ministers also sought to attract new investors, promising tax holidays and an attractive investment code.[361]

These incentives were not matched by parallel efforts to support indigenous entrepreneurs, despite growing concern over "Indian domination" and "control of [the]

[353] Tangri and Mwenda, 2013: 107-108.
[354] Abidi, 1996: 45; Tangri, 2015.
[355] Himbara, 1997: 16; Mamdani, 1995: 87.
[356] Museveni, 1997: 181-2.
[357] Mamdani, 1995: 87.
[358] Abidi, 1996: 54-5.
[359] Ibid. Himbara, 1997: 16-17.
[360] Tangri, 2015.
[361] Abidi, 1996: 53 & 57-58.

economy."[362] For instance, although tax reforms in the early 1990s were ostensibly aimed at reducing tax exemptions, the number of exemptions awarded to foreign- and jointly-owned large firms in fact *increased* by the end of the decade, leaving mostly Ugandan-owned medium-sized firms to shoulder a disproportionate share of the tax burden.[363] The NRM government also did little to reduce interest rates and ease access to credit, even as small- and medium-sized firms continued to cite these as "major obstacles" accounting for their low rate of investment relative to larger firms.[364] More recently, amidst demands for a cap on commercial bank interest rates,[365] Museveni called for the recapitalization of the Uganda Development Bank, ostensibly to decrease the cost of credit for manufacturers and farmers.[366] Such moves, however, are belated and come after previous government-sponsored credit schemes devolved into little more than pre-election patronage distribution mechanisms.[367] As one long-time analyst of Uganda's political economy concludes, "President Museveni seems wary of wealthy black entrepreneurs who emerge outside his ambit and who would potentially challenge his authority."[368] Meanwhile, prominent Asian and a small selection of regime-aligned African entrepreneurs continue to donate generously to President Museveni's presidential re-election campaigns, even as they receive substantial—and often fraudulent—tax breaks and capital subsidies, among other favours.[369]

The return of Asian properties aside, a second significant area of economic decision-making relates to land reform, which remains a source of controversy up to now. President Museveni and the NRM leadership have sought to institute a land tenure system favouring freehold tenure, the idea being that this is more conducive to commercial farming; however, they have also tried to increase the power of the central government—and thus the NRM elite—over the allocation and administration of land. After the NRM came to power, the new government launched a consultative process on land reform, which informed a debate in the Constituent

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[362] Abidi, 1996: 57; Tangri, 2015.
[363] Gauthier and Reinikka, 2006.
[364] Reinikka and Svensson, 2001: 213-14 & 221.
[365] Accessed 23 July 2017: http://www.observer.ug/business/38-business/46417-mps-csos-start-push-for-limits-on-interest-rate
Accessed 23 July 2017: http://observer.ug/news/headlines/52943-mp-nsereko-seeks-bill-to-cap-interest-rates.html
[366] Accessed 23 July 2017: http://www.newvision.co.ug/new_vision/news/1425822/gov-recapitalize-uganda-development-bank
[367] Accessed 23 July 2017: http://observer.ug/news/headlines/53965-probe-finds-gross-rot-in-youth-livelihood-program.html
[368] Tangri, 2015: 18; Mwenda, 2008.
[369] Tangri and Mwenda, 2013: 111. See also Chapter 8, "Corruption in political finance". On funding of Museveni's 2016 presidential campaign, see: Alliance of Campaign Finance Monitoring Final Report, 2016.

Assembly, tasked with approving the 1995 Constitution. Land quickly emerged as one of the most controversial issues discussed by the Assembly.[370] The controversy centred on two key points.

The first concerned the *mailo* land system peculiar to the Buganda Kingdom.[371] The NRM regime made a series of early attempts to consolidate its support within Buganda, not least by answering calls for the reinstatement of the Buganda Kingdom and the return of the King or *Kabaka*, first exiled under Obote in 1966. The NRM government, whose top leadership were primarily from Western Uganda, was nevertheless careful to limit the powers it granted the Kingdom, which was meant to be a "cultural" and not a political institution.[372] Control of land was central to curbing Buganda's real political as well as economic heft. Whereas the Kabaka and other Kingdom leaders lobbied the Constituent Assembly to vest powers over land administration within a regional land board with the Kabaka as trustee, this arrangement was strongly resisted by the informal NRM caucus in the Assembly, which ultimately called for more comprehensive land reform legislation to be introduced.[373] This call led to the 1998 Land Act, which went counter to Buganda demands, leaving the central state to administer *mailo* land while privileging the land rights of occupants over those of landowners, many of whom were among the Buganda aristocracy.[374] This outcome further consolidated the political power of the central state over Buganda and clipped the wings of a would-be commercial-cum-political Baganda elite. Unsurprisingly, it also led to the deterioration of relations between the Kingdom and NRM government.[375]

The second land-related issue to rock the Constituent Assembly had to do with whether the state should be empowered to acquire land compulsorily for the purposes of investment.[376] As one former member of the Constituent Assembly recalls, "The President kept saying, 'I want land to give to my investors. I want land to give to my investors.'" These repeated calls, however,

[370] Marquardt and Sebina-Zziwa, 1998: 182-3.
Interview with former Constituent Assembly member and later UPC MP, Ben Wacha, Kampala, January 2015.
Interview with former Constituent Assembly member and later FDC MP, Jack Sabiiti, Kampala, January 2015.
[371] Mailo land refers to the parcelling out of land by the British in the early 20th century to the King of Buganda, the Kabaka, and Baganda Chiefs. This land allocation set the stage for what evolved into a deadlock over land rights opposing landowners "who possessed de jure freehold over the parcels" and the land occupants or tenants who came to "[enjoy] de facto freehold" (Marquardt and Sebina-Zziwa, 1988: 177).
[372] Doornbos and Mwesigye, 1995: 61-4.
[373] CA members formed several informal groupings, which included the government-aligned NRM caucus, a Buganda caucus and a caucus in favour of returning to multiparty competition.
[374] Green, 2006. Coldham, 2000.
[375] Green, 2006; Boone, 2007.
[376] Marquardt and Sebina-Zziwa, 1998: 177 & 182-3; Interview, Wacha, January 2015; Interview, Sabiiti, January 2015.

fed an "underlying suspicion" as "people started to wonder, 'Who are these investors?'"[377] This suspicion led many within the Constituent Assembly to conclude, "This man wanted land for his own use, to give to his cohorts."[378] Ultimately, Constituent Assembly members, including several high-ranking ministers in Museveni's Cabinet, "revolted", refusing to grant the state such wide-ranging powers. As another former member recalled, when Museveni addressed the Constituent Assembly following the adoption of the 1995 Constitution, he made clear, "You have made a beautiful constitution, but I am unhappy with two areas."[379] One of them was land.

Despite these setbacks, Museveni's government has repeatedly tried to strengthen the state's power to acquire land, including for investment purposes.[380] Pending a legal solution on this issue, Museveni has resorted to giving away publicly-owned land to investors, not least the Madhvanhi and Mehta groups.[381] There is also growing concern about state-sanctioned land-grabbing and speculative purchasing of land by politically-connected elites, particularly in the post-conflict Northern and oil rich western regions.[382] Referring to these practices, one of the former Constituent Assembly members concluded wryly, "There is a small group of either politicians or business people who have miles, square miles of land in this country. So maybe we were not wrong to be suspicious."[383] Regime-backed efforts to redistribute land, whether through a *de jure* process or *de facto* give-aways, has thus contributed to a pattern of private wealth accumulation favouring a well-connected politico-business (and military) elite.

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[377] Interview, Wacha, January 2015.

[378] Ibid. See also interview, Sabiiti, January 2015.

[379] Interview, Sabiiti, January 2015.

[380] Ahead of the 2005 constitutional reforms, a government white paper rejected the recommendations of the Constitutional Review Commission on land acquisition, noting that "Government is of the view that to promote development it should be possible to acquire land compulsorily for investment purposes" and that article 26(2)(a) should be amended accordingly. Parliament rejected this proposal. A decade later, Government tabled the highly controversial Constitutional (Amendment) Bill (2017), which this time called for the amendment of article 26(2)(b)(i) to enable government to take possession of land *before settling any related compensation disputes.* President Museveni and concerned Ministers argued that the proposed amendment was necessary to avoid delays and significant financial loss to Government, but a cross-section of politicians, private landowners and human rights groups, among others, resisted the move, arguing that it would undermine Ugandans' land rights and facilitate land-grabbing by government insiders and investors.
"Government White Paper on: (1) The Report of the Commission of Inquiry (Constitutional Review); (2) Government Proposals not addressed by the report of the Commission of Inquiry (Constitutional Review)", 2004.
"Uganda will face lengthy battle over land acquisition", *Oxford Analytica*, 28 September 2017.

[381] Tangri and Mwenda, 2013: 111.

[382] Mabikke, 2011; Interview with NRM MP, Stephen Mukatile, Kampala, February 2015.
Accessed 23 July 2017: http://www.monitor.co.ug/SpecialReports/Government-treads-slippery-path-Madhvani-Amuru-land-saga/688342-3862718-ahoanq/index.html
Accessed 23 July 2017: http://www.monitor.co.ug/SpecialReports/Combating-land-grabbing-in-the-oil-rich-districts/688342-3503598-t12is4z/index.html

[383] Interview, Wacha, January 2015.

The handling of a third controversial issue—namely privatization—provides a final focal point by which to illustrate the NRM leadership's strategy of "politicized accumulation." While privatization was, again, a policy initially pushed by the IFIs, Museveni soon came to embrace the initiative.[384] Faced with mounting opposition both within his Cabinet and the National Resistance Council, he personally intervened to chair a debate over the Divestiture Statute, ultimately passed in August 1993.[385] Two years later, he issued a presidential directive to expedite the process, which remained mired in controversy. The initial concern was that privatization was "designed to attract foreign investment," a "cornerstone of NRM government economic policy."[386] There was little interest on the part of government, by contrast, in compensating for the "lack of domestic capital to facilitate the privatization policy", which effectively "ignored broadening of ownership."[387]

As the privatization process went ahead, picking up speed in the second half of the 1990s, an additional set of concerns rose to the fore, namely endemic "corruption and cronyism", which fits a wider pattern of predatory accumulation under NRM rule.[388] Among the chief beneficiaries of privatization were family and close friends of Museveni and his wife, Janet, as well as prominent Ministers. The firms they acquired were then conspicuous contributors to the NRM's 2001 election campaigns.[389] As the prominent Ugandan journalist, Charles Onyango-Obbo summarised, "Top leaders in government chose to use privatization as a political support-building project […]. When the enterprises were being sold to Ugandans, most went to ruling Movement members. […]. The aim was to create a pro-regime business constituency."[390] The privatization process was ultimately wound up in 2006 shortly after the World Bank suspended funds to the government's Privatisation Unit citing political interference and lack of transparency.[391]

The above discussion summarizes how, following a largely inconsequential experiment with military- and party-owned enterprise, the NRM leadership pursued a strategy of "politicized accumulation" favouring the expansion of a politico-business elite supportive of—and largely dependent on—continued NRM rule. The leadership achieved this outcome through its backing of foreign and Asian investment, its manipulation of land reform and acquisition, and its exploitation of the privatization process. These three focal areas by no means cover the full range

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[384] See especially Chapter 5, Tangri and Mwenda, 2013. Tukahebwa, 1998.
[385] Museveni, 1997: 182; Nyirinkindi and Opagi, 2010: 360.
[386] Tukahebwa, 1998: 67.
[387] Ibid: 65-6 & 71. See also Tangri and Mwenda, 2013.
In 2004, Uganda's Privatization Unit published an impact assessment noting that, in addition to creating few formal employment benefits, the government's divestitures had failed to create sufficient ownership amongst Ugandan entrepreneurs. See Nyirinkindi and Opagi, 2010: 370.
[388] Tangri and Mwenda, 2013.
[389] Ibid: 112.
[390] Cited in Tangri and Mwenda, 2013: 67.
[391] Accessed 23 July 2017: http://allafrica.com/stories/200603140706.html

of economic tools used by NRM leaders. For instance, acquiescence in the face of additional forms of rent-seeking within the military has played a decisive role in allowing the accumulation of considerable fortunes by NRM top brass.[392] The granting of high salaries and allowances to civil servants and elected politicians, especially parliamentarians, has also served to quell dissent and to encourage a perception of public office as an avenue to personal enrichment.[393] The end result is the same though, as these actions have served to broaden the elite coalition that, in a manner redolent of previous regimes in Uganda, sees its participation within the NRM regime—and particularly its loyalty to Museveni—as key to further economic empowerment.

3.3.1.2 Party strengthening efforts

During the initial period of regime consolidation, the NRM leaders' preference for a diffuse pattern of wealth accumulation, albeit one favouring regime-aligned elites, encouraged a form of political organization based on loose factional alliances. There was, meanwhile, little by way of formal party-building. As ever, this outcome was in part informed by "antecedent conditions", yet even so, there was considerable debate and uncertainty regarding what organizational form the NRM should assume after taking power in 1986. Amidst ongoing political tensions, a de facto resolution emerged as rival patron-client networks took hold, thereby shaping the largely informal and fractious dynamics of organization and mobilization within the NRM.

Prior to the NRM regime, Uganda did not have a history of strong party institutions. As early efforts at nationalist organizing foundered in the 1950s, break away parties, including Obote's *Uganda People's Congress* (UPC), did not invest heavily in party-building.[394] Upon first taking power in the 1960s and then after its return in the 1980s, the UPC amounted to no more than a "national confederation of locally powerful political notables",[395] a party defined by its "patron-client nature".[396] As Obote struggled to keep his coalition together, he found himself negotiating with a range of different power-brokers, thereby forming a succession of "composed majorities".[397]

When Museveni's NRM first took power, one of its core promises was to break with Uganda's fraught history of party politics, which apart from the weak organization of the individual parties, had exacerbated both ethnic and religious tensions. NRM leaders proposed to transcend this troubled past through the introduction of a "Movement" or "no-party" system rooted in mass

[392] Ibid, chapter 6; Vlassenroot et al., 2012; Tangri and Mwenda, 2003.
[393] Collord, 2016.
[394] Sathyamurthy, 1975; Jorgensen, 1981; Low, 1988.
[395] Jorgensen, 1981: 221-2. See also Mudoola, 1988: 286; Sathyamurthy, 1975.
[396] Mudoola, 1988: 288-9.
[397] Low, 1988.

participation and electoral competition based on the principle of "individual merit".[398] What the Movement would look like in practice was unclear and remained the subject of intense debate. Of particular concern was whether and when Uganda would return to multiparty politics, given that the "Movement" system was first announced as an interim arrangement. A related question was what organisational form the NRM should itself assume.

The question of Movement versus multiparty politics was at first put to one side after Museveni committed to forming a "broad based" government, which included several ministers from the *Democratic Party* (DP), long-time rival of the ousted UPC. This government was meant to last the duration of an initial four-year transition period, which was indefinitely extended in 1989 pending the conclusion of a constitutional review process. Relations with the DP, meanwhile, deteriorated as the party began to fracture, divided between those who wanted to see an immediate return to multiparty politics and those leaders still committed to maintaining their Cabinet seats and working with the NRM.[399] Then, in 1995, the Constituent Assembly enshrined the Movement system within Uganda's Constitution. This decision came despite fierce opposition from "Multiparty-ists" within the Assembly, who along with more critical observers, denounced the move as tantamount to the creation of a one-party state.[400] It effectively marked the end of any pretence of broad-based government. As one observer, admittedly a long-standing opponent of the NRM, later averred, "What Museveni was calling a broad-based government was in effect a group of individuals he himself decided should join him in order to consolidate his power. […] He would look around, find a weakling from one group or a very strong person he wanted to destroy from another. Eventually he managed to destroy those people politically, all of them."[401]

The shift towards a de facto one-party state scenario nevertheless left open the second question, namely how the NRM itself should organise politically. Throughout the late 1980s and into the 1990s, debate over the preferred organisational form persisted, albeit in "hushed" tones.[402] One option considered was to allow the armed wing of the NRM, the National Resistance Army (NRA), to continue providing institutional leadership. Certainly, the High Command and Army Council retained a considerable degree of influence over key decisions while military officers also held a large proportion of seats in the National Resistance Council, the legislative body until the 1995 Constitution introduced the National Assembly.[403] The army was also involved in

[398] Carbone, 2008. See the introduction.
[399] Kasfir, 1991: 254-5; Mamdani, 1995.
[400] Oloka-Onyango, 2000; Mamdani, 1995; Kasfir, 2000.
[401] Interview, Wacha, January 2015.
[402] Mamdani, 1988: 1174.
[403] Mudoola, 1991: 235.

grassroots level mobilising, notably through the *mchakamchaka* (jogging, in Swahili) ideology and training initiatives for civilians and NRM cadres.[404]

Even so, it is not enough to focus on the army when explaining political organization under the NRM regime. A second contender as the locus of NRM organising was its own bureaucratic structures. After taking Uganda's capital Kampala in 1986, the NRM established a Secretariat, which began to work "as though a new organisation was about to be established".[405] Over the ensuing years, however, the Secretariat received only a small budget and retained few powerful officials amongst its staff, thus ensuring its influence was dwarfed by competing institution.[406]

A final major organisational focus was the system of Resistance Councils (RCs) which first emerged as civilian village committees in NRM "safe zones" during the 1981-86 civil war. In the early years of the NRM government, the RCs were presented as the basic organisational units of the new, supposedly more participatory form of Movement governance. The idealized picture never matched reality, though, as the RCs first arose out of military expediency, the aim being to secure civilian support for the NRM, and relied more on the mobilisation of key local notables than popular consensus.[407] After 1986, moreover, a "bureaucratic view" quickly took hold and the RCs were transformed into "appendages of the civil service created to implement government policy".[408] Their potentially democratic influence was further muted as a result of their subordinate position within a tiered system of Local Councils stretching from the village council up through the parish, sub-county, county, district and culminating with the National Resistance Council.

Even as debate continued over what organizational form the NRM should adopt, an informal pattern of factional organizing began to emerge, spurred notably by the first elections conducted under the "Movement" system. The first indirect election to the NRC was held in 1989 and was followed by a direct election to the Constituent Assembly in 1994 and then parliamentary and presidential elections every five years starting in 1996. The 1989 "snap" election was called on very short noticed and overseen by the Ministry of Local Government and the National Political Commissar, the head of the NRM Secretariat.[409] There were signs that the intention was to hold an election according to some of the same principles as elections under TANU in Tanzania.[410] Of

[404] Interview, Mulongo, November 2014.
[405] Mamdani, 1988: 1175,
[406] Kasfir, 1991: 255-6; Mamdani, 1988: 1175.
[407] Kasfir, 2005: 284.
[408] Mamdani, 1988: 1176.
[409] Kasfir, 1991: 259-60.
[410] Museveni, alongside other NRM leaders, attended the University of Dar es Salaam in Tanzania and later lived in Dar es Salaam while in exile during the 1970s. Museveni admired Nyerere and sought to emulate aspects of the TANU organisational approach. See: Museveni, 1997.

particular note was the focus on sanctioned meetings organised through the local council system as well as the ban on private campaigning. "Quiet" campaigning did persist in the side-lines but was kept to a minimum, partly because the very brief window left for campaigning after the election was announced offered limited time to mobilise.[411] Some observers saw this as an intended consequence, given fears that established local notables and politicians affiliated to old parties—especially the DP and UPC—could activate their networks and raise enough money to outperform candidates sympathetic to the NRM and its leaders.[412]

The somewhat muted campaigns of 1989 gave way to a more aggressive—and expensive—form of electioneering in 1994. The Constituent Assembly elections were marked by lavish spending.[413] On independent newspaper estimated, "Over these six months, dealers could well have sold alcohol, salt, footballs, soap and cloth in larger quantities than the last two years combined. All these went into the homes and stomachs of voters."[414] A government-owned newspaper added, "We all know that the Constituent Assembly elections have been […] in most [areas] influenced by booze, eating, money and other inducements."[415] The article went on to note that one winning candidate allegedly hired a plane to drop leaflets in his constituency while another handed out cows worth Ush30-40 million in areas that gave him majorities. NRM officials appeared to be the primary source of this largesse. They denied providing funding candidates even as top leaders including Museveni, Vice President Solomon Kisekka and NRM Vice Chairman Moses Kigongo campaigned publicly for NRM candidates. It didn't matter that many of these favourites were running against other NRM-sympathising candidates.[416]

The volume of spending was still more impressive and the factional rivalries more acute in 1996. Even as the NRM kept up the pretence of a TANU-style campaign, with all candidates traveling together to address voters, top NRM cadres and prominent business elites—often one and the same—intervened to sway elections.[417] Reflecting on the 1996 campaigns in his autobiography, Museveni was frank about the electoral significance of Uganda's class of accumulators; he nevertheless sought to distinguish between the illegitimate "parasites" supporting the opposition, which mobilised informally despite a ban on party activities, and the

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[411] Kasfir, 1991: 267-8.
[412] Ibid: 68.
[413] Geist, 1995; Kasfir, 1995.
[414] Citing the *Monitor*, Kasfir, 1995: 165.
[415] Citing *New Vision*, Kasfir, 1995: 165.
[416] Ibid: 175.
[417] Individuals involved in the 1996 recalled heavy spending during a series of workshops on campaign finance reform convened by the *National Democratic Institute* in Kampala between 2015 and 2016.

more virtuous "businessmen" backing the NRM.[418] According to this narrative, the opposition relied on:

> "The *mafuta mingi*,[419] who had received businesses stolen from the Asians expelled during Amin's time; speculators who made exorbitant profits, taking advantage of the shortages of commodities; retrenched civil servants who did not care whether Uganda collapsed or not, as long as they stayed on the payroll of a bloated civil service that was doing nothing except increasing the country's problems, and the political elites of former regimes who sat like vultures making merry over the carcasses of cows killed by an epidemic."[420]

While invoking the beneficiaries of politicized accumulation from past regimes, Museveni cast the NRM's "natural constituency" as "the real producers who have factories and farms […]."[421] He even praised prominent entrepreneurs on the campaign trail, for instance, citing the Madhvani family by name when addressing a rally.[422]

Museveni's spin aside, other observers offered a more circumspect view of the emerging trend in campaign finance. Major Peter Rabwoni Okwiri, a long-serving soldier, attacked NRM bigshots for "undermining the electoral process", adding, "These practices of patronage and money are undermining access to positions of responsibility by progressive forces. The injection of money into the campaigns by some leading figures in the movement is turning politics into a business."[423] By the 2001 election, any effort to organise common campaign caravans or to limit private campaigning was abandoned. Instead, "personal campaign machines" became the norm, funded with the contributions from NRM top cadres in highly competitive parliamentary elections averaging four candidates per constituency.[424] NRM-leaning candidates seen as too critical of the government or else at odds with one of the NRM top leaders were actively "de-campaigned", a word used in Uganda to designate the mix of money and coercion used to undermine controversial candidates.[425]

[418] Museveni, 1997: 209-10.
[419] The literal translation from Swahili is "much oil", but this expression is used in Uganda to mean something similar to "fat cats", referring especially to a predatory, regime-aligned elite.
[420] Museveni, 1997: 209-10.
[421] Ibid.
[422] Aibidi, 1996: 45.
[423] Cited in Oloka-Onyango, 2000: 59.
[424] Carbone, 2008: 149-152.
[425] Ibid. Interviews with multiple former MPs.

In sum, Uganda's NRM consolidated as a "bargained coalition" combining a relatively diffuse pattern of wealth accumulation—albeit favouring a pro-regime business constituency—and an ill-defined, mostly informal approach to political organizing under a de facto one-party system. The NRM leaders' preferred strategy of "politicized accumulation", one little hampered by ongoing IFI and donor oversight, fed into what became the default mode of ad hoc mobilising around patron-client networks. Efforts to build a more formal party-like organisation foundered, overshadowed by the factional jostling of wealthy NRM cadres and business elites.

3.3.2 Rwanda – Consolidation of an "institutionalised coalition"

The Tutsi dominated Rwandan Patriotic Front (RPF), like Uganda's NRM, started as a rebel insurgency fighting President Habyarimana's Hutu government in Kigali. The RPF succeeded in 1994 after a four-year civil war, culminating in a genocide during which government-backed Hutu extremists targeted the minority Tutsi population. Under the leadership of President Paul Kagame, the RPF regime went on to oversee what many have referred to as a "development miracle". Again, as was true in neighbouring Uganda, Rwanda's economic turnaround was greatly assisted by its "donor darling" status and the attendant influx of foreign aid. Unlike Uganda, however, the RPF regime oversaw the centralization of wealth accumulation and patronage, which enabled the institutional consolidation of a strong party-administrative apparatus. Regime consolidation under the RPF in Rwanda thus offers an important counterpoint, demonstrating how one ruling elite could exercise its agency to cultivate an "institutionalised coalition" even as its immediate contemporary and neighbour opted for an alternative strategy, building a "bargained coalition."

3.3.2.1 Economic policy

Although the RPF government embraced a rhetoric of "private sector-led growth", thereby appealing to donors and foreign investors alike, it adopted a range of measures enabling the centralization of wealth accumulation under the control of the RPF leadership, which also formed the military top brass. This outcome was achieved primarily through the cultivation of party- and later military-owned enterprises, an initiative which, it should be recalled, was adopted but later largely abandoned by the NRM leadership in Uganda. The RPF's centralization of wealth accumulation was also achieved through strict regulation of elite predation and corruption, again unlike in Uganda. Moreover, it appears to have deployed a range of tools to mould private sector growth to benefit its own economic holdings over those of independent capitalist entrepreneurs while also limiting even small-scale accumulation by informal sector actors and peasant farmers.

It is hard to see "antecedent conditions", i.e. an inherited political-economic structure, as playing any direct role in shaping the RPF's post-genocide strategy of "politicized accumulation". While it is true that the Habyarimana regime that preceded the RPF take-over relied on a relatively narrow class of accumulators, the ruling elite became more fractious and competition over patronage fiercer amidst the economic decline of the late 1980s and early 1990s.[426] The combination of the war and then genocide, moreover, left Rwanda at economic "ground zero". Reacting to the profound devastation, one observer concluded, "A state wasn't reconstructed after 1994—it was imported."[427]

The focus on party-owned enterprise, which has become such a defining feature of Rwanda's economy, started with Tri-Star Investment, a holding company that grew out of the "production department" of the RPF during the 1990-94 war.[428] Whereas the previously mentioned equivalent in Uganda, the National Enterprise Corporation, foundered, Tri-Star expanded rapidly after the RPF took power. Amidst the initial post-genocide economic crisis, the company was thought to offer an additional source of State revenue. Later on, its profits either went to the RPF as dividends or were reinvested, enabling the company to expand its operations into a range of sectors, including in trading, road construction, housing, building materials, food processing, mobile telephony, printing, furniture imports and security services.[429] Tri-Star, later rebranded Crystal Ventures Limited (CVL), was joined in 2007 by a similar holding company, Horizon Group. Both entities retain private sector legal status despite being fully owned by the RPF and military respectively.[430] While the National Executive Committee of the RPF decides on how to invest dividends from CVL, Horizon Group is run by a private firm whose CEO is nevertheless on secondment from the army.[431] Together, they have enabled the centralization of accumulation while the appointment of managing officers to the various subsidiaries provides a means of "dispersing power among several elites whose loyalty and performance remain in check."[432]

This centralization of accumulation is maintained through several parallel efforts. First and foremost, the RPF regime has retained a strict, "zero tolerance" attitude towards corruption or elite predation.[433] One example of this, which again provides a useful contrast with Uganda,

[426] Prunier, 1995: 87; Uvin, 2002: 20-21.
[427] Jones, 2014: 201. See also Booth and Golooba-Mutebi, 2012: 385-7; Jones, 2012.
[428] Gokgur, 2012: 18.
[429] Jones, 2014: 199; Golooba-Mutebi, 2012: 393-4. See also: Behuria, 2016; Gokgur, 2012.
[430] Jones, 2014: 197.
[431] Booth and Golooba-Mutebi, 2012: 393-4; Jones, 2014: 197.
[432] Behuria, 2016: 6. On the centralization of rents, see also: Mann and Berry, 2016; Ansoms and Rostagno, 2012; Booth and Golooba-Mutebi, 2012; Gokgur, 2012; Jones, 2014.
[433] Jones, 2014: 201.

relates to the RPF regime's handling of mineral extraction from Eastern Congo in the late 1990s. While both the Ugandan and Rwandan militaries were active in Eastern Congo at the time, and while both forces took the opportunity to seize and export valuable minerals, the distribution of rents was very different in each case. Ugandan military officers took advantage of the operation to line their own pockets whereas resource extraction by the Rwandan military was centrally controlled with profits channelled through the "Congo Desk" in Kigali.[434]

A second, albeit hotly debated, strategy deployed by the RPF to ensure centralization of accumulation involves curbing—or at least actively shaping—the success of independent Rwandan capitalists. Some scholars suggest that Rwanda's party-owned enterprises help "crowd in"—as opposed to "crowding out"—other private sector actors, breaking into new sectors and then leaving independent entrepreneurs to follow suit.[435] Other observers are far more circumspect, though, pointing to a range of ways by which RPF leaders curb private wealth accumulation whilst swiftly targeting Rwandan capitalists who fall out with the regime.[436] Gokgur stresses how, within Rwanda's modern formal sector, "competition is effectively limited to larger firms and new conglomerates already in operation and expanding."[437] Small players are, meanwhile, "confronted with tax regulations that disproportionately favour their larger counterparts" while the RPF government also stands accused of directing procurement contracts towards its "party-statals".[438] Where such indirect means of containing the wealth, power and thus the potential political threat of private Rwandan accumulators prove insufficient, the RPF government has resorted to arresting wealthy businessmen or else driving them into exile.[439]

Leaving aside large-scale accumulators, the RPF Government has also adopted a series of policies that limit the success of more petty accumulators. It has imposed strict regulations on Rwanda's large, labour-absorbing informal sector, thereby controlling informal activities and cutting into profit margins in an already intensely competitive sector.[440] Regarding rural production, the RPF has largely achieved a transition to official land titling. This intervention favours large-scale investors while marginalising peasant household, many of which have already seen their livelihoods eroded due to the RPF's strategy of resettlement or "villagization".[441]

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[434] Jones, 2012: 241-2; Vlassenroot et al, 2012. The RPF's official "zero tolerance" stance in practice seemingly involves limited tolerance of corruption with examples of close Kagame allies being given ministerial portfolios despite having benefited from some degree of personal enrichment through corrupt means (Analysis, Rwanda expert).
[435] Booth and Golooba-Mutebi, 2012; Golooba-Mutebi and Booth, 2013.
[436] Gogkur, 2012; Mann and Berry, 2016; Ansoms and Rostagno, 2012; Behuria, 2016.
[437] Gokgur (2011) cited in Ansoms and Rostagno, 2012: 434.
[438] Ibid. See also: Jones, 2014: 193; Behuria, 2016: 14; Gogkur, 2012; Mann and Berry, 2016.
[439] Jones, 2014: 197-201; Behuria, 2016.
[440] Ansoms and Rostagno, 2012: 431-2.
[441] Ibid: 437.

In sum, the RPF regime has adopted a variety of measures to ensure the centralization of rents in Rwanda. Its overarching strategy of "politicized accumulation" hinges on its careful management of party- and military- owned enterprise or "party-statals", which despite operating in the age of structural adjustment, still proved a viable alternative to the more conventional "parastatals".[442]

3.3.2.2 Party strengthening efforts

Centralization of wealth accumulation and patronage has supported the RPF's parallel efforts to build up a strong, top-down party-administrative organisation. There was certainly a precedent for this form of organisation as Habyarimana's Mouvement Révolutionnaire National pour le Développement (MRND) evolved into a "truly totalitarian party", which had a presence "everywhere" while "administrative control was probably the tightest in the world among non-communist countries."[443] The MRND was, however, erased from Rwanda's political map after the 1994 genocide and RPF victory, leaving the new regime to establish its own organizational base.

In the immediate post-war period, the RPF leaders joined together with opposition parties in a "broad based" government not entirely dissimilar from its Ugandan counterpart under the NRM. The RPF was clearly dominant from the start, though, and used its position to further side-line opposition parties. By imposing a ban on all local party meetings and branch-level organising, the RPF leaders effectively constrained party activity to narrow elite circles in Kigali such that the primary objective of opposition leaders became to gain positions within government.[444] At the same time, the RPF adopted an electoral system that left little room for its own national level politicians to develop any kind of patronage base. National Assembly elections, for instance, are conducted using proportional representation while control over who appears on the list is highly centralised and the choice entirely non-transparent.[445] In addition to these institutional barriers, wealthy individuals interested in using their resources for political ends have seen their efforts swiftly curtailed. Indeed, as mentioned earlier, Rwandan capitalists who have sought to challenge the government—usually by defecting to the opposition—have been heavily sanctioned, and this through a combination of financial and coercive means.

The national level aside, the RPF has also devised a means using its centralised control over patronage to maintain a fused party-administrative apparatus reaching down to the village

[442] That said, Rwanda also retained many of its state-owned enterprises after pursuing only a partial privatization process. See Gogkur, 2012.
[443] Prunier, 1995: 76-7.
[444] Jones, 2014: 149-50.
[445] Ibid: 159-60.

level.[446] As was true in Tanzania, this system favours an administrative and technocratic elite whilst downgrading the influence and accountability of elected officials. The effort to create "a giant patronage grid" has been realized through a succession of nominally decentralizing reforms.[447] Beginning with the 2000 National Decentralisation Policy and culminating with a final redesign of local government in 2006, the RPF created "opportunities to expand, rather than transfer or devolve, its power and influence."[448] The decentralized government structures go from the coordinators of ten house units at the village level through the cell, sector, district, province and finally central state levels. The only direct elections are for 10-house Coordinators and Cell Committee members. Members of the Sector Committee and District Councils are elected indirectly by members of the lower level bodies while the District Mayor and Vice Mayor are elected by the District Council members.[449] The indirect nature of elections coupled with the ban on party mobilising at local level serves to depoliticize as much as possible local level elections while also depriving elected officials of any genuine electoral base.[450] The would-be powers of local elected officials are further diminished as a result of their limited executive responsibilities coupled with the top-down distribution of development finance. At the cell and sector levels, it is *paid* Executive Secretaries—appointed centrally—who wield executive powers as opposed to *unpaid* elected committee members.[451] Executive secretaries also double as RPF mobilisers, engaging in party political activities such as organising rallies, campaigning for candidates and the like.[452] At district level, the Mayor and Vice Mayor have executive powers, although they are bound to meet performance targets largely dictated from above while failure to do so jeopardizes their chances of re-selection and election.[453]

The approach to decentralisation in Rwanda is reminiscent of local government reforms in Tanzania in the 1960s and 1970s, which similarly extended and empowered "officialdom" over elected would-be patrons. The Rwandan case, meanwhile, contrasts sharply with Uganda where decentralising reforms are associated with the extension of clientelist networks, thereby expanding the regime coalition but also creating new arenas within which factional politics are fought.[454]

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[446] Jones 2012 & 2014; Verhoeven, 2012; Chemouni, 2014.
[447] Jones, 2014: 162-3.
[448] Citing Sommers (2012), Chemouni, 2014: 247.
[449] Jones, 2014: 163-4; Chemouni, 2014.
[450] Chemouni, 2014: 253; Jones, 2014.
[451] Jones, 2014: 164; Chemouni, 2014: 253.
[452] Jones, 2014: 163.
[453] Chemouni, 2014: 250.
[454] Green, 2010.

In sum, the RPF leadership has managed the process of post-conflict reconstruction and regime consolidation to ensure a centralized pattern of "politicized accumulation" while also ensuring the monopoly of a controlling, party-administrative institutional apparatus. These core components of an "institutionalised coalition" are absent in neighbouring Uganda where, faced with a similar post-conflict reconstruction challenge and donor-imposed policy constraints, the NRM elite adopted a strategy consistent with the emergence of a "bargained coalition", allowing for relatively decentralized wealth accumulation and political organising dominated by informal, patron-client organisation.

3.4 Conclusion

This chapter began with Julius Nyerere's speech in which he promises, "We shall grope forward…". This was meant as a hopeful phrase, heralding a future of new possibilities and creative self-determination. It also speaks, though, to the profound uncertainties with which emerging regimes are confronted. Leaders are compelled to make a series of contingent decisions as they "grope forward", looking for a strategy that can enable them, first, to consolidate power and then, if they so choose, to pursue other, loftier goals.

The comparisons of Tanzania and Kenya as well as Uganda and Rwanda illustrate the varying solutions arrived at by leaders during the initial critical juncture of regime consolidation. It demonstrates the significance in all four cases of contrasting strategies of "politicized accumulation", which coupled with leaders' party-building efforts, determine the strength of authoritarian party institutions. Where leaders centralize wealth accumulation, as was true in post-Independence Tanzania and post-genocide Rwanda, they can also successfully invest in party or party-administrative strengthening. By contrast, where leaders prefer a more diffuse pattern of wealth accumulation, as happened in Kenya and Uganda, party-building efforts—if pursued—will remain largely ineffective. The comparison of regimes that were immediate contemporaries as well as cases over time further illustrates the significance of leaders' varied strategies of politicized accumulation, even when faced with very different political and economic constraints.

This analysis of authoritarian party consolidation nevertheless leaves open the question of what happens next. What dynamics influence the evolution of authoritarian party institutions? Does the early period of institutional consolidation affect subsequent patterns of institutional change? What residual powers do leaders have to influence institutional outcomes? It is to these questions that I now turn.

4 Authoritarian party trajectories – Continuity and Change

"At some point, CCM started to doze. We let go of our united character, which had made us drunk and careless."

– First President of Tanzania and CCM Chairman Julius Nyerere, February 1987[455]

"People should forget the past, all-inclusive and individual merit politics and get reminded that Uganda is now under a multiparty system where party interests should be thought about before one thinks of his own interests."

– State Minister for Local Government and Kabale District NRM Party Chairperson, Hope Mwesigye, August 2006[456]

"I would like the NRM-Organization to become the CCM [of] Uganda, like CCM of Tanzania."

– Vice President of Uganda, Gilbert Bukenya[457]

Party organizations cannot always be managed as per the desires of their leaders. The above citations speak to this basic fact, albeit from opposing vantage points.

[455] Nyerere, Julius. *Kujitawala na Kujitegemea*, a speech delivered to mark the 10th anniversary of CCM, 5 Feb 1987. Accessed *East Africana* archive, University of Dar es Salaam.
[456] Muhereza, Robert. "Mwesigye warns undisciplined NRM leaders," *The Daily Monitor*, 2 August 2006, 9.
[457] Cited in Kiiza, Svasand and Tabora, 2008: 227.

Addressing the party faithful at the 10th anniversary of CCM, former President Julius Nyerere of Tanzania warned of a strong party in decline. He communicated a dire message of institutional decay and internal conflict and called for a reversal of these dangerous trends through renewed commitment to CCM's organizational integrity and socialist principles.

Hope Mwesigye, then a close lieutenant of Uganda's President Museveni, alluded to a contrasting organizational conundrum following Uganda's return to multiparty politics. Instead of a strong party in decline, the NRM was a weak party or "Movement", which its leaders hoped to imbue with a new-found organizational cohesion and discipline. Or as Vice President Bukenya saw it, the NRM should mimic its neighbour to the South and become "the CCM of Uganda".

As both sets of leaders were soon to discover, there are limits to the extent that even powerful political actors can manipulate authoritarian party trajectories, be it to prevent a strong party from growing weak or to make a weak party strong.

4.1 Argument and methods

Following on from the previous chapter where I discuss the initial "critical juncture" period of regime consolidation, I here move to the next step of a "path dependence" analysis; I explore how, once established, authoritarian parties "continue to evolve in response to changing environmental conditions and ongoing political manoeuvring *but in ways that are constrained by past trajectories*."[458] In this vein, and in keeping with the critical political economy approach adopted in this thesis, I look at the conditions conducive to both continued institutional reproduction as well as change, emphasising throughout how the actions of party leaders and other political actors are, indeed, "constrained by past trajectories." In this section, I first outline what paths different parties are likely to follow before elaborating on how I illustrate my argument in this chapter.

4.1.1 Explaining party trajectories

To recap, two forms of ideal typical authoritarian party may emerge from an initial "critical juncture" of regime consolidation. An "institutionalized coalition", comprised of more centralized patronage networks and relatively strong party institutions, takes shape where party leaders combine a strategy of "politicized accumulation" favouring more concentrated wealth accumulation with concerted party-building efforts. By contrast, a "bargained coalition", made up of fragmented patronage networks and weak party institutions, coalesces where party leaders favour decentralized pattern of wealth accumulation and either do not invest in party-strengthening or do so unsuccessfully.

[458] Ibid, my emphasis.

Once consolidated, each party type endures in its established form so long as the prevailing pattern of wealth accumulation and patronage distribution remains unaltered. Parties may begin to change, however, where there is a shift in accumulation patterns. The extent of this institutional transformation is tempered, though, due to a form of institutional "lock in", here explained using Pierson's (2000) notion that institutions, once created, produce "increasing returns".[459] As in, formal party structures and procedures generate a combination of "set up costs", "coordination effects", "learning effects" and "adaptive expectations" that help ensure the party's institutional reproduction, even when the conditions underlying the party's initial formation change. Crucially, then, each party type is likely to follow a different trajectory, defined *both by the underlying distribution of power and the party's own institutional inheritance*. Party leaders, meanwhile, have only limited ability to manipulate these outcomes.

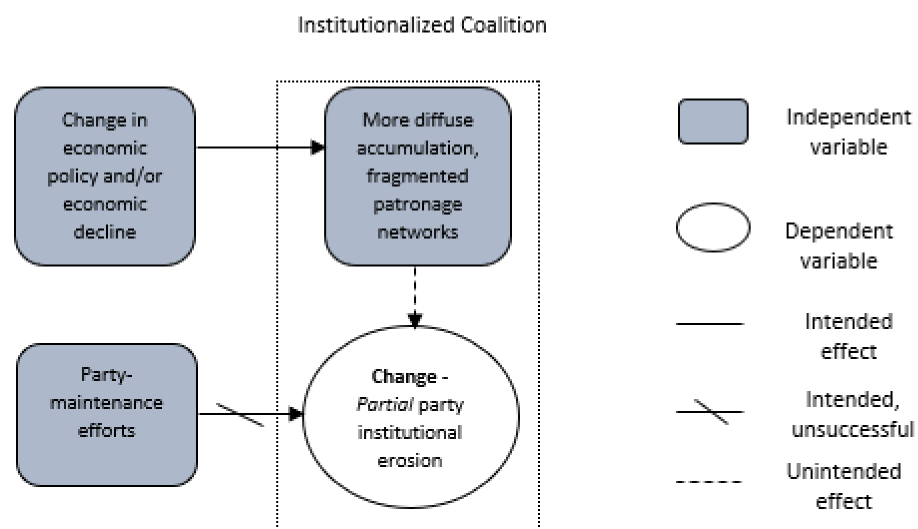

Figure 4.1 – Trajectory of an Institutionalized coalition

To clarify, an "institutionalized coalition" may start to undergo a process of institutional erosion where patterns of wealth accumulation become more diffuse and patronage networks fragment (Fig. 4.1). Party leaders' efforts to limit this institutional erosion through direct party-strengthening efforts will be largely ineffectual so long as there is no parallel attempt to recentralize wealth accumulation. An "institutionalized coalition" nevertheless *does not* simply collapse into a "bargained" alternative party type; rather, it weakens *relative* to its past institutional strength. The party's institutional inheritance, i.e. the effects associated with "increasing returns" on past institutional investments, limit the potentially corrosive

[459] See: Pierson (2000); this thesis, Chapters 2.

consequences of more fragmented patron-client networks. Politicians and their allied factions are compelled to continue working through formal party institutions rather than substituting them entirely with their own patronage machines. The need to navigate established party institutions both *delays* the consolidation of factional patronage networks whilst also rendering them more *fragile* because they are enmeshed within formal party structures and thus lack a fully autonomous, informal organizational base.

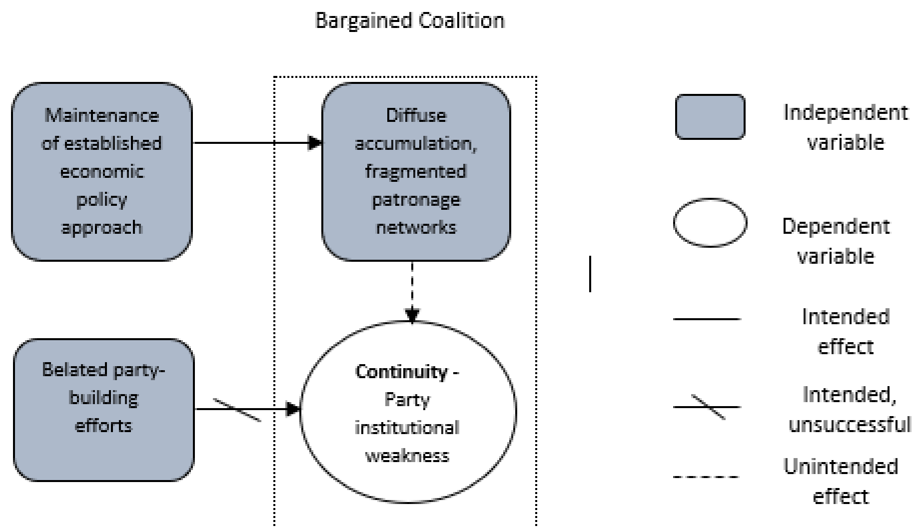

Figure 4.2 – Trajectory of a bargained coalition

Contrary to an "institutionalized coalition", a "bargained coalition" is very unlikely to undergo a significant process of institutional change, even if the party leaders belatedly decide to invest in party-building (Fig. 4.2). The reasons for this institutional continuity are, again, two-fold. First and foremost, it is doubtful that leaders of a "bargained coalition" could recentralize control over wealth accumulation and thus pursue an effective party-building agenda without jeopardizing their own hold on power.[460] As such, accumulation patterns are unlikely to change significantly. Secondly, the dynamics of "increasing returns" will, in this instance, serve to further entrench *informal* patterns of political organization and mobilization. Institutional weakness becomes self-reinforcing as personalized fiefdoms and extended patronage networks dominate while formal party structures and procedures gain little recognition or respect.

[460] See Boone, 1992: 25-26.

4.1.2 Case comparison, operationalization and alternative arguments

In what follows, I combine within case and cross-case comparison to show how an "institutionalized coalition" and "bargained coalition" evolve over time. Unlike the last chapter, where I incorporated two shadow cases, I now focus exclusively on my main cases, Tanzania's CCM and Uganda's NRM.

To assess institutional change over time, I supplement a general assessment of party strength, as offered in the preceding chapter, with a more focused examination of the parliamentary nomination process. Concentrating on one aspect of party organization provides a consistent benchmark against which to track institutional change over time. Nominations are also a strategic focus given the significance of candidate selection both as a core function of any political party and as a powerful indicator of who or what is in control.[461] As noted by Schattshneider, "He who can make the nominations is the owner of the party. This is therefore one of the best points at which to observe the distribution of power within the party."[462] Kent, meanwhile, argues that a party organization "can lose its candidates time after time in the general election without greatly diminishing its strength or losing the grip of its leaders ... But [...] any organization that cannot carry the primary election is a defunct organization."[463] Mayhew similarly defines a party organization as "a group of people who consciously coordinate their activities to achieve an end, and […] *the pertinent end in this case is the nomination of a candidate* or candidates for public office."[464]

I evaluate the candidate selection process, first, using the same four indicators as for party strength generally. I look at the extent to which a strong party bureaucracy effectively oversees nominations. I assess the "complexity" of the selection procedure, namely how active and varied a role a party's organizational sub-units play in the process. I also consider its "coherence", examining whether formal rules are indeed respected in the face of informal pressures. Finally, unlike in the previous chapter, I also include the "adaptability" measure of party institutional strength, which here refers to "generational age" or the number of smooth successions from one set of party leaders to another. Whereas for the other three indicators, my analysis focuses on parliamentary candidate selection, I examine institutional "adaptability" through a brief study of presidential candidate selection, and specifically of whether a party has an institutionalized mechanism to ensure a smooth succession from one president to another, bearing in mind that presidents almost invariably double as party leaders.

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[461] Rahat and Hazan, 2001.
[462] Schattshneider, 1942: 624.
[463] Kent, 1924: 11.
[464] Mayhew, 1986: 17.

In addition to these four indicators, I also evaluate party strength based on a dimension specific to candidate selection, namely the "inclusiveness" of the nomination process. Inclusiveness here refers to who is making nomination decisions, or who comprises the "selectorate" within the party.[465] The degree of inclusiveness ranges from the extremely exclusive, for instance a single party leader appoints all candidates, to the extremely inclusive, i.e. all party members or even all eligible voters have a right to vote on their preferred candidate. A more inclusive candidate selection procedure implies that more power is diverted from the party leadership to wider array of local party elites or even rank-and-file members.

In the context of authoritarian ruling parties, I argue that the adoption of a more inclusive selection procedure, and particularly the introduction of open primaries in which all party members can participate, is a symptom of institutional weakness. This is because party leaders resort to open primaries where they can no longer hope to adjudicate peacefully amongst rival informal patronage networks. Where formal rules become all but meaningless, with candidates bribing their way through the nominations, more inclusive selection procedures can become a means to defuse conflict, or at least to deflect it away from the party leadership. As such, the same factors that cause party weakening in general also underpin a shift towards a more inclusive nomination process.

This interpretation varies from some more established explanations of why authoritarian parties adopt open primaries, and thus of what accounts for party institutional change more generally. An increasingly widespread view in the comparative literature holds that parties use primaries when inter-party competition intensifies. The idea is that where the opposition starts to pose a genuine electoral threat, the incumbent party introduces primaries to ensure the selection of the most popular candidate with the best chance of winning in the general election.[466] The admittedly limited scholarship on primaries in African parties tends to contradict this analysis.[467] There is also a small literature on authoritarian parties that supports my own interpretation of primaries and their significance. Referring to the decision of Taiwan's Kuomintang (KMT) to adopt more inclusive nomination procedures in the 1990s, Wu dismisses the official reasons given for the reforms, which invoked the need to enhance the party's legitimacy and electoral strength. He instead stresses that "keen observers with access to the party's inner workings" saw an "ulterior motive", namely to weaken the influence of local patronage networks.[468]

[465] Rahat and Hazan, 2001. See also Field and Siavelis, 2008.
[466] On the PRI in Mexico, see Langston (2006) and Wuhs (2006). On ruling parties in Venezuela and Colombia, see Martz (2013).
[467] See, for instance, Ichino and Nathan, 2012. They observe that Ghanaian parties, which adjust their selection procedures depending on the constituency, are more likely to use primaries in "safe seats".
[468] Wu, 2001: 111-112.

In what follows, I demonstrate the validity of the two hypothesized causal chains outlined at the start of this section by tracing shifts in patterns of accumulation and party strength, first in Tanzania's "institutionalized coalition" and then Uganda's "bargained coalition". This process tracing analysis nevertheless leaves open an important question: what would it take to disprove my core argument? For instance, what evidence is needed to assess the alternative hypothesis that party institutional change, and specifically the adoption of more inclusive selection procedures, results from rising inter-party competition? If this hypothesis were true, then we would expect to see an erosion in the incumbent party's vote share lead in quick succession to a procedural change favouring more inclusive nominations. I explore these dynamics alongside my main hypotheses to assess how the different arguments measure up. In so doing, I also provide a response to a significant body of literature on democratization, which presents the transition to multiparty politics as itself a key watershed, prompting the transformation of political institutions, including parties and the legislature.[469] I try to temper this view, showing how institutional change—or the lack thereof—results notably from broader shifts in the political economy of a regime and, crucially, its effects on the internal politics of incumbent authoritarian parties. The significance of opposition party pressures, by contrast, is marginal.

4.2 Chama Cha Mapinduzi, a strong party in decline

The previous chapter analysed how TANU—later CCM—consolidated as an institutionalized coalition, featuring more centralized control over wealth accumulation and concerted party-building efforts. The regime leaders' *Ujamaa* inspired development vision, and their related preference for a centralized pattern of "politicized accumulation", nevertheless began to meet with serious challenges by the end of the 1970s, leading to a gradual decentralization of accumulation and, as a result, the partial erosion of party institutions. In what follows, I address each of these developments in turn. I then indicate in what ways the presidential succession process, while serving as the crucible within which the most profound factional divisions foment, nevertheless also reflects a degree of continued path dependence, shaped as it is by the party's strong institutional inheritance. Finally, I consider the significance of inter-party competition on institutional change within CCM, noting its more marginal and belated impact.

4.2.1 Changing patterns of wealth accumulation

By the late 1970s, the efforts of CCM leaders to retain centralized control over wealth accumulation—always difficult given the economic weakness of the Tanzanian State—began to

[469] See for instance: Barkan, 2009.

unravel, and this due to a combination of economic decline, growing informalization, corruption, and ultimately, economic liberalization. Tanzania's changing economy saw CCM leaders adapting a new pattern of "politicized accumulation", one characterized by ad hoc connections between an expanded private sector elite and various factional networks within CCM itself. The initial transition was heavily contested and, as a result, somewhat delayed. Subsequent corruption scandals and a lingering ideological commitment to *Ujamaa* and to Nyerere's legacy have prompted repeated efforts to turn back the clock, but these remain largely unsuccessful.

As already mentioned, by the end of the 1970s, Tanzania had entered a period of sharp economic decline. The crisis was a consequence, in part, of policy errors and public sector mismanagement.[470] For instance, some parastatals, such as the crucial State Trading Corporation, never operated properly while villagization and the abolition of Cooperatives undermined cash crop production, eating into Tanzania's export revenue and foreign exchange earnings.[471] The negative effects of these internal failings were further magnified due to a range of external factors, including the second oil price shock in 1979 and a costly war with Uganda.[472] These combined pressures put the formal planning system under serious strain while the informal sector expanded rapidly. Due to the collapsing real value of public sector wages, it became a matter of necessity for civil servants and other government and party officials to invest in private "projects" on the side.[473] Meanwhile, the better connected public officials and politicians engaged in a range of more lucrative informal economic activities, both licit and illicit.[474]

Deciding on how to respond to the crisis proved a source of considerable tension within CCM. While still in power, President Nyerere first resisted reform pressures before, in his final year in office, allowing for a partial liberalization of trade amidst a severe commodity shortage.[475] He nevertheless threatened to revoke the measure as soon as the shortage was remedied.[476] As such, it was not until Nyerere's successor, Ali Hassan Mwinyi, took over the presidency in 1985 that the Tanzanian government adopted a new policy direction. A first phase of economic adjustment began with the approval of the IMF and World Bank-supported "Economic Recovery Plan" in 1986. The Plan called for currency devaluation, fiscal retrenchment, and partial price and trade liberalization, among other measures. It was followed in 1989 by a second phase of reform under the "Economic and Social Action Programme". The government consequently oversaw further

[470] Chachage, 2003: 19.
[471] Gibbon, 1995: 10-11. See also Tripp, 1997.
[472] Kelsall, 2002 & 2003. See also Tripp, 1997: 63-7; Chachage, 2003: 19-20.
[473] Tripp, 1997: 80.
[474] Ibid: 185.
[475] Ibid; Gibbon, 1995: 10-12.
[476] See Tripp, 1997.

liberalization of foreign investment regulation, banking and foreign exchange markets. Finally, a third phase of reform began in 1993, which focused primarily on cutting civil service numbers and the privatization of parastatals.[477]

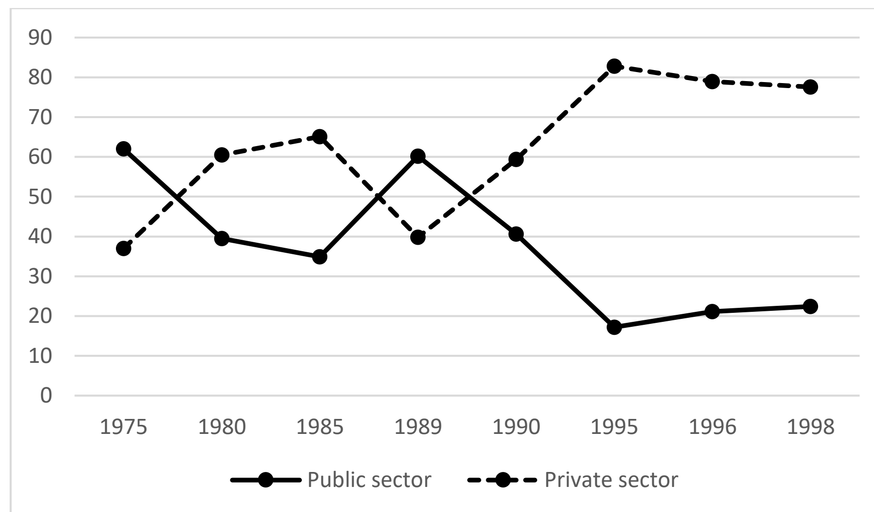
While still serving as party Chairman in the late 1980s, Nyerere and an allied faction within CCM continued to oppose the reform efforts of the Mwinyi government. Tanzania was a country with "two leaders",[478] the result being that the Party and Government began to work at cross purposes; the former acted as "a restraint" on the latter, slowing the pace of reform.[479] Perhaps most emblematic of the two sides' conflicting views was the struggle over CCM's Leadership Code. The Code, which restricted public officials from engaging in a range of profit-making activities, was part of the original Arusha Declaration and, in Nyerere's eyes at least, the most important element.[480] By restricting public officials from engaging in a range of profit-making activities, the Code had discouraged the emergence of a domestic capitalist elite.[481] Yet throughout the 1980s, enforcement of the Code grew less effective and a wealthier elite began to consolidate both within the party and public service.[482] While Nyerere continued to insist on its necessity, warning against the misleading influence of "capitalists",[483] Mwinyi adopted a far more permissive attitude. Indeed, he actively encouraged public servants to pursue side projects to help make ends meet, and in 1991, shortly after Nyerere stepped down as CCM Chairman, he scrapped the Code altogether.[484]

Mwinyi's acceptance of individual capitalist accumulation, including by CCM cadres, extended well beyond his willingness to abandon the Code, though. Starting in the mid-1980s, the private sector generally benefitted from the more encouraging investment climate.[485] This period witnessed the rapid consolidation of an already established Asian entrepreneurial elite as well as the emergence of a more prominent African business class, including the first large-scale African industrialists.[486] Investment trends reflected this change in private sector fortunes. As indicated in Figure 4.3, the public sector share of gross fixed capital formation (GFCF) fell behind private investment in the late 1970s and early 1980s, although this initial decline was largely due to a fall in government spending following the second oil price shock and a temporary withdrawal of donor

[477] Gibbon, 1995: 12-14.
[478] Othman, 1994.
[479] Tripp, 1997: 171.
[480] Nyerere, 1987.
[481] See preceding chapter.
[482] Oda van Cranenburgh, 1990; Tripp, 1997.
[483] Tripp, 1997, chapter 4.
See also: Nyerere, 1987.
[484] Tripp, 1997: 187-189.
[485] Mwapachu, 2005, Chapter 24; Nyagetera, 1992; Tripp, 1997, Chapter 7.
[486] Tripp, 1997: 95; Aminzade, 2013: 337; Mwapachu, 2005: 376-377. See also: Gray, 2018.

support. The public share of investment again briefly overtook private investment in the late 1980s, following the resumption of donor assistance; however, starting in the 1990s and amidst the government's ongoing privatization programme, private overtook public investment, giving way to a new and stable trend of private sector expansion.[487] This trend is also reflected in the increase of domestic credit to the private sector as a percentage of GDP, which rose steadily from the mid-1990s as the process of financial liberalization unfolded.[488]

Figure 4.3 – Gross fixed capital formation by the public and private sectors, 1975-1998



Aside the shift towards private sector expansion, Mwinyi oversaw the further entrenchment of a more troubling trend. Corruption, although already on the rise, flourished under his watch and became a central feature of private wealth accumulation. Well-connected political and economic elites took advantage of economic liberalization to find fresh ways of lining their pockets.[489] Borrowing a term first applied to the socio-economic effects of liberalization in neighbouring Mozambique, Gibbon argued that a form of "wild capitalism" was emerging in post-reform Tanzania.[490] Patterns of "rent-seeking behaviour" condemned in the pre-adjustment period were now reappearing "in free market guises, and on a larger and less controlled scale".[491] The government faced significant revenue shortfalls due to the non-collection of import duties and taxes, corporate tax evasion as well as unpaid personal income tax bills.[492] Land-grabbing, meanwhile, grew rampant. The state's ultimate control over land titling, a feature of Tanzania's

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[487] Ndulu and Mutalemwa, 2002: 124-125.
[488] Accessed 24 July 2017: http://data.worldbank.org/indicator/FS.AST.PRVT.GD.ZS?locations=TZ
[489] Mmuya and Chaligha, 1994.
[490] Gibbon, 1995: 16. Referencing Hermele, 1992.
[491] Ibid.
[492] Ibid; Therkildsen and Bourguin, 2012: 45.

land law that previously helped further the socialist villagization agenda and discourage rural capitalist development,[493] now enabled government to grant land to investors "for patronage reasons."[494] The "merchantisation of production" in Tanzania's rapidly expanding mining sector offered another opportunity for well-connected investors—including many bureaucrats and ex-bureaucrats—to formalize their rent-seeking, acting as commercial middlemen without contributing to productive activity.[495] Unsurprisingly, urban and rural inequalities—anathema to Nyerere's vision of an egalitarian *Ujamaa* society—grew more acute amidst this accelerated scramble for resources. Rural inequalities were further exacerbated due to structural adjustment reforms favouring accumulation by large-scale commercial farmers while undercutting the incomes of smallholder peasants, many of whom were forced to diversify into trading and artisanal mining activities.[496]

By the end of Mwinyi's presidency in 1995, the CCM government faced a legitimacy crisis. Benjamin Mkapa, Mwinyi's successor, responded by launching a "war on corruption". A presidential commission charged with leading this effort reported, "There is no dispute that corruption is rampant in all sectors of the economy, public services and politics in the country."[497] It added that politicians had aligned themselves with "rich and corrupt businessmen", giving rise to a politics driven by "[e]xcessive lust for money and wealth".[498] Mkapa's early zeal did not last, however, and the Commission's recommendations went largely unheeded. No prosecutions of named, high-ranking officials or politicians took place while Mkapa himself became entangled in a succession of grand corruption scandals, notably linked to the ongoing privatization process as well as lucrative investments in power generation and procurement.[499] President Kikwete, who took over in 2005, promised to renew the anti-corruption campaign, yet his presidency also foundered amidst repeated scandals and factional infighting.[500]

CCM leaders' dependence on and, thus, their active support for the new, untamed form of "politicized accumulation" is evident in the Party's failure to retain any significant source of independent revenue. CCM retained some access to public funding following Tanzania's multiparty transition as the Political Parties Act (1992) ensures parties receive funding

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[493] Mueller, 1981: 491.
[494] Kelsall, 2003: 67; Therkildsen and Bourguin, 2012: 26 & 34.
[495] Chachage, 1995.
[496] Bryceson, 2002; Bryceson et al, 2012; Matotay, 2014; Sulle, 2017.
[497] Cited in Kelsall, 2003: 70.
[498] Ibid.
[499] Ibid; Gray, 2015.
[500] Therkildsen and Bourguin, 2012: 31; Gray, 2015; Cooksey, 2012.

proportionate to their electoral support, a formula that greatly favours CCM.[501] Even so, Party leaders have repeatedly emphasised that the public support available is insufficient. In his 2016 farewell speech as outgoing CCM Chairman, former President Kikwete noted that this support only covered salaries of party officials but that there was no reliable income to pay for meetings, trips, election campaigns and other initiatives necessary to ensure "the life of the party."[502] Although membership dues from CCM's alleged 8.8m members should bring the Party Tsh10.5b ($4.8m) per year, CCM received only $229k in the fiscal year 2015-2016.[503] Ideas for additional revenue generating initiatives include talk of creating party-owned enterprises,[504] but CCM has had little success with this in the past. Parastatals, although government-run, were also "party enterprises in the sense that the party decided who ran them, and they had a party structure within the hierarchy of the firm."[505] However, with privatization and the shift to multiparty politics, CCM was left only with its economic wing, the SUKITA holding company, which by the late 1990s was a loss-making enterprise with over $17m in liabilities.[506] Finally, CCM does own a range of potentially lucrative assets, including prime real estate in all major cities, sports arenas and the Swahili newspaper *Uhuru*. The party allegedly also benefits from business links with companies owned or overseen by the military.[507] Income from these assets, however, has not been well managed, and party leaders fear that "people have already taken for themselves or sold off" properties that, if developed, would enable the party to "free itself of its financial weakness and scarcity."[508] For now, though, CCM has yet to find a solution to its financial difficulties, leaving it in hock to an expanding network of private business interests.

In sum, whereas prior to the 1980s, private sector expansion remained limited and the ruling Party—through the State—retained a high degree of centralized control over wealth accumulation, this pattern later reversed. The combined effects of economic decline, informalization, and liberalization helped reinvigorate private sector growth. What then took hold was a "type of primitive accumulation associated with corruption in public finance", which "mainly

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[501] For instance, after CCM took the vast majority of legislative seats in the 2000 election, the Party was entitled to a monthly subsidy of $547,000 while the parliamentary opposition parties combined received less than $50,000 (Therkildsen and Bourguin, 2012: 39-40).
[502] Jakaya Kikwete, "Hotuba ya Mhe. Jakaya Mrisho Kikwete, Mwenyekiti wa Chama Cha Mapinduzi, Wakati wa Mkutano Mkuu wa CCM", Dodoma, 23 July 2016.
[503] Ibid.
[504] "CCM is to invest in private firms", *The Citizen*, 28 May 2012,.
[505] Paul Bjerk, email correspondence, shared by Toni Weiss.
[506] "SUKITA's assets on auction", *Indian Ocean Newsletter*, 3 January 1998.
[507] Therkildsen and Bourguin, 2012: 39-40.
[508] Kikwete, 2016.
See also incoming Party Chairman, John Pombe Magufuli, "Hotuba ya Mhe. Dkt. John Pombe Magufuli, Rais wa Jamhuri ya Muungano wa Tanzania na Mwenyekiti wa Chama cha Mapinduzi Kwenye Mkutano Mkuu wa Taifa wa CCM," Dodoma, 23 July 2016.

led to unequal processes of individual enrichment."[509] This "wild capitalism" privileged an emerging politico-business elite, now freed from the constraints of CCM's Leadership Code and socialist policy framework. Efforts to resist this trend, championed by Nyerere and periodically picked up by his successors, have so far failed.[510]

4.2.2 CCM's institutional erosion

The transition to a more decentralized pattern of wealth accumulation and the resultant fragmentation of patron-client networks within the ruling party has contributed directly to its institutional erosion. Private sector financiers, part of Tanzania's expanded entrepreneurial elite, have allied with prospective candidates to advance their mutual economic and political interests. These factional networks then compete, undermining the strength and authority of the central party bureaucracy, subverting formal structures and procedures, and thereby undermining the coherence and complexity of party institutions. In what follows, I illustrate this trend, first examining the factional take-over of the party's bureaucratic structures and then proceeding with an examination of changes in CCM party primaries. In both instances, I show how party leaders' efforts to limit the corrosive effects of informal patronage pressures have largely failed.

Although CCM had already started to undergo a process of institutional erosion in the 1980s,[511] it accelerated in the 1990s. Indeed, Mwinyi's arrival as CCM Chairman, taking over from Nyerere, had an immediate effect on CCM's bureaucratic strength. In 1991, the new Chairman tasked the Secretary General with a radical reform of the central administrative apparatus. Nine party departments and commissions, which under Nyerere's leadership had been used to shadow and challenge Mwinyi's Cabinet ministers, were reduced to three.[512] As the Party's central funding decreased, Mwinyi along with other party leaders resorted to appointing CCM officials elected to paid positions, notably Members of Parliament, to serve as heads of department at regional and district levels.[513] In December 1992, a key party conference saw further reforms adopted while, for the first time, prominent businessmen were invited to attend the meeting. Many were later appointed to high-ranking positions within the Party and government.[514]

Ultimately, these changes created space for rival patronage networks to consolidate and mobilise through the party secretariat and top organs, thereby compromising the institutional

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[509] Gray, 2015: 400.
See also: Aminzade, 2013; Cooksey, 2012; Languille, 2015.
[510] See the conclusion, this thesis, for a reflection on Magufuli's post-2015 efforts.
[511] For more, see the below discussion of the multiparty transition.
[512] Tripp, 1997; Mmuya and Chaligha, 1994.
[513] Mmuya, 1998.
[514] Mmuya and Chaligha, 1994: 130-31.

integrity and would-be impartiality of the CCM bureaucracy. By the time President Jakaya Kikwete (2005-2015) took over the party Chairmanship from Mkapa in 2006, the factional tensions within CCM's bureaucracy had become acute. Immediately after assuming office, Kikwete removed the previous Secretary General, who had supported one of Kikwete's rivals as presidential nominee. Kikwete replaced him with Yusuf Makamba, who was reportedly not chosen "on merit" but was himself a prominent figure in CCM and the father of a key member of Kikwete's campaign team, January Makamba.[515] Kikwete also appointed as CCM Treasurer a leading businessman and financier of his campaign, Rostam Aziz, who was also close to the Makambas. Aziz was compelled to quit in 2007, however, following an outcry over undue private sector influence at the top of the party.[516] Yusuf Makamba lasted slightly longer, although he was accused of neglecting grassroots organizing while fuelling internal Party disputes.[517]

After his re-election in 2010, Kikwete reshuffled the top levels of CCM reportedly "to forestall faction-fighting."[518] Makamba was replaced by someone close to him, Wilson Mukama, who later launched an anti-corruption campaign, *kujivua gamba* (literally, sloughing off, like a snake shedding skin). After this initiative largely failed amidst aggravated tensions within the Party, Kikwete swapped Secretary Generals yet again, this time bringing in Abdulrahman Kinana, a veteran presidential campaign manager with his own dense network of ties in the Party. Kinana along with then Publicity Secretary, Nape Nnauye, were cast as leaders of integrity, with Kinana undertaking a series of highly mediatised country-wide tours to reinvigorate the local party structures, an explicit throwback to similar tours Nyerere's undertook in the late 1980s. Kinana was somewhat less effective when calling for closer Party oversight of Government Ministers, some of whom he controversially referred to as *mzigo* (a burden) due to their allegedly corrupt activities.[519]

At the same time, the Publicity Secretary Nape was by no means an impartial actor in CCM's ongoing factional fights. He had previously fallen out with Edward Lowassa, a key ally of Rostam Aziz and one-time backer of Kikwete. While a senior cadre in CCM's youth league, *Umoja wa Vijana wa CCM* (UVCCM), Nape had accused Lowassa, the then chair of the UVCCM Board of Trustees, of entering into a fraudulent deal with a construction company tasked with developing a prime piece of land owned by UVCCM and located along a major road in Dar es Salaam.[520] While

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[515] Interview with researcher and CCM activist, Dar es Salaam, August 2015.
[516] Ibid. "The Gang's all here", *Africa Confidential*, 2008.
[517] Interview with a researcher and CCM activist, August 2015. Interview with a journalist, Dodoma, February 2016.
[518] "New brooms, old handles", *Africa Confidential*, April 2011.
[519] Interview with a researcher and CCM activist, August 2015.
Interview with a journalist, February 2016.
[520] "Nape in familiar territory after his exit from Cabinet", *The Citizen*, 24 March 2017.

Lowassa had attempted to engineer Nape's expulsion from UVCCM, backed by then Secretary General Makamba, Kikwete had intervened, appointing Nape a District Commissioner and, later, CCM Publicity Secretary.

The above discussion gives only a flavour of the factional dynamics at the very highest levels of the CCM bureaucracy. It nevertheless indicates how CCM's formal bureaucratic structures have been compromised, caught up within a complex set of alliances between politicians, paid party staff and business leaders. Similar tensions then recurred within lower level structures.[521] But it is not the Party bureaucracy alone that has been negatively affected by the fragmentation of patronage networks within CCM. As mentioned before, the increasingly fraught process of parliamentary candidate selection offers a further insight into both the nature and causes of CCM's institutional erosion.

The formal pre-selection and election procedure used during the one-party era, briefly introduced in the last chapter, provides a benchmark against which to gauge the extent of subsequent institutional flux. The selection procedure was first introduced within TANU ahead of the 1965 elections and endured for the most part unchanged until the 1990s.[522] This nomination process was notable for its clear, hierarchical ordering. It began with a *kura ya maoni* or "opinion poll" of candidates in a special Annual District Conference. These candidates proceeding for further vetting by the District and Regional Political Committees and by the Central Committee (CC) before the National Executive Committee (NEC) gave its final approval to two nominees. "Unofficial" campaigning in the actual election, meanwhile, was kept to a minimum. Paid party officials oversaw Party-organised campaigns during which candidates had little opportunity to advertise their own personal appeal. This nomination and election process ultimately spoke to the institutional strength of CCM as the Party's leaders largely succeeded in imposing their preferred vision of how the nominations should proceed.

The relatively tame nature of candidate selection and elections nevertheless began to change amidst the economic upheaval of the 1980s. As paid employment in the public service and party became less attractive due to fiscal retrenchment, competition over parliamentary seats grew.[523] Unofficial campaigning, and with it the use of money in politics, also became more prevalent around the 1985 and 1990 elections.[524] While few candidates from the business community attempted to enter the race at this stage, and even fewer if any were successful, they

[521] See, for instance: Kelsall, 2000.
[522] See Chapter 3 for more detail.
[523] Van Donge and Liviga, 1990; Kiondo, 1994; Kelsall, 2003.
[524] Mpangala, 1994: 43-44. See also Van Donge and Liviga, 1990.

nevertheless started to play a more prominent role as political financiers.[525] Certain constituency-level contests stood out. While still exceptions to the rule, they constituted harbingers of a new trend. For instance, in the 1985 election, the rival parliamentary candidates for the Rombo constituency seat in Kilimanjaro region were each backed by well-endowed entrepreneurial elites, in one instance aligned with local agricultural interests and in the second case representing Dar-based traders.[526] While the contestants themselves spent little money during the campaigns, their "shadows" disbursed an estimated five times more than the amount spent by the official Rombo district organizers.[527] In the 1990 elections, there were repeats of this "fight of the giants", notable in the same, relatively affluent cash crop producing region.[528]

Even so, the rate of change in the parliamentary nominations process remained somewhat subdued while Nyerere and those close to him still dominated top party organs. Despite President Mwinyi's overtures, few prominent entrepreneurs entered the 1990 race while two individuals who did enter and performed well in the District Conference primary later had their nominations vetoed by the party NEC.[529] More generally, private sector involvement in Tanzania's elections, while on the rise, remained far less notable than in neighbouring Kenya or Zambia,[530] and long-time party and state officials continued to dominate the field of candidates.[531] The watershed moment came, as noted above regarding changes to the party bureaucracy, with Nyerere's handover of the Chairmanship in 1990. Businessmen of Asian origin won two out of four by-elections between 1992 and 1995, an unprecedented occurrence in Tanzania.[532] Then, ahead of the first multi-party elections in 1995, the tenor of CCM's parliamentary candidate selection changed dramatically, and this just as the volume of reported private campaign spending rocketed up, exceeding the volume of money spent in the general elections just as a newly assertive business elite flocked to electoral politics.[533]

This spike in private campaign finance, and the associated growth of informal patronage networks, quickly undermined the formal structures and procedures that had long governed the CCM nomination process. Moreover, despite repeated efforts to apply institutional fix-its, the Party leadership proved unable to reassert formal institutional control. After nearly 30 years of

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[525] Kiondo, 1994: 74-5.
[526] Munishi and Mtengeti-Migiro, 1990. See also Kiondo, 1994.
[527] Munishi and Mtengeti-Migiro, 1990: 199.
[528] Kiondo, 1994: 79-82.
[529] Kiondo, 1994: 82-84.
[530] Ajulu, 1999; Baylies and Szeftel, 1992.
[531] Van Donge and Liviga, 1990.
[532] Mmuya and Chaligha, 1994.
[533] TEMCO, 1997; Babeiya, 2011.
Interviews, CCM MP, Dodoma, June 2015 and January 2016.

institutional stability, CCM leaders altered the official nomination procedure ahead of every election from 1995 through 2010 to little effect. To illustrate the link between the growth of informal patronage networks and the subversion of CCM's formal candidate selection procedure, I briefly present the succession of institutional reforms introduced after 1995 before tracing how they were designed—yet failed—to counteract the corrosive effects of informal patronage pressures with the ruling party.

First, ahead of the 1995 multiparty election, CCM leaders retained the pre-selection procedure from the one-party era, now using it to nominate one instead of two candidates per constituency.[534] As before, *kura za maoni* or primaries were held in a special meeting of the District Conference. District level preferences were then vetted by higher level organs and ultimately approved—or vetoed—by the NEC. The District Conference at most comprised a few hundred members, making for a moderately inclusive selection process so long as the NEC did not use its veto powers to negate the district-level vote. In 2000, however, the candidate selection procedure was made still more inclusive after the primaries were moved from the district to ward level, raising the number of individuals with voting rights from the hundreds to the thousands. Exact figures varied depending on the region, with Dar es Salaam attaining the highest levels of participation with two to three thousand delegates voting in its constituency primaries. In 2005, the party reversed course, however, moving primaries to the party Constituency Conference, a smaller body even than the District Conference. This was a short-lived reversion as in 2010 the Party took the more radical step of opening the primaries to all CCM members in a given constituency, thereby creating a nomination process approximating the one-party elections of the pre-1995 era. The number of voters participating soared to the tens of thousands, with some constituencies recording over 60 thousand votes. This procedure was, finally, retained for the 2015 selection process.

As indicated, the motivation behind these changes, and ultimately behind the adoption of a highly inclusive selection procedure, was the desire of Party leaders to reintroduce a degree of institutional coherence in what was rapidly devolving into a battle amongst rival patronage networks. Following the fraught 1995 polls, the shift to ward-level primaries ahead of the 2000 elections was, in part, a response to allegations of bribery in the District Conference, which had affected the legitimacy of the nomination outcomes.[535] Holding primaries at ward level was no better, though, as this procedural fix only seemed to displace the vote-buying while involving a

[534] This paragraph draws on a combination of interviews, official CCM documents and press coverage of nominations.
[535] Interview with the form Speaker and CCM NEC Member, Anna Makinda, Dar es Salaam, March 2016; Interview, CCM MP, June 2015 and January 2016.

larger portion of the CCM membership in bruising political disputes.[536] Factional struggles divided local party structures, populations and even the administration and security forces, with widespread rumours of corruption involving prominent national-level politicians out to protect their local political (and economic) interests.[537]

President Mkapa, Mwinyi's successor, added his voice to the general outcry, warning that a growing number of business elites were using their financial muscle to sway the primary outcomes, effectively "privatizing" the party.[538] He delivered an impassioned speech at the start of the NEC meeting where delegates were tasked with approving the final list of parliamentary candidates. Invoking Nyerere's recent death,[539] Mkapa presented the party as at a "cross-roads", its core principles threatened by a "wave" of wealthy Tanzanians now vying for parliamentary seats.[540] The NEC went on to block the nominations of several Tanzanians of Asian origin wile 40 incumbent MPs were also banned from the election due to their alleged "violation of party ethics and regulations".[541] Mkapa later declared CCM would again amend its Party constitution so as to introduce a new method for conducting parliamentary primaries, which it was thought would be less likely to allow for factional divisions to compromise the process.[542]

This commitment explains the 2005 return to a more exclusive primary procedure conducted within the Constituency Conference. According to interviews with MPs and former NEC members, the rationale for this change was that it would be easier to supervise the voting process if it were held over the course of a single day and involved only a small group of people.[543] This

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[536] Ibid. Interview, former CCM MP, former CCM MP, Dodoma, January 2016.
[537] One particularly fraught incident from Simanjiro constituency in Manyara region, North Western Tanzania, illustrates this emerging trend. The competition in Simanjiro pitted the incumbent MP Vincent Kone, who was also the district CCM Ideology Secretary, against Christopher Ole Sendeka, the CCM district Chairman. Amidst accusations and counter-accusations of bribery during the ward-level primaries, the situation degenerated as Ole Sendeka resolved to boycott the primaries, over 70 CCM members and local party officials protested outside the party Regional Headquarters, and large-scale Tanzinite miners and traders were accused of bankrolling the bribery. When allegations spread that Ole Sendeka's car was shot at and police controversially claimed a tire simply burst in the sun, people began to argue that the corruption reached from district to national level, where there were interested parties out to protect their preferred faction.
See press coverage, accessed in the *East Africana* archive, University of Dar es Salaam:
"Mgombea ubunge CCM ashambuliwa kwa risasi", *Mtanzania*, 4 August 2000.
"Vurugu kura za maoni CCM – Wananchama waandama", *Majira*, 5 August 2000.
"Kushambuliwa kwa gari la Mgombea ubunge Simanjiro", *Majira*, 7 August 2000.
"Taarifa za wagombea ubunge kuenda NEC", *Majira*, 9 August 2000.
[538] "Waogopeni wanaotaka kubinafsisha CCM – Mkapa", *Mtanzania*, 3 August 2000.
[539] Nyerere passed away in 1999.
[540] "CCM haiuzwi - Mkapa", *Mtanzania*, 14 August 2000.
[541] "Kikao cha kamati kuu CCM – Adamjee, Manji, Rage nje!", *Mtanzania*, 13 August 2000.
[542] "CCM kufuta kura za maoni", *Majira*, 26 August 2000.
[543] Interview, CCM MP, Dodoma, June 2015 and January 2016;

logic turned out to be misguided, however, as the smaller number of delegates proved even easier to bribe. Amidst a cascade of complains there were, for instance, allegations of entire constituency delegations being taken to luxury hotels by certain parliamentary aspirants.[544]

Following this furore, the nomination procedure was again changed ahead of the 2010 elections, this time with the introduction of open primaries.[545] The aim, yet again, was to undercut the influence of money flooding into the campaigns. The idea now was that it would be impossible for any candidate to effectively bribe *en masse* thousands of voters, thus de facto restoring some integrity to the selection process.[546] This assumption again proved largely false as widespread allegations of bribery of voters and party officials persisted. If anything, interviewees suggested that the change made the nomination process even more expensive. Candidates now had to budget, among other things, for additional agents at polling stations across their constituencies to guard against the potentially corrupt manoeuvring of their adversaries.[547] This points to a costly privatization of the supervisory role previously carried out by the party bureaucratic infrastructure. The party leadership was, however, at least temporarily out of new tricks. Even with the shortcomings of the open primary system, the highly inclusive nomination procedure was retained in 2015. The only new development was that, for the first time since Independence, the party NEC did not veto a single candidate.

The above analysis lays out how changes in Tanzania's political economy, notably the emergence of more diffuse patterns of accumulation, contributed to the ruling party's institutional erosion. This process began in the 1980s and accelerated after the new economic balance of power gained full political expression when Mwinyi assumed the CCM Chairman and embraced a new form of "politicized accumulation". Thereafter, leaders struggled—and largely failed—to ensure the institutional integrity either of CCM's central bureaucracy or of its fraught nomination process, both of which have been swamped by factional interests.

Interview with former CCM MP, CCM Publicity Secretary and Deputy Secretary General, Chiligati, March 2016.

[544] Ibid.

Interview, former CCM MP, Dodoma, January 2016.

[545] Interview, Maige, January 2016; Interview, Chiligati, March 2016.

TEMCO report, 2005.

[546] Interview, Makinda, Dar es Salaam, March 2016; Interview, CCM MP, Dodoma, January 2016; Interview, Chiligati, Dar es Salaam, March 2016.

It is also alleged that the rule change was specifically targeted at diminishing the influence of the Lowassa faction (see below for more). Therkildsen and Bourguin, 2012: 15.

[547] Interview, CCM MP, Dodoma, January 2016;

Interview with CCM MP, Masele, Dodoma, January 2016.

4.2.3 Presidential succession and its discontents

While acknowledging CCM's institutional decline, it is nevertheless important to remember that this decline is relative to its past strength. The Party still stands out as one of the more institutionally robust in sub-Saharan Africa. Yes, a more decentralized pattern of accumulation has eroded formal party structures and procedures. But the legacy of CCM's past institutional strength endures, shaping Party politics in important ways. Perhaps the most striking indicator of this enduring strength is CCM's "adaptability", i.e. its routine leadership succession. Since 1985, the Party has overseen a transition from one resident to the next every ten years in accordance with the constitutional two-term limit. Moreover, since 1990, newly elected presidents have automatically assumed the party chairmanship.

To make sense of CCM's succession politics is to grapple with the implications of competing trends in the party, both new and old. On the one hand, presidential nominations have become more fraught with time, emerging as the focal point around which rival patronage networks are organized; on the other hand, these factional tensions are kept in check, at least in part, due to enduring institutional constraints. I argue that CCM's institutional legacy has three, inter-related effects: one, it delays the consolidation of factional patronage networks, which build up gradually through existing party structures; two, it ensures the heightened fragility of these networks because of their dependence on formal structures; and three, it discourages defections given the absence of a fully autonomous, informal organizational base. The reasons for these effects can be further understood using Pierson's concept of "increasing returns". As recalled earlier, this denotes a dynamic of institutional lock in brought about as a result of: one, high "set up" costs, which in this case refer to the initial cost of establishing CCM's extensive formal party structures and the additional expense that would be required to set up a fully autonomous rival organization; two, "coordination effects", which further encourage political actors to continue organizing through the party to counter rivals, whom they anticipate will do the same; three, "learning effects" as individuals invest energy in finding out how to manoeuvre from within the Party; and four, "adaptive expectations" as individuals fear the consequences of defecting or directly challenging the Party given the deeply ingrained understanding that CCM is effectively the only game in town.

In what follows, I demonstrate how CCM's institutional inheritance has constrained political actors as they try to consolidate a factional base ahead of a presidential bid. I use the example of Edward Lowassa's drive to become President, showing how he and his allies built up their support gradually over two decades, carefully navigating internal party tensions. They

ultimately led the first mass defection from CCM to the Opposition ahead of the 2015 elections only to see their candidate lose and their faction heavily disciplined from within the ruling party.

Lowassa opted early on to pursue a career through CCM, joining the party as a paid district-level official immediately after graduating from the University of Dar es Salaam in 1977. He quickly emerged as not only a key actor within a more youthful generation of CCM leaders but also personified a new breed of politician. He cultivated both an extensive network of business "friends" and amassed a considerable personal fortune, prompting Nyerere to query in a disparaging aside, "this guy, where does he get all that money?"[548] Whatever the source, Lowassa used the means at his disposal to develop a personal following. In 1995, he was elected MP for Monduli constituency after winning an impressive 87.3 percent of the vote.[549] He went on to serve for another 20 years, always running either unopposed or winning by a landslide in both the party primaries and the general election. Through a combination of generous development initiatives in Monduli and a tightly controlled personal intelligence network, Lowassa "put the constituency at his fingertips."[550] He also extended his reach to neighbouring districts and across the Arusha region such that, by 2015, both the Arusha CCM Regional Chairman and the Regional Publicity Secretary had started their political careers in Monduli and owed their success to Lowassa.[551] Meanwhile, at the national level, he sought to ensure solid support within CCM's top organs, including the Central committee, NEC and the National Congress. A particular strategic focus for Lowassa was UVCCM, the Party's youth league, which at the time enjoyed a degree of autonomy although it had representation at all levels within CCM.[552]

To help him with this ambitious factional consolidation, Lowassa relied most notably on the support of his long-time ally, Rostam Aziz. A Tanzanian of Iranian descent, Aziz is a member of one Tanzania's leading business families and is now the country's wealthiest man and its first billionaire. His fortune reportedly derives from investments in mining, the Dar es Salaam Port, real estate in both Tanzania and the Middle East and his holdings in Tanzania's largest telecoms company, which he sold off in 2014 for $240m.[553] Aziz is a beneficiary of the forms of "politicized accumulation" that became mainstream in Tanzania starting in the early 1990s. He was the first

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[548] Mtatiro, Julius, "Edward Lowassa: Mbunge wa Monduli", *Mwananchi*, 11 May 2015.
[549] He was previously appointed as an MP in 1990.
[550] Interview with CHADEMA MP elected in 2015 after defecting from CCM, Laizer, Dodoma, February 2016.
[551] Ibid.
[552] Interview with researcher and CCM activist, Dar es Salaam, August 2015.
[553] Nsehe, Mfonobong. "Tanzania's Richest Man Concludes Sale of Vodacom Stakes." *Forbes*, 2 May 2014. Accessed 26 June 2017: https://www.forbes.com/sites/mfonobongnsehe/2014/05/02/tanzanias-richest-man-concludes-sale-of-vodacom-stake/#23ebe30f6d83
Accessed 26 June 2017: http://www.azaniapost.com/agenda/rostam-is-among-the-longest-serving-board-member-of-vodacom-h1652.html

Tanzanian of Asian origin to win a parliamentary seat in 1992, reportedly telling a friend at the time that "political leverage is good for business."[554] As mentioned previously, he later briefly served as CCM Treasurer, although factional infighting cut short his tenure.

The joint efforts of Lowassa and Aziz to build a support base within CCM included contributing to the campaigns of parliamentary candidates while also buying over parts of the CCM structures from ward up to national level. As one long-time CCM insider and family friend to Aziz commented, "[Party officials] were being paid like they were employees. These chaps had money."[555] Aziz also invested in a media house, which was later used as an unofficial mouthpiece during campaigns.[556]

The ultimate ambition of both Lowassa and Aziz was to secure the presidency, which proved a drawn-out saga. To win, aspirants must make it over a number of hurdles in a process that—unlike parliamentary nominations—has changed little since 1995. First, they collect endorsements from a set number of party rank-and-file. After submitting their nomination forms to the party headquarters, they then wait for a stamp of approval from the party's ethics committee. In a third step, the Central Committee, composed of roughly 40 top party cadres, selects five names from the pool of eligible contenders. The NEC then selects three names from the five, which are finally forwarded the National Congress, the supreme decision-making body.[557]

Lowassa first entered the fray in 1995 along with another young politician, Jakaya Kikwete. The two supported each other's campaigns, earning the joint nickname Boyz II Men. They adopted a then unprecedented and costly style of mass mobilization for rallies while collecting their public endorsements, capping off their performance by chartering a helicopter to travel to the CCM Headquarters in Dodoma so as to submit their nomination forms on time. While Nyerere intervened to block Lowassa's progression through the vetting stage, raising the above-cited concerns regarding Lowassa's rapid personal enrichment, Kikwete passed through to the National Congress where he lost in the second round of voting to Mkapa.[558] While his supporters looked ready to challenge the result, Kikwete declared his willingness to relinquish the candidacy to his more senior rival.[559] He then went on to serve for 10 years as Mkapa's foreign minister while Lowassa also received a ministerial portfolio.

[554] Interview with long-time CCM member, businessman and family friend of Aziz, Dar es Salaam, April 2016.
[555] Ibid.
[556] Interview, journalist and businessman, Dar es Salaam, April 2016.
Interview with a journalist, Dodoma, January 2016.
[557] See CCM, 2010.
[558] Interview, journalist and businessman, Dar es Salaam, April 2016.
[559] Nyang'oro, 2011.

During this period, Lowassa continued to organize for another presidential bid, although together with Aziz, he opted to support Kikwete's candidacy ahead of the 2005 elections, allegedly because he was himself still marked by "Nyerere's fatwa."[560] Already in 2003, Lowassa and Aziz set about building Kikwete's reputation while attacking his rivals, especially in the press.[561] Once the nomination process officially started, they ran an aggressive campaign, marshalling funds to help gather endorsements, far exceeding the party's minimum required number.[562] They also mobilized large crowds to rally at the CCM headquarters in Dodoma where the party top organs were due to meet.[563] The effect was that even before the meeting in Dodoma, it appeared a foregone conclusion that Kikwete would be selected as CCM's presidential candidate. Yet "Kikwete's momentum was not Kikwete's doing", but rather that of his *mtandao* (network), whose organization was primarily the work of Lowassa and Aziz.[564]

Kikwete's candidacy was by no means uncontroversial, especially from the perspective of more veteran CCM politicians. The party ethics committee recommended that Kikwete be eliminated due to excessive campaign spending. President Mkapa, however, shelved the dossiers, maintaining that there was no "Mr. Clean" so no need to single out any particular contender. Other prominent CCM leaders meanwhile argued that there would be public unrest if Kikwete were eliminated given his widespread popularity. He eventually won the nomination, although the party was left divided.[565] His subsequent campaign and landslide electoral victory helped temporarily subdue these tensions,[566] but the honeymoon period did not last long. Relations between Kikwete and Lowassa, now appointed Prime Minister, soon soured with some alleging that Lowassa was angling to replace Kikwete in 2010 after only one term.[567] In February 2008, the Lowassa resigned the premiership over a corruption scandal, which he maintained was

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[560] Interview, journalist and businessman, April 2016. Interview, former CCM MP, Dar es Salaam, August 2015.
[561] This campaign included Aziz's move to buy an influential media house, Habari Corporation, which Aziz and Lowassa then used to target elite opinion with a series of pro-Kikwete articles.
Interview, journalist, Dodoma, January 2016. Interview, journalist and businessman, Dar es Salaam, April 2016.
[562] Ibid.
[563] Accessed 21 February 2017: http://www.theeastafrican.co.ke/news/-/2558/246228/-/item/1/-/hjywck/-/index.html
[564] Multiple interviews with MPs, journalists and other close political observers.
[565] Interview, journalist, Dodoma, January 2016.
Accessed 21 February 2017: http://www.theeastafrican.co.ke/magazine/-/434746/245642/-/13yknf6/-/index.html
[566] The campaign generated a level of enthusiasm that, particularly in retrospect, is difficult to fathom. Mwikalo, Rama. "The Kikwete Mystique", *The Guardian*, 7 October 2005, p. 8.
[567] Interview, CCM MP, June 2015. Interview, journalist, June 2015. Interview, CCM activist, August 2015; Interview with long-time CCM cadre, Dar es Salaam, April 2016.

a set-up. But he was not long deterred and soon renewed his efforts to extent his network within the party hierarchy, seemingly in preparation for a future presidential bid.[568]

While he did not challenge Kikwete in 2010, the incumbent President's margin of victory shrank by nearly 20 percentage points, at least partially because he no longer benefited from the support of the 2005 *mtandao*.[569] Meanwhile, a battle was brewing ahead of 2015. As was true for parliamentary nominations, Kikwete attempted to use a rule change to diminish Lowassa's influence within CCM. In 2012, the party widened the range of people who could become members of NEC, one of the party organs responsible for selecting a presidential nominee. While ostensibly a democratizing move, one former CCM MP affirmed, "The strategy was to dilute by bringing more people who do not support Lowassa", and this after the ousted Prime Minister had bankrolled the candidacies of numerous previously elected NEC members.[570] The reform did little to limit intra-party competition, though. Reflecting on the state of CCM internal politics in the lead-up to the election, one former CCM member now an opposition MP confided, "The divisions started from top to bottom, even village, house-hold level. […] All groups had unseen commanding officers. Specifically, they were made for targeting the presidency in 2015."[571]

Come time for CCM to make its nomination for the 2015 race, an unprecedented 42 presidential hopefuls circled the country to collect endorsements. Lowassa had by far the most expensive and elaborate campaign. He launched his bid in late May at a rally, which attracted thousands and was broadcast live on several channels. He went on to collect 850,000 endorsements from party members, far exceeding the 450 required in the party rules. He was not the only candidate to mobilize in this way, but he stood out from the pack. Meanwhile, many of the other aspirants were rumoured to be "spoilers", splitting the vote to benefit one of the big contenders. Among the more serious threats to Lowassa's ambitions was Bernard Membe, Minister of Foreign Affairs and rumoured to be Kikwete's favourite.

In the end, Lowassa's mobilisation efforts were for naught after Kikwete ensured that his name was eliminated from among the eligible aspirants by the ethics committee. This move caused uproar in the NEC, where Lowassa supporters retaliated by also voting out two of Kikwete's known favourites, including Membe. Of the three remaining, the National Congress chose John Magufuli, a relative outsider. The story did not end there, though. Only a few weeks later, the

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[568] Interview with a businessman and family friend to Aziz, Dar es Salaam, April 2016.
[569] Interview, journalist and businessman, Dar es Salaam, April 2016. Interview, former CCM MP, Dar es Salaam, August 2015; Interview, CCM activist, Dar es Salaam, August 2015.
[570] Interview, CCM MP, Dar es Salaam, July 2015. Interview, journalist, Dodoma, January 2016; Interview, CCM activist, Dar es Salaam, August 2015.
[571] Interview with the former chair of UVCCM for Arusha Region and now CHADEMA MP, James Ole Millya, Dodoma, January 2016.

opposition coalition UKAWA announced Lowassa as its presidential candidate. His defection prompting a mini exodus from the ruling party, especially in his home region of Arusha where the greatest concentration of CCM politicians and party officials remained loyal to Lowassa personally.[572] Yet other erstwhile Lowassa supporters—notably CCM parliamentarians—were quick to denounce his defection and pledge their allegiance to Magufuli, presumably doubting Lowassa's calculation and fearing for their own political prospects. This reflex to conform is consistent with what observers of Tanzania's politics have referred to as CCM's "political tradition of consensual politics" or, where consensus is lacking, a tendency to fall into line once a decision has been reached.[573]

Lowassa ended up winning an unprecedented 40 percent of the vote for the opposition but was unable to live up to the pre-election hype of an historic CCM defeat. What's more, his remaining supporters within CCM had to contend with a post-election hunt for party "traitors". This search culminated in early 2017 when a reported 1519 rank-and-file members were expelled while a further 12 top cadres were ejected from the Party shortly thereafter.[574] Expulsions on this scale had never occurred before, and in many ways, they speak to the profound disruption and internal vulnerability the Party experienced as an organization in 2015. Yet they also demonstrate the vulnerability of informal patronage organizations that are enmeshed within and therefore dependent on a formal party structure.

Further indications of this vulnerability include the now routine harassment of newly defected CHADEMA supporters in Monduli, Lowassa's old constituency. When interviewed, Lowassa's heir as MP reported that the Government has responded to CCM's quasi-annihilation in the constituency by resorting to the administration and security services as a means of regaining control. Division secretaries, serving as appointed government functionaries, were standing in for Party officials while the police routinely harass and imprison active CHADEMA members.[575] Finally,

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[572] Lowassa's hold on CCM in Monduli resulted in a wholesale conversion of the ruling Party structure in the constituency to the opposition party, CHADEMA. This change was reflected in the election results, not only in Monduli but across the Arusha region. Monduli, in particular, swung dramatically from being an unassailable CCM stronghold to a CHADEMA controlled district in 2015.
Accessed 21 February 2017: http://www.mwananchi.co.tz/habari/-/1597578/2809196/-/wawmfcz/-/index.html
Accessed 21 February 2017: http://www.mwananchi.co.tz/habari/Mtikisiko-mwingine-CCM--M-kiti-Arusha-atimka/-/1597578/2826492/-/qdb1sqz/-/index.html
Interview, Laizer, February 2016.
[573] Kelsall, 2003: 62. Interview, journalist, Dodoma, January 2016.
[574] Accessed 26 June 2016: http://www.mwananchi.co.tz/Video/2722950-3812676-2pwjn9/index.html
Accessed 26 June 2016: http://www.thecitizen.co.tz/News/Shock-as-CCM-expels-ex-minister--11-strong-cadres/1840340-3846372-12fdp8b/index.html
[575] Interview, Laizer, February 2016.

Lowassa's business backers were in full retreat.[576] One CCM MP interviewed in early 2016, shortly after the election, reported that Lowassa's financiers were "in a state of shock" and many were moving their operations to neighbouring Zambia and Mozambique "for fear that they would be treated badly."[577] Unsurprisingly, the new Monduli MP lamented that Lowassa's erstwhile "friends" were no longer interested in supporting constituency development.[578] Rostam Aziz, for his part, did not condone Lowassa's defection and appears to be distancing himself from politics. Severed from its moorings within the ruling party structures, Lowassa's painstakingly assembled patronage network thus appears to be disappearing into thin air.[579]

What then to conclude from the Lowassa case? First, succession politics have emerged as a major focus of factional struggle, now encouraged by Tanzania's more diffuse pattern of "politicized accumulation". Yet given these tensions, the fact that the first truly threatening defection came only in 2015 is itself significant.[580] It attests to the enduring legacy of CCM as an "institutionalised coalition". Indeed, the Party's strong institutional inheritance compelled Lowassa and Aziz to coordinate their political offensive from within the ruling Party, building up their network gradually and at considerable financial cost. What's more, their investment proved remarkably fragile, unable to survive Lowassa's defection. Erstwhile backers—those who have survived the purge—adopted a low profile, showing every outward sign of obeying CCM's formal party discipline.

In sum, CCM's has clearly undergone a process of institutional decay amidst the dramatic changes to Tanzania's political economy. Institutional checks nevertheless endure and, among other things, ensure that the Party continues to oversee a routine succession process, evidence of its institutional "adaptability". To further illustrate the significance of CCM's institutional inheritance, the fate of Kenya's erstwhile authoritarian ruling party, presented as a "bargained coalition" in the previous chapter, offers a useful counterpoint. Political heavyweights of Lowassa's stature within KANU defected immediately after Kenya's return to multiparty politics.

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[576] Interview, journalist, January 2016.

[577] He stressed, in particular, the precarious position of entrepreneurs working in the transport and logistics sectors who are heavily dependent on government contracts for their business. Interview, CCM MP, January 2016.

[578] Interview, Laizer, February 2016.

[579] In addition to Lowassa losing his network in CCM, he also struggled to transfer his remaining support base to the opposition, a further indication of the challenges associated with large-scale defections. As one CHADEMA parliamentary candidate recalled, "People from CCM ended up steering the campaign in CHADEMA. As a result, there was no clear management at the bottom at all." Interview, CHADEMA candidate, Dar es Salaam, February 2016.

[580] There was another reasonably high-profile defection of a Minister in 1995, but after receiving 27 percent of the vote, he and his political party receded into the background.

By mobilising their own informal patronage organizations, and uninhibited by any formal entanglement within the ruling party, these new opposition leaders reduced President Moi's share of the vote to a mere 36 percent in the 1992 elections. They ultimately drove KANU from power in 2002 when Moi attempted to hand over to a successor.[581] Thus, whereas Lowassa political rise in Tanzania was slow and ultimately hobbled by its formal party ties, Kenya's powerful political barons and their allied networks asserted themselves quickly and forcefully. KANU, meanwhile, all but disappearing off the electoral map.

4.2.4 Evaluating the role of opposition pressures

I have argued that Tanzania's changing political economy accounts for CCM's partial institutional erosion. There nevertheless remains the alternative hypothesis whereby the transition to multiparty politics and resultant inter-party competition drove CCM's institutional changes, and in particular, party leaders' decision to adopt a more inclusive candidate selection procedure. This alternative hypothesis proves weak relative to the main argument put forward in this paper.

First, and somewhat paradoxically, the reasons underlying CCM leaders' top-down decision to endorse a multiparty transition had more to do strengthening CCM than they did with accommodating opposition pressure. As alluded to earlier, former President and then CCM Chairman Julius Nyerere remained preoccupied by CCM's deteriorating institutional strength throughout the 1980s. He feared that the Party had become too bureaucratic and "detached from the people" and responded by staying on as CCM Chairman after his term ended in 1987, his intention being to continue his party strengthening efforts.[582] However, after handing over the Chairmanship to Mwinyi in 1990 and with his calls for further party-building largely ignored, Nyerere opted to champion a more radical change, a return to multi-party politics. As the chief architect and long-time defender of the one-party State, Nyerere's altered stance came as a surprise.[583] There was nevertheless a clear logic informing his U-turn. His thinking is perhaps best likened to Hirschman's well-known argument whereby the presence of competition or an "exit" option can alert a flagging organization—whether a political party or a private firm—of the need to address its weaknesses while there is still time.[584] Just before CCM's NEC committed to

[581] Ajulu, 1999; Anderson, 2003.
[582] Interview with Nyerere's personal assistant during the cross-country tours and a long-serving CCM cadre, John Chiligati, Dar es Salaam, March 2016.
See also: Nyerere, *Kujitawala na Kujitegemea*, February 1987.
Tripp, 1997: 84; Othman, 1994.
[583] Interview, Chiligati, March 2016; Interview, journalist, 2016; Chachage, 2003: 28.
[584] Hirschman, 1970.

reinstating multi-party politics, Nyerere shared his views with a six-person Party delegation sent to consult at his private home in Butiama District. As a member of that delegation recalls,

> "One of the issues that arose at the Butiama meeting was this return to multipartism is very healthy for Tanzanians because the one-party had outlived its purpose and its role. It had become an institution unto itself and its role, its link, its democratic engagement with the people had dissolved. *So you need now competition in order for this CCM to renew and revitalize itself. He [Nyerere] called it a 'dead party.'"*[585] (My emphasis)

With his new-found conviction, Nyerere went on to play an instrumental role in pushing for multiparty reform during a National Conference meeting convened in February 1992, and this notably *to strengthen CCM*.[586]

Following on from this, the second reason why the multiparty transition and resultant inter-party competition does not appear to drive institutional changes within CCM is that many of these changes—and specifically the moves towards a more inclusive parliamentary nominations procedure—came well before opposition parties started to pose any serious electoral threat. As Figure 4.4 indicates, CCM's share of parliamentary votes actually *increased* as the first changes to the Party's primary procedure were introduced in 2000 and 2005.

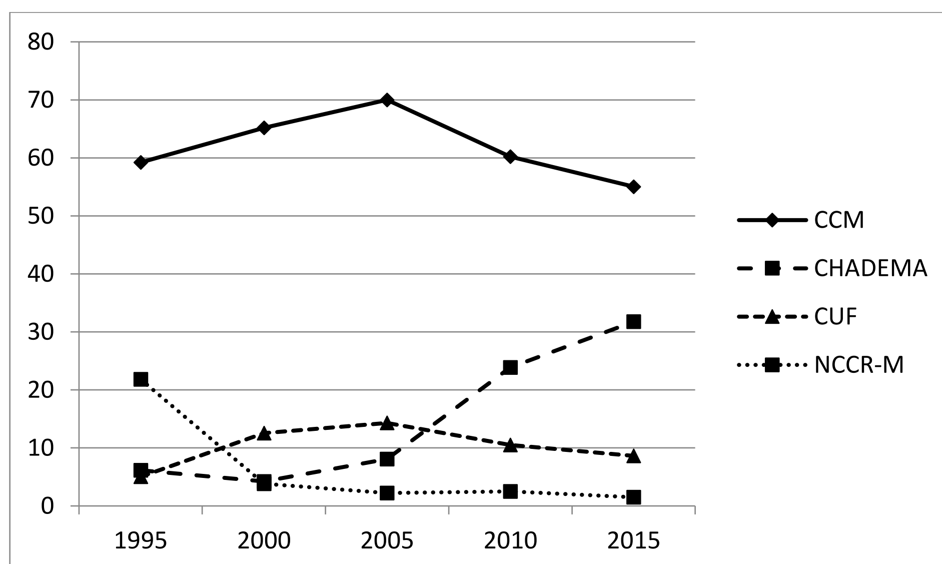

Figure 4.4 – Percentage of parliamentary vote by party

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[585] Interview with family friend of Nyerere's and CCM cadre, Dar es Salaam, April 2016.
[586] Interview, Chiligati, March 2016.
He did also mention that Tanzania should follow along with the "third wave" of democratization, adapting to a changed geo-political context. Chachage, 2003.

It is true that, ahead of the 2010 polls, CCM's electoral support began to decline and that the Party then moved towards a more radically inclusive nominations procedure. However, CCM's 2010 share of the vote was still healthy, especially given that the 60 percent of votes translated into 74 percent of parliamentary seats. So, although the threat of an insurgent opposition was at times invoked to justify the 2010 change in candidate selection, this threat was not so profound when we look at the actual figures. What is more, an emphasis on opposition pressures does not match what numerous interviewees reported as the primary reason for the 2010 change, namely concern over how to manage tensions amongst rival patronage networks within the ruling party itself.

Come 2015, it is clear that the opposition threat did influence CCM's parliamentary nominations in so far as no candidate who won their primary was vetoed by the party leadership, at least in part due to a fear that they would defect to the opposition camp. Yet even that fear, and the resultant lack of vetoes, was arguably due more to intra-party tensions and the fallout from Lowassa's defection than to outside opposition pressures.

In sum, the opposition pressure thesis does not explain why CCM went back and forth between more or less inclusive candidate selection procedures over successive elections up to 2010. While it appears that inter-party competition may have had some belated influence during the 2015 race, this emphasis offers at best a partial explanation of institutional changes within the Party. Ultimately my primary thesis, focused on the shifting patronage structures within the Party, has more explanatory power.

4.3 The National Resistance Movement, a weak party with ambitions

Having analysed the dynamics of continuity and change within an "institutionalized coalition", and with a brief allusion to KANU for contrast, I now turn to a more thoroughgoing analysis of the NRM's trajectory as a "bargained coalition". The narrative here is more straightforward, and consequently will be handled in slightly less depth.

As outlined earlier, there is little chance that a ruling party, once consolidated as a "bargained coalition", will break from its established, path-dependent trajectory. This is because it would be difficult—and likely very destabilizing—for party leaders to recentralize wealth accumulation, a necessary precondition for belated party-building efforts to result in meaningful institutional strengthening. Parties approximating the "bargained coalition" type, moreover, undergo their own process of institutional lock in, this time favouring informal patterns of political mobilization over formal structures and rules.

Given the costs incurred due to party indiscipline, leaders of a "bargained coalition" may attempt a party-building drive, irrespective of the inauspicious economic conditions.[587] The NRM top brass are no exception. Indeed, their efforts to invest in party strengthening redoubled around 2005 with the transition to multiparty politics and the creation of the NRM-Organization, still referred to simply as the NRM. The transition itself—a process instigated and micro-managed by the NRM leadership—was designed to "silence […] the opposition groups *within* as well as outside the Movement,"[588] providing "more freedom [for the NRM] to operate as the party it had already become while the environment remained hostile to other parties."[589] As noted at the start of this chapter, NRM leaders wanted to transform their Party into "the CCM of Uganda."[590]

In what follows, I lay out why this effort has largely failed, thereby indicating how powerful actors remain bound by prevailing structural constraints, albeit ones that were originally of their own making. The foregoing analysis involves, first, further detailing how NRM leaders—and ultimately President Museveni—continue to allow for a relatively diffuse yet still controlled pattern of wealth accumulation. This section builds on the more general discussion in the last chapter, notably by elaborating on the form of "financial discipline" employed by the NRM leadership to police Uganda's class of accumulators. I then show, in a second instance, how the nature of politicized accumulation in Uganda continues to allow for fragmented patronage networks to subvert party reform efforts, notably regarding the formal bureaucracy and parliamentary nominations process. Instead of relying on respect for party structures and procedures, various factions resort to informal patronage pressures and, particularly when Museveni is involved, the exercise of the above-mentioned financial discipline to mediate intra-party rivalries. To further emphasise the institutional weakness of the NRM, I turn in a third section to a discussion of the Party's institutional "adaptability", or lack thereof. I indicate how the presidency and party chairmanship are personalized under the control of the incumbent, a status quo that is again maintained through a combination of financial discipline and the ad hoc manipulation of formal party procedure. Finally, I consider the alternative hypothesis whereby inter-party competition might have had a notable effect on the institutional make-up of the NRM, concluding that *intra-party* tensions have played a more decisive role.[591]

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[587] I highlight this briefly in the preceding chapter regarding the KANU case.
[588] Makara et al., 2009: 193-194. Emphasis added.
[589] Tripp, 2010: 113.
[590] Kiiza et al., 2008: 227.
[591] Elements of the below section borrow from previously published material. See Collord (2016).

4.3.1 *Policing the rich*

The previous chapter outlined how NRM leaders—and principally Museveni individually—have sought to cultivate a pro-regime business constituency, one that is able to accumulate relatively freely yet poses little political threat. I here elaborate both on how this constituency is maintained and on the economic strategies deployed by the regime leadership to discipline individual accumulators who do pose a challenge. These interventions clearly do not constitute an attempt to centralize wealth accumulation as they remain ad hoc and personalised; they do, however, enable the NRM leadership to exert a degree of ongoing financial control, and to reassure itself of the political dependence of Uganda's economic elite.

President Museveni continues to favour a politically marginalised economic elite of Asian Ugandans and foreign investors, although a selection of African entrepreneurs have also risen to the fore.[592] Key to this approach is the highly personalized nature of the relationship between, on the one hand, the President and to some extent his Ministers and, on the other hand, individual entrepreneurs. One interviewee drove this point home, indicating how personal deals are the norm.[593] A Kenyan Asian, the businessman in question came to Uganda in the late 1990s and became involved in mineral exports, forex and real estate. He stressed that, rather than working through formal associations, investor engagement in Uganda is "like an informal sector," adding, "I have my problem, I speak to the minister and I'm done. I don't worry about the policy." He further emphasised, "It is not difficult to meet ministers. You just go to the ministry and ask to meet the minister." There is nevertheless a hierarchy in terms of the attention investors are likely to receive, as my interviewee clarified, stating, "Of course, for people of my calibre, it's different. I call the minister and maybe he will come directly to my house to meet." For those a cut above even my interviewee, they would be meeting directly with Museveni at State House.[594]

Several high-profile cases of elite businessmen in Uganda have been seized upon in recent years as emblematic of a broader NRM tendency to award preferential treatment to particular entrepreneurs. For instance, as briefly mentioned in the last chapter, among the Asian investors to benefit from Museveni's backing was Sudhir Ruparelia. Known by his first name, Sudhir quickly emerged as Uganda's wealthiest man under the NRM and has received a range of favours, not least the President blocking the Uganda Revenue Authority (URA) from recovering tax arrears.[595] As discussed further below, however, the favours went much further than informal tax

[592] Tangri, 2015; Mwenda, 2008.
[593] Interview, anonymous businessman, Kampala, December 2014.
[594] This point was confirmed by another interviewee, an Egyptian investor who claimed to have met repeatedly with Museveni and to have toured various industrial sites with the President.
[595] Tangri and Mwenda, 2013: 111.

exemptions. A few of Museveni's long-time ministers and in some cases family relations have also benefited handsomely, as have military officers.[596] Amongst the relatively small clutch of favoured African entrepreneurs, Hassan Bassajabalaba, the erstwhile chairman of the NRM entrepreneurs league and long-time backer of Museveni, benefitted from repeated loans and tax wavers form Bank of Uganda (BoU) and URA, all at Museveni's behest.[597] More recently, apparent presidential favourites have included the real estate mogul Hamis Kiggudu, one of the youngest successful businessmen to burst onto the scene.[598] Other investors to attract public attention include the Sudanese-Ugandan businessman, Mohammed Hamid, who has long cultivated close ties with Museveni. Even so, Hamid shocked many when in April 2017 he personally contacted Museveni over an attempt by the State Minister of Labour to solicit a bribe, leading to the arrest of said minister.[599]

The flip side of this emphasis on personalised contacts and favours is a weak private sector lobby with few notable business associations.[600] The Private Sector Foundation Uganda (PSFU) did assume a more prominent role after the 2016 elections, but this was not over a policy matter but rather to coordinate the demands of individual businessmen for an eye-watering Shs1.3tr (£277m) bailout from government.[601] PSFU chairman, Patrick Bitature, reportedly Uganda's second wealthiest man and one of the would-be beneficiaries,[602] helped spearhead the initiative, to which Museveni proved initially very receptive after receiving campaign contributions from many of the concerned entrepreneurs.[603] While the bailout plan was eventually dropped amidst heavy criticism from BoU and URA technocrats as well as the wider public,[604] funds are still rumoured to have been delivered to select recipients as part of a more informal and non-transparent bailout process.[605] The collective push for a bailout aside, efforts by business leaders to form groups either

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[596] Ibid: 58, 112-3 & 191. See also chapter 6. Vlassenroot et al, 2012.
[597] Tangri and Mwenda, 2013: 113.
[598] Accessed 25 July 2017: http://observer.ug/viewpoint/52250-as-kenyan-academician-said-you-re-a-thief-if-you-re-rich-in-this-country.html
[599] Accessed 25 July 2017: http://observer.ug/news/headlines/52324-aya-boss-hamid-unveiling-the-man-who-fixed-a-minister.html
[600] Tangri, 2015.
[601] Accessed 25 July 2017: http://www.monitor.co.ug/Business/65-loan-stressed-firms-line-up-for-Shs1-trillion-tax/688322-3305166-d6h193/index.html
[602] Accessed 25 July 2017: http://www.monitor.co.ug/News/National/Uganda-s-five-richest-men-named/688334-1616168-qsmyxcz/index.html
[603] Accessed 25 July 2017: http://www.newvision.co.ug/new_vision/news/1430945/bail-hoax-bitature
Accessed 25 July 2017: http://www.dw.com/en/uganda-company-bailouts-politically-motivated-critics-allege/a-19432023
[604] Accessed 25 July 2017: http://www.theeastafrican.co.ke/business/Uganda-Proposed-govt-bailout-comes-under-attack-/2560-3351556-72mwp9/index.html
Accessed 25 July 2017: https://www.independent.co.ug/fight-musevenis-business-bailout-money/
[605] Accessed 25 July 2017: http://observer.ug/news/headlines/52972-govt-domestic-arrears-hit-shs-2-7-trillion.html

to support each other with loans or as a lobbying platform have not been welcomed by Museveni. An example is the Kwagalana group, which comprises roughly 40 mostly African entrepreneurs who, in addition to a range of business interests, have also invested heavily in Kampala real estate.[606] Museveni has proved loath to meet with Kwagalana collectively and, as of 2017, was openly deriding its members, having fallen out with several of the more high-profile representatives.[607]

This brings us to the topic of what, in fact, happens to investors with whom Museveni is no longer on good terms. Just as the President can award favours to his business allies, he can apply punitive measures to those investors with whom he has fallen afoul, usually for political reasons. Sometimes it is just a question of newly emergent entrepreneurs, buoyed by Uganda's recent economic growth and private sector expansion, being brought into Museveni's patronage net. They are "bound" by patronage or, at the very least, compelled to show political allegiance through campaign contributions.[608] Other investors are not so lucky, and can have a range of disciplinary tools used against them, including the denial of procurement contracts, aggressive crackdowns on tax evasion, suspension of informal capital subsidies, application of previously disregarded regulatory strictures, denial of business licenses, and the like. The widely acknowledged use of the intelligence services to keep tabs on private entrepreneurs' activities, both economic and political, further constrains investors room for manoeuvre.[609]

Most obviously, these tools of financial discipline act as a strong deterrent for businessmen who might consider supporting the opposition. When interviewed, a former Treasurer General of the leading opposition party, the Forum for Democratic Change (FDC), emphasised the pervasive fear within the business community when it comes to making donations to the opposition. He noted, "A businessman could not give you money. He would go secretly. […] They would tell you, 'Please, don't reveal where you've got money from.' […] The State would deny you contracts if they hear you are helping the opposition."[610] The above-cited Kenyan-Asian businessman was even more blunt in his assessment, stating, "No investor will go to support opposition. Investors will look at their own security, their own investment. I don't think any investor will take interest in politics as such." This disinterest apparently had its limits, though, as

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[606] Tangri, 2015.
Accessed 25 July 2017: http://www.chimpreports.com/7244-kwagalana-group-members-appraisal-raises-fear/
Accessed 25 July 2017: http://www.newvision.co.ug/new_vision/news/1298775/deepest-pockets
[607] Accessed 25 July 2017: http://allafrica.com/stories/201707140082.html
[608] Tangri, 2015.
[609] Interviews, NRM MP, November 2015; Interview, FDC MP, Kampala, January 2015.
[610] Interview, FDC MP, Kampala, January 2015.

he later claimed to "have" 50 Members of Parliament, implying they were indebted to him most likely due to campaign contributions.

The opposition aside, though, NRM politicians and their financiers are also vulnerable. This is true both of relatively low-ranking parliamentary backbenchers and top-level NRM elite, should their relations with Museveni deteriorate. For instance, one interviewee, an NRM MP-cum-businessman who was branded a critic by President Museveni and the NRM leadership, listed a range of ways his business had been "sabotaged" in recent years.[611] One of his businesses suffered because of a theft, for which security offered no follow up. He also noted, "They used URA. They got all the accounts and squeezed the capital out of the business."

More high-profile cases have involved the above-mentioned businessman, Bassajabalaba, who after Museveni started to doubt his political loyalty, was formally charged for alleged tax evasion in 2013.[612] More high-profile still was the case involving former Prime Minister, Amama Mbabazi. Like Bassajabalaba, Mbabazi was long considered one of the NRM "untouchables", amassing a considerable fortune over the course of his nearly thirty years in government. He nevertheless quickly encountered difficulties once rumour spread that he was vying for the presidency in 2016. In conversation, two journalists and close political observers noted that the first indication that relations had soured between Mbabazi and Museveni came when the National Bank of Commerce (NBC), a bank in which Mbabazi had a large stake, was taken into receivership by BoU.[613] The case for taking over the bank appeared sound.[614] Still, given that regulatory requirements were apparently overlooked in other cases, the general perception was that the take-over of NBC was "about politics".[615] It was, moreover, not the first time that a bank collapsed under such circumstances. A precedent was set in the late 1990s when, after initially supporting Greenland Bank, Museveni let it collapse amidst concerns that its managing director was supporting the opposition and intended to run for president.[616]

In a truly dramatic follow-up to the NBC saga, though, BoU took over Crane Bank in October 2016. Established in 1995, Crane Bank grew to be Uganda's third largest commercial bank and was partially owned by NRM-supporter Sudhir, although it has since been revealed that he, in fact, fully owned the bank. In 2012, BoU made the controversial decision to transfer NBC's assets to Crane Bank, seemingly punishing one regime insider while rewarding another. But again,

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[611] Interview, NRM MP and businessman, Kampala, August 2016.
[612] Tangri, 2015.
[613] Conversation with journalists, Kampala, July 2016.
[614] Accessed 28 April 2017: https://ugandaradionetwork.com/story/bou-national-bank-of-commerce-was-in-financial-mess
[615] Conversation with journalists, Kampala, July 2016.
[616] Ibid. See also Tangri, 2015; Mwenda, 2008.

with rumours spreading of a disagreement between Sudhir and Museveni,[617] Crane Bank's fortune's reversed. After Sudhir allegedly made a last-ditch plea to Museveni for a bailout, Crane Bank was taken over for failing to meet minimum liquidity requirements.[618] In June 2017, BoU took the additional step of suing Sudhir after an investigation appeared to show that the beleaguered businessman had, among other misdemeanours, embezzled over Shs400b (£85m) with the assistance of his business associates, including the Chairman of the now much-maligned Kwagalana group, Godfrey Kirumira.[619] While BoU has adopted a hard line, observers were quick to query the institutional integrity of the Central Bank, which previously bailed out Crane Bank in 2005 and then continued to sign off on its accounts despite years of egregious malpractice, which are only now coming to light.[620] The shifting attitude of BoU would appear to be further evidence of the fundamentally political nature of both Crane Bank's precipitous rise and its subsequent fall.

Although brief, the above discussion nevertheless indicates how the NRM regime, with President Museveni at the helm, cultivates personal ties with particular entrepreneurs while generally aiming to ensure the economic dependence and political subservience of Uganda's accumulating class. Where political loyalties are suspect, a range of tools are at the President's disposal impose financial discipline. This targeted strategy is used to ensure that, despite Uganda's diffuse pattern of wealth accumulation, there is limited danger of a political challenge from an empowered business community, be it opposition sympathisers or Museveni's own NRM allies.

4.3.2 Party-building, or not

The nature of politicized accumulation in Uganda continues to inform the overall balance of power within the NRM and, ultimately, directly affects its institutional make-up. As was true in the past, the diffuse pattern of wealth accumulation underpins factional rivalries, opposing competing patronage networks within the party. These rivalries—and the absence of a consistent, centralized source of party finance—then feed into the NRM's enduring institutional weakness. They constitute a major obstacle to leaders' belated party-building efforts. I use the foregoing

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[617] Accessed 26 July 2017: https://www.forbes.com/sites/mfonobongnsehe/2017/05/19/former-billionaire-sudhir-ruparelia-loses-lucrative-forex-bureaus-in-uganda/#7c6e903e243c
Email exchange with an academic and journalist, October 2016. Discussion with Uganda expert, February 2018.
[618] Accessed 31 October 2016: http://www.observer.ug/news-headlines/47112-how-crane-bank-got-to-trouble
[619] Accessed 26 July 2016: http://www.newvision.co.ug/new_vision/news/1457379/sudhir-embezzled-sh400b-bank-uganda
Accessed 26 July 2016: http://observer.ug/news/headlines/53923-2003-how-term-limits-got-into-ssempebwa-report.html
[620] Accessed 26 July 2016: http://allafrica.com/stories/201707130144.html
Accessed 26 July 2016: http://allafrica.com/stories/201707120087.html

discussion first to highlight party leaders' repeated calls for party strengthening before showing how the resultant party-building attempts have failed both to strengthen the party structures and bureaucracy and to exert more control over parliamentary candidate selection. Ultimately, this analysis reaffirms how, rather than formal structures and procedures, informal patronage pressures coupled with the above-described tools of financial discipline still govern politics within the NRM.

As noted at the start of this section, the multiparty transition was itself a response, at least in part, to indiscipline within the Movement. In December 2001, the NRM National Executive Committee (NEC) established an ad hoc committee to consider whether Uganda should return to multiparty politics. While the committee report ultimately discouraged a multiparty transition, a minority report presented in January 2003 during an informal meeting at State House was in favour. President Museveni sided with the pro-transition camp, making a return to multiparty politics "more or less a concluded matter".[621] During a speech held at a NEC meeting the following March, Museveni justified this stand, emphasising his concerns with the *internal* politics of the Movement.[622] He identified several weaknesses, including "the tendency to clique formation", adding, "These people are pulling this way and others are pulling the other way and they do it in public." He also stressed that the Movement needed a "smooth way of identifying candidates and funding them" to avoid a repeat of the disorder that characterized the 2001 campaigns.[623]

The Movement NEC and National Conference followed the President's steer and endorsed a return to multiparty politics. In 2005, Parliament passed a constitutional amendment to that effect—taking advantage of the occasion also to lift presidential term limits, discussed further below. The multiparty transition did not, however, have the disciplining effect Museveni and some other leaders had anticipated. Rather, their concerns about the NRM's institutional weakness have endured, generating three official investigations into the party's internal organization. Immediately after the first multi-party elections in 2006, a committee chaired by long-time NRM National Vice Chairman, Al-Hajji Moses Kigongo, was commissioned to assess the NRM's election operations, and particularly what was generally seen as the party's botched candidate selection

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[621] Ssemujju, Ibrahim. "NEC might agree to parties and then grant a third term", *The Daily Monitor*, 26 March 2003, pp 16-7.
[622] Ssemujju, Ibrahim. "President Museveni has a new vision for Uganda", *The Daily Monitor*, 28 March 2003, pp 8-9.
[623] Later in his speech, Museveni identified additional, "external" reasons for reform, including "the attitude of our partners in aid and trade" and the endurance of the "old political parties", whose adherents "never joined the Movement and keep harassing it […]".

process.[624] Despite the committee raising serious concerns, its report was never tabled for discussion within the party, nor were its proposed reforms implemented.[625]

In 2009, a more thoroughgoing internal party probe was launched.[626] This followed two speeches delivered at an NRM National Executive Committee (NEC) meeting by Party Chairman Museveni and Secretary General Mbabazi. Both leaders highlighted their fears about the party's organizational strength, prompting the NEC to establish the NEC Ad Hoc Issues Committee (NAIC). The Committee's brief called for it to address specific issues raised in the two speeches. These included Museveni's concern over the lack of cohesion within the Party, especially the NRM parliamentary caucus, as well as Mbabazi's more comprehensive list of organizational failings, such as: the lack of party activity between elections; the many vacant positions within the NRM structures; the insufficient facilitation and factional entanglements of Secretariat staff; the lack of a clear fundraising strategy and poor accountability; the lack of regular party meetings; and the absence of a comprehensive NRM members register, to name but a few.[627] The NAIC went on to conduct consultations with members of Cabinet, the parliamentary caucus as well as party leaders at national and local levels from across Uganda's four regions. Its final report revealed a high level of dissatisfaction within the Party over its organization and management. Yet once again, the report was not discussed and its recommendations were ignored ahead of the 2011 elections.[628] A third and final investigation, this time spearheaded by the NRM Parliamentary Caucus, delved into the renewed controversy surrounding the NRM's 2010 parliamentary nominations.[629] Contrary to its predecessors, the Caucus report did see some of its recommendations implemented but, as discussed below, only those that could be instrumentalised to serve a factional settling of scores.

The failure of the successive high-profile investigations to remedy the NRM's organizational shortcomings is evident, first, if one considers the ongoing weakness of the party's structures and bureaucracy. Mbabazi's concern that NRM structures do not operate between elections—or never materialise at all—was repeatedly raised in both the NAIC and Caucus reports

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[624] Mentioned in, "Final Report of the NRM Parliamentary Caucus Select Committee on NRM Primary Elections" (Caucus report), July 2014.
[625] Ibid.
[626] See: "Report of the NRM National Executive Committee Ad Hoc Issues Committee (NAIC)" (NAIC report), December 2009. Accessed in the Parliamentary Library, Parliament of Uganda.
[627] NAIC report, 2009: 17 & 24-30.
[628] Caucus report, 2014.
[629] Ibid.
This report was only compiled after MPs—frustrated by the NRM Secretariat's failure to probe irregularities in the party primaries—insisted that President Museveni allow them to investigate. Interview with the Chairperson of the Select Committee, Rosemary Sseninde, Kampala, February 2015. Interview, NRM MP, November 2014.

as well as in interviews with NRM MPs.[630] The NAIC report was particularly scathing. Testimony from local officials indicates that regional and district party offices were "not operational due to accumulated arrears". Party cadres from Northern Uganda observed that, in their area, there were "poor communication channels, no transport, no office imprest, no operational party work plan" and irregular or no meetings.[631] Respondents from Central region expressed similar concerns, adding that there should be a clearer hierarchy within the NRM "[beginning] from the top leadership."[632] Officials from Eastern region again shared the same preoccupations, warning, "NRM structures are infiltrated by opposition members while other members within the structures have died, migrated or changed to other parties."[633] Western region, the home of many NRM leaders and the party's principal vote bank, fared no better, with Party officials lamenting that NRM structures "are in a slumber, which is a very bad political mistake for the NRM."[634] Compiled five years later, the report produced by the NRM parliamentary caucus select committee is no more reassuring, observing, "Party structures fall largely redundant during pre- and post-election periods, wasting vital human resource and compounding expenditure."

Closely linked to the weakness of NRM structures is the party's ineffective Secretariat, tasked with ensuring the smooth operation and integration of party structures countrywide. Both the NAIC and parliamentary caucus reports stress that the Secretariat remained "too disorganized" and under resourced to run the party between elections.[635] Rather, for most of the electoral cycle, the Secretariat lacked "formal and functional communication linkages with party branches at local level."[636] Recruitment, pay and retention of party cadres are all deemed to be poor.[637] The situation ahead of elections was not much better. Party activities inevitably picked up during campaigns, but a new problem then emerged, namely pervasive distrust within the party, particularly regarding the impartiality of the Secretariat and the NRM Electoral Commission. The NAIC report emphasises the need to "ensure that the NRM Secretariat offices are not used to de-campaign other NRM candidates."[638] The parliamentary caucus report, meanwhile, observes, "The NRM Electoral Commission is supposed to be responsible to the Central Executive Committee yet

[630] Indeed, this was a recurrent theme whenever I asked interviewees about organising in their constituencies or about campaigning.
[631] NAIC report, 2009: 31.
[632] Ibid: 41.
[633] Ibid: 49.
[634] Ibid: 60.
[635] NAIC, 2009: 55; Caucus report, 2014.
[636] Caucus report, 2014.
[637] NAIC report, 2009: 53.
[638] Ibid: 28.

has been operating under the Secretariat, raising questions of authority, independence and credibility."[639]

As has already been flagged, the weakness of NRM structures and the Secretariat are intimately bound up with the issue of party funding. Amidst repeated calls for the party to "prepare annual budgets",[640] there is still no established revenue stream, leading to a de facto "reliance on the Chairman of the Party."[641] Museveni is, indeed, the NRM's principal funder, although he in turn relies on the diversion of public funds and donations from the carefully cultivated pro-regime business constituency.[642] These funds nevertheless remain insufficient, hence the chronic under-resourcing of the party structures and bureaucracy. The perpetual hole in the NRM's finances is only further exacerbated by routine corruption.[643] However, perhaps still more concerning than the embezzlement of funds—at least as regards the NRM's institutional integrity—is the substitution of central funding with resources channelled on an ad hoc basis via competing patronage networks. These may be localised, centred notably around a parliamentary candidate,[644] or they may stretch up to the national level, where NRM political bigwigs and their financiers pull the strings. The NAIC report laments, "The rate at which intrigue, malice, sabotage are [*sic*] taking roots in the Party is too much at all levels," before adding, "[T]he prevailing conflicts originate nationally and descend locally."[645] The tensions are understandably most pronounced around elections. The report decries "Godfathering", a term that gained currency in Nigeria to describe the financiers and political kingmakers who determine which candidates get selected and who wins.[646] The report observes that the practice "demoralises cadres" before insisting, "[S]enior party members from Kampala carrying money and distributing to candidates should be discouraged."[647] The parliamentary caucus report, meanwhile, notes that during the 2010 NRM primaries, the party operated with a budget of only Shs4b despite a planned expenditure of

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[639] Caucus report, 2014.
[640] NAIC report, 2009: 55; Caucus report, 2014.
[641] NAIC report, 2009: iv-v.
[642] Tangri and Mwenda, 2013: 116; ACFIM, 2016; Kiiza et al., 2008.
[643] Tangri and Mwenda (2013) on embezzlement of NRM funds in the 2001 through 2011 elections (115). ACFIM, 2016.
Accessed 25 Nov 2016: http://www.monitor.co.ug/News/National/NRM-probes-party-officials-over-stolen-campaign/-/688334/3127560/-/8wlk2hz/-/index.html
Accessed 25 Nov 2016: http://www.newvision.co.ug/new_vision/news/1428752/todays-vision-nrm-campaign-money-kazibwes-au-bid
Accessed 25 Nov 2016: http://www.observer.ug/news-headlines/45280-nrm-officials-miss-salaries-for-3-months
[644] For an excellent discussion of local patronage networks operating ahead of the 2016 elections, see: Vokes, 2016; Wilkins, 2016 & 2018.
[645] NAIC report, 2009: 36.
[646] Accessed 27 July 2017: http://news.bbc.co.uk/1/hi/world/africa/3156540.stm
[647] NAIC report, 2009: 52.

Shs18b, or roughly $1.8m instead of $8m.[648] As a result, there was "no facilitation or meagre resources supporting grass roots party officials" as well as officials from the NRM Electoral Commission.[649] This left them "vulnerable [...] to bribery by candidates" while the primaries generally remained "highly monetized."[650]

Inevitably, the discussion of NRM's formal structures and bureaucracy has converged with an analysis of the candidate selection process. Indeed, nominations—and particularly parliamentary nominations—are both one of the party's key functions and the one that puts the NRM's fragile organisation to the most severe test. It was chaotic primaries that were the chief motivation for the NRM's three formal investigations. As already indicated, a main concern was the way in which tensions between rival patronage networks undermined formal party procedures, giving way to systematic indiscipline. As an example of this indiscipline, the NAIC report observes that "Independent candidates get support from NRM leaders" rather the NRM party flagbearers.[651] The Caucus report adds that discipline is "deteriorating", noting, "senior party leaders facilitate particular aspirants during primaries and independents or even opposition candidates during the general election against party flag bearers."[652]

As was true of party structures and the Secretariat, NRM leaders have repeatedly emphasised the need to strengthen the candidate selection procedure and thereby to restore discipline. These efforts again failed, however, undermined by factional jockeying. After the multiparty transition, the NRM first instituted a relatively straightforward procedure for selecting parliamentary candidates through an electoral college.[653] Constituency representatives were selected by members of the sub-county and parish party conferences within the constituency while district women representatives were selected by members of the party district and sub-county conferences.[654] This procedure was immediately criticised, though, due to widespread bribery and allegations of rigging, which NRM-aligned candidates then used to justify their decision to run as Independents in the 2006 elections. The selection procedure was then reformed, giving way to an even simpler procedure whereby candidates were chosen by rank and file voters. In 2010, the vote was not even restricted to party members as there was no reliable members register. The logic behind the change was remarkably similar to the thinking behind CCM's institutional reforms, introduced around the same time. As one former NRM Minister

[648] Caucus report, 2014.
[649] Ibid.
[650] Ibid.
[651] NAIC, 2009: 40.
[652] Caucus report, 2014.
[653] Certainly, the NRM's approach was far simpler than CCM's nomination procedure with its initial poll, multiple stages of vetting, and with the veto powers afforded the Central Committee and NEC.
[654] "Constitution of the NRM", as adopted 22 May 2003.

explained, “Few people can be bribed and swayed but you can’t do this to the majority,”[655] i.e. the local party conferences were vulnerable to influence-peddling but an entire electorate is beyond the reach of any one candidate’s purse.

Again, as was true for CCM, this attempt at a procedural quick fix did not achieve the intended results. The primaries in 2010 were, if anything, more controversial than in 2005, prompting the party to institute tribunals to handle over 600 petitions.[656] These came from disgruntled candidates who pointed to vote rigging, violence, and intimidation as reasons to contest the official primary results. Despite these irregularities, party leaders initially maintained their hard line against primary losers contesting as Independents. In October 2010, the NRM’s National Vice Chairman, Kigongo, warned that the party would bar anyone who ran as an Independent for 20 years. He went on to denounce Independents, accusing, “Some of you are self-seekers. You are just fighting for yourselves instead of fighting for the party. You will kill the party.”[657] NRM-leaning independents nevertheless went on to seek official nomination from the National Electoral Commission. Of 75 incumbent NRM MPs who lost in the primaries, 52 were nominated as Independents. In early December, Secretary General Mbabazi announced NRM-leaning independents had two weeks to negotiate with the party and stand down for the official flag-bearers.[658] However, shortly thereafter a group of 80 Independents met and agreed they would neither step down for the official fag-bearers nor resign, but rather resolved to set up district task forces to mobilize jointly. They followed this up with a letter to President Museveni, calling on him as party Chairman to intervene on their behalf while simultaneously affirming their love for the party and support for the President.[659] Museveni eventually acquiesced and talk of excluding Independents fizzled. The 2015 primaries were a repeat of the 2010 experience as the same set of accusations and counter-accusations resurfaced over the official results. Again, the Secretary General, now former Government Chief Whip Kasule Lumumba, threatened disciplinary action, and again, the party ultimately allowed defeated parliamentary aspirants to campaign as Independents without any sanction.[660] This occurred even as President Museveni lamented how

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[655] Accessed 25 Nov 2016: http://www.newvision.co.ug/new_vision/news/1243431/nrm-leaders-constitution-review

[656] Accessed 21 February 2016: http://www.newvision.co.ug/new_vision/news/1282194/nrm-lists-winners-institutes-tribunals-handle-petitions

[657] Accessed 15 June 2016: http://www.newvision.co.ug/new_vision/news/1281546/nrm-vows-eliminate-independents

[658] Accessed 15 June 2016: http://www.newvision.co.ug/new_vision/news/1277849/nrm-rebels-weeks-quit

[659] Accessed 15 June 2016: http://www.newvision.co.ug/new_vision/news/1277519/nrm-independents-warn-party

[660] Accessed 15 June 2016: http://www.observer.ug./new-headlines/41369-museveni-now-backs-nrm-independents

the party primaries resembled a "massive General Election", stressing the organizational burden while also denouncing the "careerism" of candidates lacking any "mission".[661]

With party discipline so utterly lacking, formal NRM nomination procedures continue to be largely superseded by informal patronage spending and factional mobilisation. The cost of parliamentary campaigns, covering both primaries and the general elections is a considerable burden. It is also one that only seems to be growing, fuelled by the ever more aggressive search for new sources of political finance.[662] MPs interviewed around the 2016 elections suggested average campaign expenditure came to roughly Shs400m ($110k) per candidate, although estimates varied.[663] Candidates mostly cover this expense themselves. In a survey of MPs conducted shortly after the 2016 elections, 89 percent of respondents said that they relied primarily on "personal resources" for their campaign spending.[664] These cover a mix of long-term savings, including from business investments, the sale of personal property, and bank loans.[665] The latter source, in particular, has become more significant in recent years as banks target especially newly elected MPs to offer special credit lines, the expectation being that the legislators' generous salaries will enable them to pay back the loans.[666] Parliamentary inaugurations have thus turned into a banking bazaar, with Uganda's leading commercial banks setting up stalls in front of the parliament building to entice new MPs en route to their swearing in ceremonies.[667]

Parliamentary candidates nevertheless do not rely solely on personal resources. Predictably, relatively modest assistance comes from the NRM Secretariat, and that only ahead of the general election.[668] Yet what some candidates lack in centrally coordinated assistance, others

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[661] Accessed 21 February 2016: http://www.monitor.co.ug/OpEd/Commentary/Dishonesty-affected-NRM-primaries/-/689364/2961912/-/ykejjpz/-/index.html

[662] MPs lament this trend, which as noted in the previous chapter, dates back to the early 1990s. One former NRM MP referred to the "commercialization" of politics as "cobweb we have found ourselves entangled in."
NRM MPs speaking at a training workshop for committee chairpersons, Kampala, August 2012. Interview, former MP and Constituent Assembly member, Kampala, April 2013.

[663] A survey of MPs in the newly elected 10th Parliament (2016-2021) found that, for the 113 MPs willing to provide an answer out of 185 MPs surveyed, the average declared spending per MP was approximately Ush219m or about $61,000 with a range stretched from USh10m to USh1b or $280,000, a huge amount in a country where the GNI per capita is $670.
See ACFIM survey. On GNI per capita, see site accessed 28 November 2016: http://data.worldbank.org/country/uganda

[664] ACFIM survey.

[665] See: Vokes, 2016; Wilkins, 2016 & 2018.

[666] A common theme in interviews with NRM and opposition MPs.

[667] Accessed 21 February 2016: http://www.monitor.co.ug/News/National/Legislators-loans-as-swearing-in-enters-/-/688334/3207688/-/qsyn1xz/-/index.html

[668] NRM flagbearers received Ush25m per constituency MP in 2016, a sum that NRM MPs interviewed for this thesis dismissed as "peanuts," "paltry," "nothing."

make up through ad hoc support from President Museveni or one of the inner-circle of the NRM "aristocracy."[669] There is a considerable degree of hypocrisy in top officials' calls for party strengthening and discipline given that they themselves, through the above-referenced practice of "Godfathering", are among the primary reasons party structures and formal rules are routinely cast aside. Some of the wealthiest individuals in Uganda—many of whom have served in Cabinet for decades—either prop up candidates to oust rivals in neighbouring constituencies or else accuse each other of fronting candidates in their own constituencies to orchestrate their electoral defeat.[670] Erstwhile Secretary General Mbabazi was no exception, which was an additional reason for the lack of trust in the would-be neutral oversight of the Secretariat during the 2005 and 2010 primaries.[671]

Museveni too is quick to champion favourites while "de-campaigning" NRM MPs with whom he has fallen out. As noted in the previous chapter, this strategy was first used under the Movement system. The 2001 parliamentary elections were a watershed moment as MPs aligned with presidential rival Dr. Kizza Besigye were vigorously countered by President Museveni, using both coercion and patronage.[672] Little has changed in the post-2005, multiparty era. President Museveni continues to back select candidates including by pitting rival contenders against troublesome incumbents, and this *within* the ruling party. One NRM MP, interviewed in August 2016 following a gruelling but successful re-election campaign, offered additional insight into how this "system" operates.[673] He noted that, when it comes to MPs who are "objective" and criticise government, "They don't want us to come back." There was allegedly a list of 78 (NRM) MPs who "were not meant to come back", although ten still won re-election. In his case, he not only struggled to overcome his reputation as an FDC-sympathizer but also offended one of the "untouchables," a minister with close family ties to Museveni. He managed to scrape through in the primary, but then in the 2016 general election, he claims "they" gave Ush900m to an independent candidate to derail his campaign. He was then forced to take out additional loans and seek credit from business partners, endangering the future of his own commercial interests.

[669] Accessed Nov 28 2016: http://africanarguments.org/2015/06/29/family-therapy-dynasty-and-change-in-uganda-by-angelo-izama/
[670] Tangri and Mwenda, 2013, especially chapter 8.
See also:
Accessed 25 Nov 2016: http://www.newvision.co.ug/new_vision/news/1230439/kutesa-ssekikubo-divide-sembabule
Accessed 25 Nov 2016: http://www.observer.ug/special-editions/40127-kadaga-mbabazi-is-targeting-me
[671] Interviews with MPs; Conversation with journalists. In addition to constituency MPs, Mbabazi was also rumoured to have backed a group of District Women representatives, dubbed "Mbabazi's girls".
[672] Carbone, 2008: 141-142.
[673] Interview, Ruhunda, August 2016.

His business was further jeopardized as the government used additional tools of financial discipline, notably an inopportune audit by the URA.

To recap, the NRM leadership has repeatedly reaffirmed its desire to strengthen the ruling party since the 2005 transition to multiparty politics. Yet despite its recurrent efforts, the NRM bureaucracy and formal structures remain weak. The candidate selection process, meanwhile, is forever mired in controversy and largely inconclusive as the numbers of disgruntled, NRM-leaning Independents keeps rising.[674] The reasons for this enduring party weakness lie with the factional tensions within the NRM. These tensions are themselves a natural by-product of Uganda's more diffuse pattern of wealth accumulation. Low-profile parliamentary candidates leverage their properties and personal businesses while the more fortunate connect with Uganda's elite class of accumulators, whose networks extend from the commercial hub in Kampala countrywide. As for politicians who fall afoul of the leadership, they meet with a very particular kind of discipline, not formal but financial. While perhaps not the most efficient approach, hence the repeated calls for cohesion and party strengthening, this informal manoeuvring remains the status quo. As one interviewee noted, "Anybody challenging the leadership should be disadvantaged and if money can do that, why not?"[675]

4.3.3 Party politics and the presidency for life

While factional manoeuvring takes place at all levels within the NRM, the most dramatic conflicts have arisen when there was a direct challenge to Museveni personally, and particularly to his hold over the presidency. With Museveni now in his fourth decade as both President and NRM Chairman, the party's failure to transition to a new leader—its lack of "adaptability"—is also the most obvious sign of its enduring institutional weakness. Rather than invest in genuine party-building, Museveni's tenure is instead maintained through the now familiar combination of patronage pressure and manipulation of formal party structures and rules—not to mention constitutional rules, notably with the controversial scrapping of presidential term limits in 2005.[676] The 2016 elections offer an insight into Museveni's overall approach, and this after the former Prime Minister and NRM Secretary General Amama Mbabazi opted to campaign against him for

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[674] Competition in the general elections is often fiercest between the official NRM flagbearers and NRM-leaning Independents who lost the primaries. In 2016, 909 Independents participated in the parliamentary elections versus only 262 candidates fielded by Uganda's largest opposition party, the Forum for Democratic Change, and this for a total of 402 directly elected parliamentary seats.
The Electoral Commission, "List of Nominated Candidates for 2016 General Elections," accessed 25 Nov 2016: http://www.ec.or.ug/?q=info/list-nominated-candidates
[675] Interview, NRM MP, November 2014.
[676] For more on this reform, see Chapters 5 and 6.

the presidency. He was only the second high-profile NRM figure to challenge the party leader after Kizza Besigye first broke ranks to campaign against Museveni in 2001.

As touched on earlier, Mbabazi has long served within the NRM inner circle, retaining a position as one of Museveni's closest allies and amassing the personal wealth that might be expected to accompany his status. During the civil war of the 1980s, Mbabazi was based in Nairobi, directing the effort to mobilise resources to support the NRA insurgency. After the victory in 1986, he assumed a range of top ministerial positions, serving as Attorney General, Defence Minister and finally Prime Minister starting in 2011. In 2005, he was also elected NRM Secretary General. Over the course of his lengthy stay in government, he was repeatedly listed in high profile corruption scandals but always benefited from Museveni's political cover.[677] Many, including Mbabazi himself, believed he was Museveni's heir apparent with the possibility of a succession in 2016. Indeed, prior to their falling out, Mbabazi shared some of Museveni's political aura. As one journalist put it, "[Mbabazi] was powerful no matter where he went," adding, "It was not about the institution [of Prime Minister] but rather the man."[678]

Tensions between Museveni and Mbabazi emerged gradually. As already discussed, the 2012 takeover of a bank partially owned by Mbabazi was an early sign. The 2014 Parliamentary Caucus report further strained relations, and this just as rumour spread concerning a potential Mbabazi bid for the presidency. The Caucus report portrayed the then NRM Secretary General and his daughter, Nina, as heading a secretive operation within the Secretariat. This included compiling a new party register, which ostensibly could be used to rig internal party elections and nominations, something many believed already too place in 2010.[679] Under fire, Mbabazi refused to avail the Caucus select committee responsible for drafting the report with a copy of the register, which he allegedly kept "at his private office." Nina, meanwhile, was faulted for refusing to answer questions regarding her role in heading a team of volunteers tasked with drawing up the new register. While the report's tacit criticism of the party Secretary General appeared legitimate, it is also worth noting that among the eight MPs sitting on the select committee, at least two were well-known for their long-standing dislike of Mbabazi. In this sense, there is a degree to which the committee report, and certainly its implementation, suggests a more personalized settling of scores.

Whatever the intent, it is certainly the case that, while most of the committee recommendations went unimplemented, those directly affecting Mbabazi and his position within the NRM were vigorously enforced. As such, Museveni embraced the report's call for an

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[677] Tangri and Mwenda, 2013: 107 & 191.
[678] Conversation with journalist, Kampala, August 2016.
[679] Caucus report, 2014.

amendment to the NRM constitution requiring the Secretary General to work as a full-time employee of the party. After stripping Mbabazi of the premiership in September 2014, Museveni called an extraordinary meeting of the NRM National Delegates Conference in December of the same year. Amidst a heavy military deployment and with the media largely barred from entering the meeting, roughly 10,000 carefully vetted delegates voted to change the party constitution, transforming the office of Secretary General into an appointed, full-time position and thereby de facto stripping Mbabazi of his role.[680]

Ultimately, it was not surprising when Mbabazi's presidential challenge ended in a flop with the former Prime Minister garnering a paltry 1.69 percent of the official vote tally. During the campaign period, Museveni did not shy away from further bending NRM party rules to his advantage. In Decemeber 2015, he agreed to allow roughly 60 incumbent NRM MPs who lost their primaries to campaign as Independents without fear of a formal party sanction.[681] This decision came after the group of MPs threatened to support Mbabazi should Museveni reject their candidacies.[682] Museveni also appears to have resorted to more informal pressures as well. After many parliamentary candidates flocked to Mbabazi, anticipating he would assist with funds from his supposed campaign war chest, their would-be champion failed to deliver. It was later rumoured that he was prevented from accessing many of his assets, leaving him short of funds during what ultimately proved an underwhelming presidential campaign.[683]

Mbabazi's path from the heights of the NRM to political humiliation sheds additional light on the politics at work within Uganda's ruling party. Indeed, it indicates the extent to which the NRM machinery is shaped according to the whims of the party Chairman. Rules are enforced when they suit Museveni and passed over when they do not. Mbabazi's case also exemplifies how strategies of politicized accumulation inform the balance of power amongst NRM elite. The former Prime Minister was from the NRM "aristocracy" and as such benefited from the generally diffuse patterns of wealth accumulation within the party, which enabled him to cultivate his own extensive patronage network. Yet once he broke with Museveni, his economic vulnerability became clear, exposed amidst an apparently successful campaign of financial discipline.

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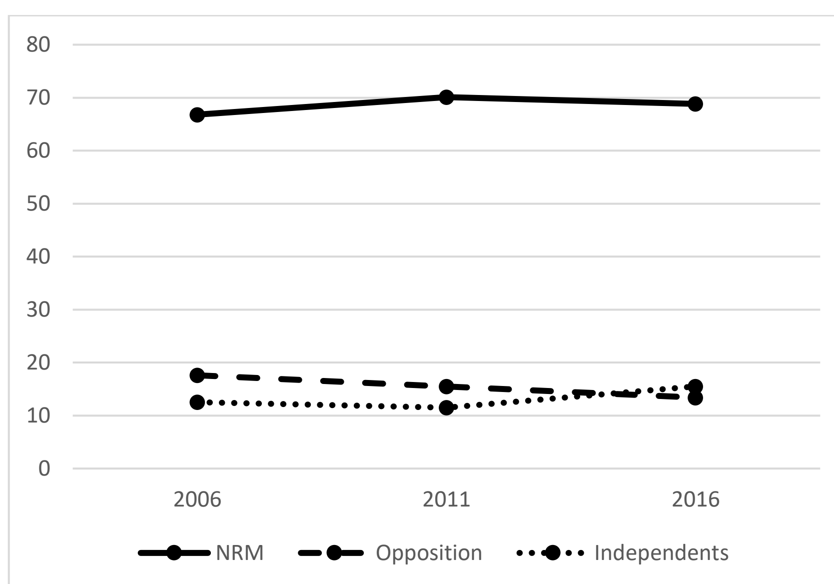
[680] Accessed 21 February 2017: https://www.independent.co.ug/cover-story/9551-museveni-worries-about-nrm-namboole-conference
Accessed 21 February 2017: http://www.monitor.co.ug/News/National/Mbabazi--falls--as-NRM-changes-constitution/-/688334/2557632/-/item/1/-/5f14df/-/index.html
[681] Accessed 15 June 2016: http://www.observer.ug/news-headlines/41343-stand-as-independents-museveni-tells-nrm-losers
[682] Accessed 15 June 2016: http://www.observer.ug/news-headlines/41283-nrm-mps-threaten-to-join-mbabazi
[683] Accessed 28 July 2017: https://www.independent.co.ug/happened-mbabazis-money/

4.3.4 *Evaluating the role of opposition pressures*

The above analysis reviews how NRM party institutions have remained weak, despite party leaders' efforts to the contrary. It explains this outcome as a consequence of the fragmented patronage networks within the party, as well as President Museveni's use of discretionary powers. But this leaves the question: does inter-party competition have any residual influence?

Figure 4.5 – Percentage share of Parliamentary Seats



As briefly indicated at the start of this section, the 2005 multiparty transition was as much about strengthening the ruling party as it was about allowing opposition parties to organize. The idea was to exclude those opposition actors operating within the all-inclusive "Movement" while ensuring NRM leaders acquired the formal tools needed to enforce greater internal party discipline.[684] Yet as we have seen, the ruling party's formal structures and procedures remain weak.

When it comes to parliamentary candidate selection, specifically, the NRM bureaucracy exercises little control while the move towards a highly inclusive form of open primary system also limits the formal influence of top party leaders. There is, however, very little reason to believe that this outcome is linked to opposition pressure, as is commonly hypothesised. Indeed, the percentage of opposition MPs in parliament has declined since the first multiparty election in 2006 (Fig. 4.5). Following the 2016 polls, the number of Independents elected, most of them NRM-

[684] Chapters 5 and 6 address this point in more depth, particularly regarding the need to discipline NRM MPs. There were other reasons for the multiparty transition, too, not least donor pressure.

aligned, actually exceeded that of opposition MPs.[685] We can therefore conclude that, rather than inter-party competition, it was factional tensions within the NRM—a marker of the party's own organisational weakness—that prompted the move towards more inclusive primaries.

4.4 Conclusion

This chapter has examined the path dependent trajectories of authoritarian ruling parties, defining the conditions for institutional continuity and change and showing how these outcomes are largely outside the party leaders' control.

For an "institutionalized coalition" like CCM, borne out of the combined centralization of wealth accumulation and party institutional strengthening, the long-term trajectory combines both continuity and change. The party's strong institutions begin to erode where wealth accumulation becomes more decentralized and patronage networks fragment. But the party's institutional decline is relative, as it still retains aspects of its past strength. In Tanzania, even as rival factions mobilized to capture the presidency, they were compelled to do so gradually and from within the ruling party as opposed to simply breaking away and taking their own, personalized patronage machines with them. What's more, in the case of Lowassa's failed presidential bid, a carefully cultivated patronage network proved remarkably fragile. Cut off from its anchor within the formal structures of CCM, it appears to have dissolved.

When it comes to a "bargained coalition" like Uganda's NRM, the party's trajectory is more straightforward. With the prevailing, more diffuse pattern of wealth accumulation unlikely to change, patronage networks remain fragmented and party institutions weak, and this irrespective of leaders' party-building efforts. In the absence of effective formal structures and rules to govern intra-party politics, a strategy of financial discipline and informal patronage pressures are highly significant as a means of managing the distribution of power amongst regime elites.

Finally, to challenge my analysis of both cases, I briefly considered the alternative hypothesis whereby inter-party competition is a major factor driving to the institutional transformation of the incumbent party. Through analysis of the extent of the opposition challenge and the timing of institutional change (or the lack thereof) within ruling parties, I conclude that inter-party pressures do not appear to play a meaningful role in altering the institutional make-up of the NRM in Uganda and are only of negligible and very belated significance in Tanzania.

In the last chapter, I explained how contrasting authoritarian party types consolidate and then, in this chapter, accounted for their divergent path-dependent trajectories. I now turn to a

[685] Accessed 21 February 2017: http://africanelections.tripod.com/ug.html

discussion of the influence these differing patterns of authoritarian party politics have on the strength and political significance of the legislature.

5 From authoritarian parties to parliaments – Continuity and change in legislative institutional strength

"[Speaker Sitta] was trying to arm Parliament with teeth strong enough to bite the CCM Government!"

- Pius Msekwa, former Speaker of the Tanzanian Parliament (1994-2005), raising concerns about his reformist successor[686]

"The reactions and powers of the Speaker should always be much more vocal and clear when the person of a Member of Parliament is threatened, or its rules are challenged."

- Rebecca Kadaga, Speaker of the Ugandan Parliament (2011 –), refusing to comply with a letter from the NRM Secretary General to eject four expelled ex-NRM MPs from the House[687]

The extent of ruling party dominance over the legislature varies across countries and over time. One indicator of that variation is the shifting attitude and political power of the Speaker, effectively the leader of parliament.

In Tanzania, former Speaker Pius Msekwa continually affirmed the need for party discipline in Parliament. He therefore saw the actions of his more independent-minded successor, Samuel Sitta, as an aberration. More than a difference in attitude or personal ambition, though, the contrast between the two Speakers reflected a deeper, structural change in Tanzania's politics. As factional tensions increasingly divided CCM, the legislature went from largely irrelevant to a

[686] Msekwa, 2012: 123.

[687] Accessed 11 December 2017: http://www.monitor.co.ug/News/National/How-Kadaga-decided-MPs--fate/688334-1839980-by7rwaz/index.html

prized institutional resource, a means through which competing groups could gain the upper hand.

In neighbouring Uganda, meanwhile, Speaker Rebecca Kadaga was more focused on *preserving* parliament's institutional strength, as inherited from an earlier period of Movement politics. The above-cited statement followed an unprecedented effort by ruling party leaders to impose discipline in the House. This attempt largely failed, undermined by enduring factional tensions within the NRM as well as ruling party MPs' strong incentives to defend hard-fought legislative advantages.

5.1 Argument and methods

Whereas previous chapters examined differences across authoritarian parties, this chapter connects the dots, revealing how variation in ruling party institutional strength and cohesion impacts on the legislature. As laid out in Chapter 2, the institutional strength of the legislature is inversely related to the institutional strength and cohesion of the ruling party. As in, where an authoritarian party is strong, the legislature is marginalised and weak; where the party is weak, the legislature is relatively strong. In detailing this argument, I first briefly revisit my definition of legislative strength and, second, identify the mechanisms underpinning legislative institutionalization. I then clarify both how my argument differs from alternative explanations and, finally, what method I adopt to study institutional variation.

5.1.1 Legislative strengthening, definition and operationalisation

Legislative strength can be understood on two levels. This chapter considers parliament's institutional strength and the next chapter, its actual performance. Through this analysis, I clarify how certain institutional advantages are important; however, it is shifting power struggles that ultimately determine whether a parliament's latent institutional strength translates into legislative assertiveness.

I assess variation in legislative institutional strength using two dimensions, namely the "complexity" and "coherence" of parliament's organization and procedures.[688] Complexity refers to the multiplication and differentiation of organizational subunits, which I equate with the number of committees and the powers awarded them, such as the power to summon government officials and request information in a timely manner.

Institutional coherence, also referred to as "boundedness", I define as organizational and procedural separation from entities external to the legislature, specifically the ruling party and

[688] This choice of dimensions draws inspiration from Polsby, 1968; Huntington, 1965 & 1968. See Chapter 2 for further discussion.

executive. To operationalize this, I track five related elements: (a) the mode of selecting Members of Parliament, namely the percentage of MPs directly elected by voters as opposed to indirectly elected or appointed; (b) whether Independent candidates are allowed to run in elections; (c) whether MPs, once expelled from their party, automatically lose their parliamentary seats; (d) the mode for selecting parliamentary leaders—notably the Speaker and committee chairs—and, specifically, whether this selection is by legislators, party officials or the President; and, (e) control over the legislative budget, including remuneration of members and administrative staff.

Where appropriate, I supplement a general assessment of legislative "complexity" and "coherence" with more in-depth studies of additional cases of significant legislative reform, especially concerning parliament's budgetary oversight powers.

5.1.2 How legislative institutions strengthen

Several mechanisms explain the relationship between party and legislative institutional strength. The proximate drivers of legislative strengthening are endogenous to parliament itself; they stem from the actions of individual legislators, leaders of parliament, and the reform alliances uniting them. To understand what motivates legislators' actions, though, we need to look further afield, incorporating an analysis of extra-parliamentary politics. More specifically, the configuration of patron-client factions outside the legislature and, relatedly, the extent of ruling party cohesion directly influence the incentives of MPs, thereby shaping both their individual and collective actions.

Where the ruling party is an "institutionalized coalition", several factors discourage the emergence of a reform alliance. First, individual legislators are more accountable to the ruling party, and any personal vote is relatively weak. Under the circumstances, elected MPs have little reason to support legislative institutional strengthening and, should they try, are easily disciplined by their party. Similarly, ambitious politicians do not seek out positions as parliamentary leaders, for instance, as Speaker. They instead advance their careers through party and administrative ranks. The ruling party thus dominates as an institutional channel for elite advancement, easily asserting its power over a docile legislature.

A contrasting dynamic emerges where the ruling party is a "bargained coalition", or else an "institutionalized coalition" in decline. In this case, individual legislators are incentivised to cultivate a local patronage base and seek to join more expansive patronage networks, both of which are central to their political survival. While some MPs support institutional strengthening for principled reasons, many more back reform efforts to boost their access to material resources. They benefit from these resources directly through improved salaries and emoluments as well as more generous legislative budgets. They also benefit indirectly. For instance, they can use

strengthened budgetary and legislative oversight powers to channel funds to their constituencies or, crucially, to advantage their financial backers. Like rank and file MPs, parliamentary leaders will also push for institutional reforms to enhance their formal powers, extend their factional support and counter rival politicians and factions, including within the executive. In this way, legislative leadership positions—particularly the Speakership—become a target for ambitious politicians who, in turn, support legislative institutional strengthening to further their own political ends. In brief, the legislature becomes a chief avenue for elite advancement. It thereby supplants a ruling party lacking the centralized control over patronage resources and the institutional infrastructure to tame elite ambitions. External party structures lose authority and prominence vis-à-vis the parliamentary caucus, and parliament itself emerges as a central locus of elite contestation.

A final cautionary note is in order. Legislative strengthening does not necessarily follow a consistent course, even under a "bargained coalition". Differences in the underlying distribution of power within a regime account for variation in the form and intensity of intra-elite bargaining. Where this contestation is more animated, there is a *greater likelihood* of legislative institutional change. However, whether elite tensions, in fact, translate into legislative institutional change depends on the ever-shifting alignment of patron-client factions. The importance of these contingent alignments, particularly when accounting for the *timing* of legislative interventions, will remain a theme through this chapter and the next.

5.1.3 Alternative explanations

In the foregoing empirical analysis, I both illustrate my own argument and address alternative explanations of legislative strengthening. Some of these deserve our attention, and indeed, account for important variation across authoritarian parties and legislatures. Others, however, I contest more directly, finding them to be misleading.

First, as detailed in previous chapters, I challenge the functionalist arguments of a mainstream rational choice literature. This work presents authoritarian party and legislative institutions as moulded by rulers' strategic "choices". I argue, by contrast, that leaders achieve their desired institutional outcomes *only where they can ensure a compatible distribution of power*. Moreover, they tend not to control legislative strengthening as this occurs when elite contestation cannot be contained within the ruling party, instead spilling over into the parliamentary arena. In so far as leaders' decisions matter for legislative outcomes, it is largely due to their *unintended and unanticipated consequences*, as is particularly evident when it comes to the Ugandan parliament. To demonstrate this argument, I highlight the numerous instances in

which presidents and party leaders have tried—and failed—to block or reverse legislative institutional reforms.

Besides casting doubt on rational choice analyses of authoritarian legislatures, my argument challenges three common claims in the comparative politics and Africanist literature on parliaments and democratization. Scholars tend, one, to present the multi-party transition as an important watershed;[689] two, they see patron-client ties or "neo-patrimonial" politics as "[retarding] the development and performance of the legislature";[690] and, three, they link legislative strengthening to a process of "professionalization" whereby institutionalization occurs when MPs begin to see being a legislator as an attractive, long-term career option.[691]

All three of these points need serious qualification. First, I do not view a transition to multiparty politics as decisive in altering legislative strength. This is particularly true where an incumbent ruling party remains dominant, as is the case in Uganda and Tanzania. In the conclusion to this thesis, though, I return to the Kenyan case to consider the implications of more competitive inter-party politics. For now, suffice to say, I see legislative institutional strength as closely bound up with authoritarian or dominant party trajectories both pre- and post-multiparty transition. This is *not* to say opposition parties play no role in dominant party regimes; rather, I show through my empirical analysis that these parties can help galvanize legislative institutionalization but *only if* the politics within the ruling party is already conducive to legislative reform. Moreover, opposition party influence also requires that a few reformers—who may also be from the ruling party—come forward with the *ideas* to drive forward institutional change, which after all, is an intellectual as well as a political project.[692]

Second, I disagree with any blanket characterization of "neo-patrimonial" politics as bad for parliament. It is true that executive patronage, in particular, has a negative effect on legislative strengthening and autonomy; but it is misguided to conclude that the solution is somehow to shield legislators from patronage pressures altogether. Clientelism is pervasive in developing countries, as noted in Chapter 2.[693] A key point of my argument is that it is differences in the structure of patronage networks—not their presence or absence—that influence institutional outcomes. Somewhat paradoxically, it is when competition amongst rival patronage networks is most fraught and costly that legislative institutional strengthening is most likely to occur.

[689] Barkan, 2009 & 2013; Bratton and van de Walle, 1997; Diamond, 1999; Linz and Stepan, 1996.
[690] Barkan, 2009: 6 & 16-17; Barkan, 2013; Bratton and van de Walle, 1997.
[691] Barkan, 2009; Renno and Pereira, 2013; Squire, 1992.
[692] Blyth, 2002.
[693] Khan, 2010; Behuria, Buur and Gray, 2017.

Finally, I do not deny that MPs are likely to support legislative institutionalization to further their career prospects. On its own, though, the "professionalization" thesis offers a superficial explanation. It says little about what external factors determine when and why legislators begin to invest in their legislative careers or, crucially, whether they will be successful in pursuing a reform agenda. I address this shortcoming by indicating how it is only in relation to the broader distribution of power outside of parliament—as manifest in patterns of accumulation, patronage networks and ruling party discipline—that we can make sense of legislators' career aims and the prospects for successful reform efforts.

5.1.4 Comparing Tanzania and Uganda

In this chapter, I first show how the legislature in Tanzania actually weakened in the late 1960s and through the 1970s amidst the consolidation of TANU—later CCM—as a strong "institutionalized coalition". It was only with the party's gradual institutional erosion and growing factionalism that the legislature's trajectory reversed. Even then, the process of legislative institutionalization did not immediately follow but rather gained momentum once the right constellation of factional rivalries took shape around the mid-2000s. I contrast the Tanzanian case with Uganda, where legislative institutionalization occurred early under the NRM, a "bargained coalition". The level of legislative institutional strength has, moreover, remained stable or even increased, and this despite repeated efforts on the part of the executive to claw back control. Ultimately, the Tanzanian parliament has had to play a game of catch up relative to its Ugandan counterpart. It underwent considerable changes during the 2005-2015 period, although as discussed in the conclusion to this thesis, subsequent events point to its enduring vulnerability.

Before I go on with the analysis, though, a brief methodological note is in order. First, when assessing legislative institutional strength, there are advantages to a more parsimonious and quantitative approach. Indeed, a quick snapshot of variation in the Tanzanian and Ugandan parliaments helps illustrate the above-summarised trajectories. Figure 5.1 shows how the "complexity" of the Tanzanian legislature starts out low and then begins to increase in the 1980s as divisions gradually deepen within CCM; in Uganda, by contrast, parliament's "complexity" increases more sharply and consistently as would be expected under a "bargained coalition". A further look at indicators of legislative "boundedness" helps confirm the overall pattern. Figure 5.2 shows that variation in the percentage of directly elected MPs is as anticipated while, judging by the indicators covered in Table 5.1, the Ugandan legislature appears more "bounded", the one exception being a 2005 change in the procedure for selecting committee chairs.

Figure 5.1 – Number of Parliamentary Committees

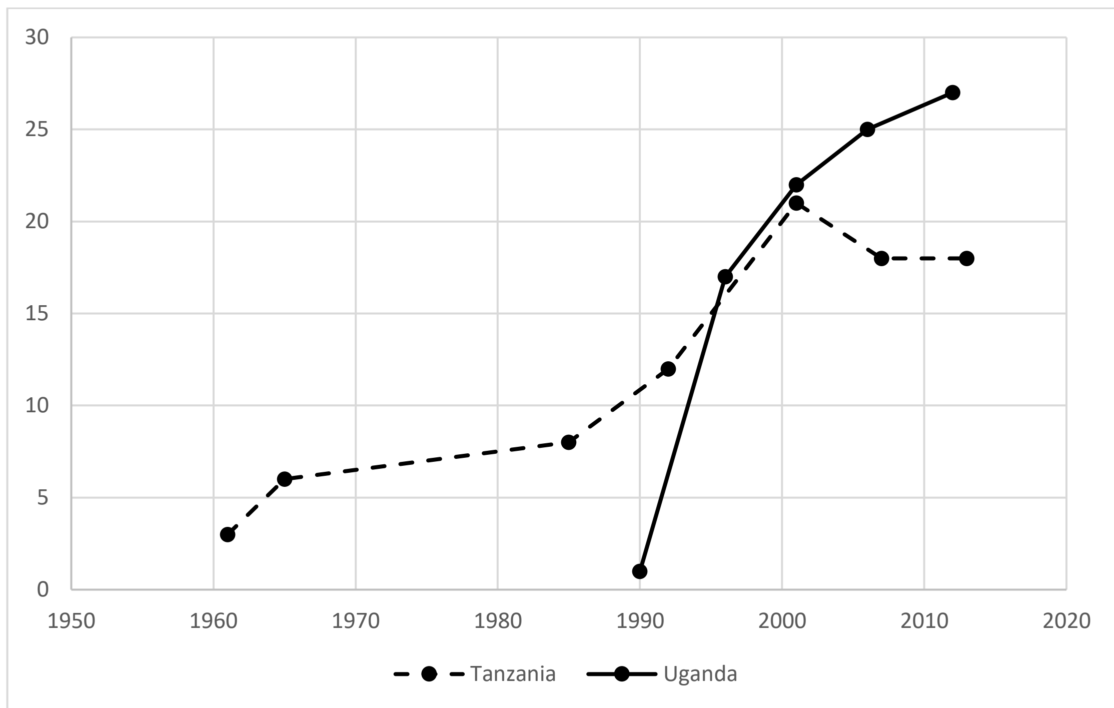


Figure 5.2 – Percentage of Directly Elected MPs

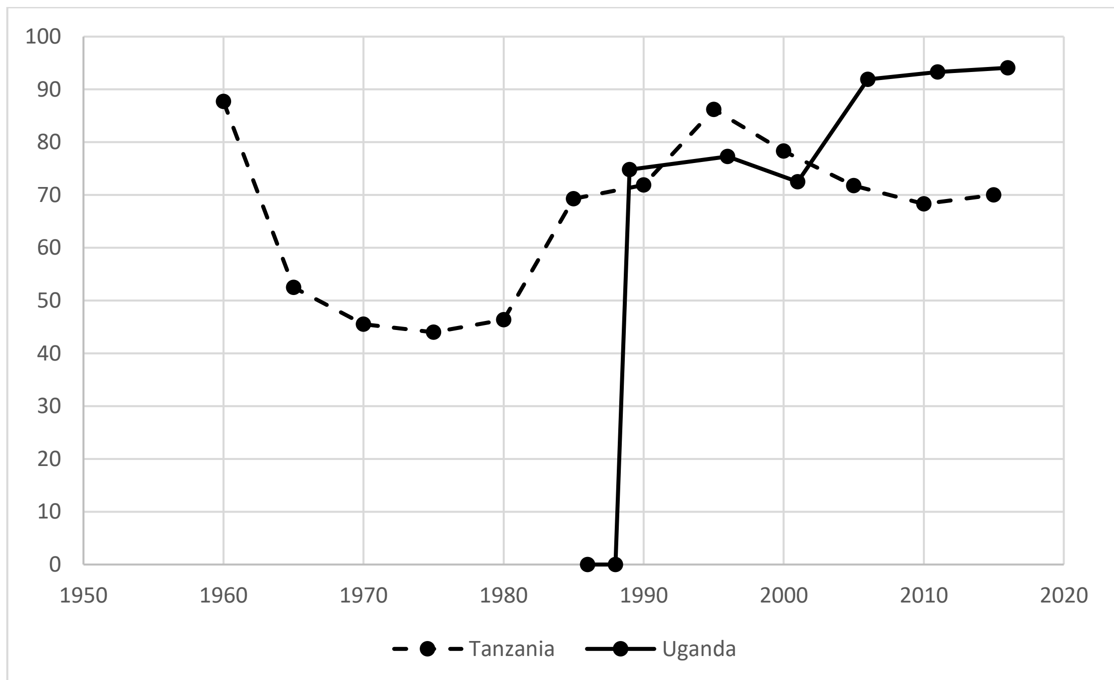


Table 5.1 – Legislative Institutional Boundedness

	Tanzania	**Uganda**
Percentage of directly elected MPs	See Fig 2	See Fig 2
Independents in Parliament	Illegal since 1965, despite court challenges after the 1992 multiparty transition.	Legal
MPs expelled from their party lose their parliamentary seat	Yes	No
Selection of Parliamentary Leaders	***Speaker –*** Ruling party MPs vote to nominate their preferred candidate after initial vetting procedure by top party organs; ruling party nominee inevitably elected Speaker by whole House. ***Committee Chairs*** – Elected by all committee members.	***Speaker*** – Ruling party MPs vote to nominate their preferred candidate, who put themselves forward without vetting by top party organs; ruling party nominee inevitably elected Speaker by whole House. ***Committee Chairs*** – Elected by all committee members until the 2005 multiparty transition when the Government Chief Whip was empowered to select Chairs for all except the four accountability committees.
Parliament administers its own budget	Yes, as if 2008 following the passage of the National Assembly Administration Act.	Yes, as of 1997 following the passage of the Administration of Parliament Act

Such a brief summary is only helpful up to a point, though. Explaining institutional variation—and verifying its significance—requires a contextually-sensitive study that can grasp exactly how and why particular actors push for reform, and what determines whether they are successful.[694] To meet these analytical demands, I draw on a tradition of using "thick description" in legislative studies. Following a general shift towards more formal modelling, among other methodological innovations, this approach is now less in vogue. However, scholars have called for its revival, stressing how it has its place, allowing for nuanced analysis of the historical processes through which institutional change unfolds.[695] It is also in line with the process tracing approach I use throughout this thesis.

There are, of course, trade-offs in pursuing a more granular analysis. It is one of the reasons I focus on a select few markers of legislative institutional strength. Trying to trace, for instance, the political processes underlying variation across the 32 indicators—including

[694] Cooper and Brady, 1981.

[695] On the tradition of "thick description" and its value in legislative studies, see: Arter, 2006; Shepsle, 2002: 389-90.

constitutional powers—in Fish and Kroenig's influential Parliamentary Powers Index (PPI) would lead to an exceedingly cluttered analysis. That is not to dismiss the PPI, although it presents several theoretical and methodological weaknesses.[696] But ultimately, my chosen indicators capture important aspects of legislative institutional strength while allowing for a coherent narrative to emerge regarding the determinants of change, a narrative to which I now turn.

5.2 Tanzania's Bunge

The below discussion traces the link between changes in Tanzania's ruling party and parallel variation in the ongoing process of legislative (de)-institutionalization. It divides into three parts: a first on the legislature's institutional weakening in the 1960s and 1970s; a second on its gradual and halting institutional reversal beginning in the 1980s; and, a third providing an in-depth analysis of the politics surrounding the institutionalizing reform drive of the mid-2000s to 2010s. There is also passing mention of the legislature's actual performance, although only where necessary to clarify the politics surrounding relevant institutional reforms. The issue of parliament's performance is then revisited in the next chapter.

5.2.1 A party strengthens, a parliament declines

The future of Tanzania's parliament—or *Bunge*, in Swahili—was no more certain at Independence than was the fate of the country's ruling party. As observed in Chapter 3, the early 1960s were a period of considerable political contingency. TANU's consolidation as an "institutionalized coalition" came only after an initial period of debate and experimentation. The status of *Bunge* within the new political system was similarly contested. It was only with the political turn that followed Nyerere's 1967 Arusha Declaration that the future trajectories of both Party and Parliament were decided. As wealth accumulation was centralized and ruling party institutions strengthened, *Bunge* grew increasingly marginalized and a process of de-institutionalization took hold. In this section, I first trace the ups and downs of Bunge in the early- to mid-1960s before analysing its post-1967 institutional decline.

The legislature was anything but marginal to TANU's nationalist struggle pre-Independence. Rather, it was the "gateway to the political kingdom",[697] an important channel for asserting TANU's strength and legitimacy. In line with British colonial practice, the Governor of

[696] Chernykh et al's adaptation of the PPI to calculate a Weighted Legislative Powers Score (WLPS) is more valuable. Both the PPI and WLPS, incidentally, reaffirm my assessment of the Tanzanian and Ugandan parliaments' relative strength; drawing on data from 2005, the more methodologically sound WLPS gives Uganda a score of 3.2 and Tanzania 2.3, which are above the average of 2.1 across African legislatures but well below the high score of 4.8, awarded to the Mauritian legislature.
See: Fish and Kroenig (2009); Chernykh et al (2017).
[697] Kjekshus, 1974: 60.

what was then Tanganyika first established a Legislative Council, or LEGCO, in 1926. [698] The first meaningful African representation, though, only came after elections in 1958 when TANU won a "devastating victory", taking 13 out of 15 seats.[699] This was an important turning point. "The atmosphere has been suddenly revolutionized", Nyerere effused, adding, "[…] There is now more than a chance that we may work our democratic revolution here in a manner that might revolutionize the whole trend of events in East and Central Africa."[700] Certainly, the time horizon for Tanganyika's Independence was foreshortened. By 1959, TANU had successfully pressured the British administration to allow for "responsible government" in 1960. After further changes to the legislature, an 81-member council formed in 1960 with 10 nominated members and 71 elected representatives, all but one of whom won on a TANU ticket.[701] The following year, this Assembly became Tanganyika's first independent parliament.

Despite its early prominence, the powers of Tanganyika's legislature, and its place within the broader post-Independence political order, remained uncertain through the mid-1960s. The 1962 Republican Constitution, which introduced an executive presidency, was a first step towards legislative marginalisation.[702] Tanganyika was not the only former British colony to abandon the Westminster system, however, and the effects of this change on legislative activity were hardly uniform, as is evident through a comparison with the more vibrant Kenyan Parliament.[703] *Bunge*, moreover, retained its constitutional "supremacy", as provided in the original, Independence constitution.

The next major step came with the introduction of a de jure one-party state, but again, the implications for Parliament were ambiguous.[704] In a 1963 speech to the TANU National Conference, Nyerere claimed, somewhat paradoxically, that a one-party system would allow for more vibrant and "democratic debate" in the legislature as there would be no "party line to follow".[705] That said, the ensuing reforms did appear to challenge parliament's supremacy, bringing the legislature down to the same level as the ruling party, or lower. The Presidential Commission tasked with reviewing the constitution argued that the TANU National Executive Committee (NEC) should be responsible for determining the "basic assumptions of government

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[698] Tambila, 2004: 46; Barkan, 2009: 9.
[699] Iliffe, 1979: 555-6 & 561-2. The party did not contest the two seats not won by TANU. See also: Mwakyembe, 1986: 21-2.
[700] Iliffe, 1979: 562. Citing Nyerere, 26 September 1958.
[701] The one Independent elected was a TANU member who nevertheless lost out during the party primaries. He later re-joined the party fold in the House.
Mwakyembe, 1986: 22.
[702] Mwakyembe, 1986: 28-9.
[703] Gertzel, 1970.
[704] Cliffe, 1967a.
[705] Nyerere, 1963: 5.

policy" while Parliament would handle only the "more detailed task of giving effect to government policy through appropriate legislative measures and financial provisions […]."[706] The Commission also recommended that NEC members receive the same emoluments as MPs and that the NEC have the same powers as Parliament to summon witnesses and request information from government. Both recommendations were later implemented.[707] The 1965 Interim Constitution, as it was known, also lowered the proportion of directly elected MPs to just over half of all legislators. This followed an increase in the number of appointed or nominated legislators, the inclusion of Regional Commissioners as ex officio members and, following the 1964 Union between Zanzibar and the mainland, the addition of 32 unelected Zanzibari members.[708]

The changes to parliament's composition reduced the institutional "boundedness" of the legislature, as defined at the start of this chapter. The increasing duplication of roles and responsibilities shared between the legislature and the TANU NEC had a similar effect, while also encroaching on the internal "complexity" of parliament by threatening to make legislative committees redundant. Of the standing committees provided for in the 1961 parliamentary Standing Orders, only the Public Accounts Committee was active after 1965 while government continued to discourage parliament from forming select committees even though the legislature had the power to do so.[709]

The ambiguous framing of the one-party transition, however, meant that it *was not* the decisive turning point for *Bunge*. If anything, parliament was far more assertive after the 1965 elections.[710] True to his 1963 speech, Nyerere again stressed at the start of the new session that "there will be no whips operating in this House."[711] In the next year, increased criticism of government was evident through a quadrupling of the number of oral questions to government and a parallel increase in private member's motions.[712] Meanwhile, some left-leaning TANU activists in Parliament challenged what were then the growth-oriented policies endorsed by Cabinet, faulting them for not aligning with the Party's stated socialist objectives. These criticisms, far from empty rhetoric, contributed to the defeat of several government proposals.[713] The NEC, for its part, was not markedly more active in 1965-1966. It failed, for instance, to make use of its

[706] Report cited in Msekwa, 2012: 23-4.
[707] Van Cranenburgh, 1990: 73-4; Mwakyembe, 1986: 41.
[708] Kjekshus, 1974: 21.
[709] Ibid: 22 & 29.
Standing Orders of the National Assembly of Tanganyika, 1961 edition, Clauses 73-74 & 83. Accessed, *Bunge* library.
[710] Cliffe, 1967a; Kjekshus, 1974; Tordoff, 1977.
[711] Cited in Cliffe, 1967a: 339.
[712] Ibid: 340-2.
[713] Ibid; Hartmann, 1983: 109. See also Chapter 3 for more background.

new powers to summon and interrogate government officials, thereby foregoing the opportunity to assume Parliament's oversight role.[714]

The real clash between Parliament and the Party came after the January 1967 Arusha Declaration. The fact that the Declaration was first delivered to and subsequently endorsed by a meeting of NEC members "brought that institution firmly into the limelight as an important and powerful policy-making organ."[715] Members of Parliament, meanwhile, were no longer "left, through trial and error, to chart the range of their own and *Bunge*'s functions."[716] Rather, with Nyerere's affirmation, "to build socialism you must have socialists," the stage was set for a confrontation over the extent of TANU's disciplinary powers and, fundamentally, the power and independence of the legislature.[717]

What some observers have since referred to as the "great supremacy debate" ran from 1967 through 1968.[718] Over that period, MPs criticized government policy from both the left and right, in the latter case questioning provisions in the Arusha Declaration and the country's apparent authoritarian drift. The debate kicked off in June 1967 with a question addressed by Hon. Ndobho (MP) to the Prime Minister requesting him to clarify "who is supreme", the National Assembly or the TANU NEC.[719] The following year, Parliament passed its first private member's motion opposing the decision to award various administrative and government officials gratuities of 25 percent of their annual salaries.[720] Other concerns raised by MPs included the lack of democracy in Zanzibar and the excessive powers awarded to Regional Commissioners.[721] Picking up on Ndobho's earlier concern, the firebrand MP, Hon. Chogga, proposed that the National Assembly be designated as "constitutionally the adviser of the President" and that the President act only on the advice of Parliament, which was "supreme".[722]

Government and Party officials responded to MPs' calls in no uncertain terms.[723] A junior minister insisted,

[714] Martin, 1988: 80.
[715] Msekwa, 2012: 29; Mwakyembe, 1986: 42.
[716] Kjekshus, 1974: 28.
[717] Ibid: 28 & 31.
[718] Msekwa, 2012: 31-40. See also: Martin, 1988, especially chapter 5; Velzen and Sterkenburg, 1972a & 1972b; Saul, 1972.
[719] Msekwa, 2012: 31.
[720] For an in-depth discussion of the motion, see Velzen and Sterkenburg, 1972a.
[721] Velzen and Sterkenburg, 1972b;
[722] Mwakyembe, 1986: 42.
[723] Ibid: 42; Kjekshus, 1974: 31.

> "The Party picked you in nomination and the Party has the right to discipline you and dictate your tasks… It is high time the MPs should know where they come from, and it is above any doubt that *this Parliament belongs to TANU.*"[724]

The implicit threat in this statement was soon fulfilled. Already in October 1967, the Party National Conference amended the TANU constitution, giving NEC powers to expel party members.[725] The following October, after a stormy budget session, NEC put these powers to use. It expelled nine members, including seven MPs who then automatically lost their parliamentary seats. Among the MPs was Hon Chogga.[726] Ndobho, however, was not expelled, an indication according to some observers that so long as MPs' objections were consistent with the new Arusha doctrine, they would not be sanctioned.[727]

The expulsions, in any case, marked a significant decline in the institutional strength and stature of Parliament. The fact that TANU could, after the 1967 reform, strip MPs of their party membership—and thereby ensure their departure from *Bunge*—was a further challenge to the "boundedness" of Parliament. The subsequent decision by NEC to exercise its powers eliminated any lingering doubts over the Party's superior authority, sending a message that "the political elite were under the absolute control of the Party."[728] What's more, during the same October NEC meeting at which the seven MPs were expelled, the Party decided that all major policy documents, including the second five-year development plan, must first be submitted to NEC for approval before going to Parliament, thus further confirming the legislature's "subordinate and purely technical role".[729]

To understand exactly how Parliament acquired this subordinate role, though, it is important to appreciate the relationship between, first, the growing power of the TANU leadership and, second, the more general party-strengthening process detailed in Chapter 3. TANU's consolidation during the post-Arusha Declaration period relied on, yes, direct party-building efforts but, crucially, also on a drive to separate politics from business, thereby gaining more centralized control over wealth accumulation and patronage distribution. As elected

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724 Mwakyembe, 1986: 42-3.
725 Kjekshus, 1974: 30; Msekwa, 2012: 29.
726 Tambila, 2004: 61; Kjekshus, 1974: 31.
727 Saul, 1972: 292.
While Saul implies that Ndobho acted out of principle, historian James Giblin contests that assessment, suggesting that Ndobho was less consistent in his criticism of government, toeing the party line where needed to avoid sanction.
Source: Giblin, James. Personal correspondence. September 2017.
728 Kjekshus, 1974: 31; Velzen and Sterkenburg, 1972b: 263.
729 Msekwa, 2012: 34.

representatives, MPs' own personal wealth and patronage roles were a major focus of this effort. The enforcement of the Leadership Code, the more aggressive vetting of parliamentary nominees ahead of the 1970 election, and the efforts to downgrade MPs' profile as local patrons—notably by empowering appointed Regional Commissioners—were all part of an effort to curb legislators' influence while amplifying that of party officials and bureaucrats.

The individual profiles of the seven expelled MPs further attest to this ambition. As outlined in Chapter 3, two of these MPs were caught up in the clash with their respective Regional Commissioners over villagization programmes. Chogga's infamy within TANU was, in part, linked to his success in spearheading a parliamentary campaign to soften some of the restrictions included in the Leadership Code.[730] Meanwhile, another expelled MP, Mwakitwange, was notable for having considerable business interests.[731] For the remaining MPs, there was little room to resist the new policy direction, or its implications for private accumulation. As one ex-parliamentarian recalled some 20 years after the Arusha Declaration, "It was like someone holding a sharp knife to one's side in such a way that it could not be pulled away without getting hurt."[732]

After the 1968 watershed, Parliament continued to lose ground to the Party and Executive, and this due to both formal institutional changes and the further centralisation of patronage distribution. Throughout this 1970s, TANU enhanced its ability to debate policy and shadow government.[733] This trend led to a constitutional amendment, unanimously passed by Parliament in 1975, which entrenched de jure party supremacy.[734] The amendment came along with changes to the number of directly elected constituency MPs, which was reduced from 107 to 88, less than half the total number of legislators.[735] When justifying the measure before Parliament, then Prime Minister Kawawa denied any attempt to "diminish the power of Parliament or of Parliamentarians."[736] Rather, he claimed that the aim was to align constituency

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[730] Resnick, 1981: 101.
Chogga was especially critical of the Party directive, inspired by the Leadership Code, that MPs' finances be vetted. He argued that this was part of a campaign to undermine parliament's independence, noting that Regional Commissioners—part of the executive–were exempt. He called for more scrutiny of all national leaders.
Source: Giblin, James. Personal correspondence. September 2017.
[731] Kiondo, 1994: 82-3; Hyden and Leys, 1972.
Mwakitwange was likely the only truly wealthy MP of the seven expelled. Chogga and Kibura, another of the seven, were nevertheless "village entrepreneurs" and critical of the Arusha Declaration for limiting their ability to hire farm labour, as was the popular and widespread practice for anyone with a cash income.
Source: Giblin, James. Personal correspondence. September 2017.
[732] Cited in Tripp, 1997: 174.
[733] See Chapter 3.
[734] Mlimuka and Kabudi, 1986: 64; Branson, 2015.
[735] By way of comparison, all MPs in neighbouring Kenya were directly elected during this period.
Tambila, 2004: 63; Hyden and Leys, 1972.
[736] Kawawa, 1975. My translation.

and administrative boundaries such that MPs could work alongside the TANU District Chairman and the District Secretary, who doubled as District Commissioner. In addition, Kawawa alleged that factional disputes between MPs within the same district would no longer disrupt service provision by government.[737] These seemingly reasonable justifications aside, the reforms still cut the number of constituency MPs, who were by far the most active of Tanzania's legislators and the only ones whose mandate came—at least partially—from voters.[738] The decision to have elected MPs work with TANU district chairmen and secretaries, meanwhile, ensured that they would be the junior partners in a troika dominated by the party-cum-administrative bureaucracy. As such, the 1975 reforms meant that MPs further relinquished their role as influential local patrons.[739]

The Tanzania Parliament finally hit its "nadir" in 1977.[740] The formation of CCM out of a merger of TANU with Zanzibar's *Afro-Shirazi Party* and the concomitant adoption of a new, "permanent" constitution led to parliament being officially designated as a "committee" of the ruling party.[741] At this stage, it was thoroughly dominated by NEC and the CCM Central Committee at the national level while MPs continued to be closely shadowed in their constituencies by Party and administrative officials. This decline in the profile of both Parliament and individual parliamentarians occurred against the backdrop of further ruling party institutional strengthening and centralized control over wealth accumulation and patronage resources.[742]

5.2.2 Parliament begins, slowly, to strengthen

The downward trajectory of *Bunge* began to reverse in the 1980s, but the process of legislative strengthening remained limited through the 1990s and early 2000s. Several factors influenced the extent of institutional change during this period. First, a malaise within CCM, confronted by Tanzania's ongoing economic difficulties, helped motivate an early wave of institutional reforms as well as the top-down multiparty transition. That transition did, in turn, generate a series of quick wins for parliament. But the significance of these changes should not be exaggerated, particularly as they came alongside additional reforms that, if anything, weakened the legislature. Ultimately, the reasons for this slow and uncertain pace of change were rooted in the internal politics of the still dominant ruling party. On the one hand, structural conditions were ripe for a

[737] Ibid.
[738] Kjekshus, 1974.
[739] On MPs' constituency work, see Okumu and Holmquist, 1984.
[740] Tambila, 2004: 63.
[741] Mwakyembe, 1986: 46-7.
[742] See Chapter 3.

change as the growth of patron-client factions deepened intra-party divisions; on the other hand, these internal rivalries did not align in such a way as to galvanise legislative reform.

In the early 1980s, Tanzania's acute economic crisis prompted some degree of self-critique within CCM, including calls for more democracy and an amplified role for *Bunge*.[743] Following a protracted debate over the relationship between the Party and Parliament, constitutional reforms introduced in 1984 offered a compromise. In a bid to improve parliament's representativeness, the proportion of directly elected MPs was increased, nearing 70 percent of all members.[744] New parliamentary powers and privileges were also introduced and later entrenched in a 1988 law.[745] However, while these changes enhanced the "boundedness" of the legislature, *Bunge* retained its constitutional designation as a "special committee of the National Conference of the party".[746] The ability of the Party bureaucracy to shadow the government was, moreover, enhanced, and policy continued to be discussed in closed meetings of the Central Committee and NEC.[747] The Party also remained the primary avenue for elite circulation and advancement, with a career in CCM offering a privileged route to a position in government.[748]

The 1992 multiparty transition triggered the next set of legislative reforms. It should be recalled, though, that the transition was engineered by the CCM leadership partly to *strengthen* CCM while marginalising opposition parties.[749] It follows that the ensuing legislative reforms did not reflect some new political dynamism but were rather an automatic consequence of unpicking the *de jure* one-party state. For instance, the composition of parliament had to be amended: Regional Commissioners lost their *ex officio* membership; seats for MPs elected through mass organisations affiliated to CCM, such as the youth organization, were scrapped; and, presidential powers to appoint 15 MPs were eliminated. The main consequence was an increase in the proportion of directly elected MPs, which enhanced *Bunge*'s "boundedness".

In a similar vein, the move away from formal Party "supremacy" encouraged the dismantling of CCM's own oversight committees while encouraging the development of Parliament's committee system, thereby enhancing *Bunge*'s "complexity". Whereas previously the only parliamentary standing committee with a clearly defined role was the Public Accounts

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[743] Van Cranenburgh, 1990: 83 & 117; Van Donge and Liviga, 1986: 230.
[744] Tambila, 2005: 66.
[745] See the *Parliamentary Immunities, Powers and Privileges Act, 1988*. Tambila, 2004: 66-7.
[746] Ibid: 67.
[747] Even at this level, there is reason to be sceptical about the extent of debate that occurred. The relatively unrepresentative Central Committee assumed an increasingly prominent role while the party Chairman, President Nyerere, remained "dominant and central."
Mlimuka and Kabudi, 1986: 81-2; Martin, 1988.
[748] Van Donge and Liviga, 1986: 234; Killian, 2004: 187-8.
[749] See Chapter 4.

Committee (PAC), the 1994 Standing Orders list 13 committees, each designed to shadow one or more government ministries.[750] These committees were preserved after the 1995 election and were in 2000 complimented by eight sectoral committees tasked with reviewing ministries annual spending and budget estimates.[751]

These reforms nevertheless remained flawed and were accompanied by more regressive changes. First, regarding reform shortcomings, some of the alterations to parliament's membership were problematic, limiting improvements to *Bunge*'s institutional "boundedness". A new constitutional provision for "special seat" women MPs introduced in 1992, while positive from a gender perspective, was contrived such that it strengthened CCM and its leadership. Fifteen percent of parliamentary seats were now reserved for women, but they were to be distributed across parties based on the proportion of constituency seats each party won. In practice, this increased CCM's already overwhelming legislative majority.[752] Moreover, the mechanism for selecting women MPs within CCM remained "practically undemocratic", concentrating power with the National Executive Committee while compelling women MPs to promote the party position.[753]

The changes to parliamentary committees were also far from transformative. The number of committees and their jurisdiction remained largely at the discretion of the parliamentary Speaker, as Chairman of the Standing Orders Committee. The eight sectoral committees tasked with parsing through ministerial budgets were still overburdened, each being responsible for several ministries. More generally, committees lacked funding and basic infrastructure, were allocated insufficient time to complete their work and were at a permanent disadvantage relative to government due to their poor access to information and expertise.[754] Some committees were permitted by the Speaker to conduct more extensive investigations, including hearings with witnesses summoned to Parliament, but this was rare.[755]

These limitations aside, other changes introduced after 1992 appeared explicitly designed to diminish parliament's institutional strength and autonomy. First, measures were taken to ensure the continued influence of CCM leaders within parliament, again eroding Bunge's institutional "boundedness". The new CCM Parliamentary Caucus rules ensured considerable institutional overlap between the Caucus, on the one hand, and formal government and party

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[750] *Kanuni za Bunge* (Parliamentary Standing orders), 1994 edition, Clause 89.
Wang, 2005b: 187; Msekwa, 2006: 177.
[751] *Kanuni za Bunge* (Parliamentary Standing orders), 2001 edition, sections 9 and 10; Msekwa, 2002.
[752] Yoon, 2008: 64-5.
[753] Killian, 1996: 29; Yoon, 2008: 61.
[754] Wang, 2005a: 11; Chaligha, 2004: 152.
[755] Ibid.

structures, on the other.[756] The Prime Minister retained the chairmanship of the Caucus while any CCM MPs who also served on the party's Central Committee were automatically appointed to the Caucus leadership committee. The rules also detailed strict disciplinary measures, including the application of a strict three-line whip. In theory, this disciplinary procedure was to be invoked only "where opposition from CCM MPs could lead to the fall of the government"; in practice, though, its use was commonplace after 1995.[757] To ensure its efficacy, President Benjamin Mkapa (1995-2005) warned CCM MPs that they would be barred from running for re-election should they fail to support key government initiatives.[758] This threat carried additional weight due to CCM's insistence that the ban on Independent candidates be retained post-transition,[759] meaning that short of joining the as yet weak and marginalised opposition,[760] de-selected CCM MPs would face a political dead-end.

Party discipline aside, additional reforms actually reversed early legislative institutional gains. During his first term, Mkapa initiated a constitutional review, appointing a special commission to conduct consultations. He was, however, dissatisfied with the commission's recommendations so sent its report to the CCM Central Committee, NEC and finally the Cabinet for revision. Parliament was then left to provide a belated rubber stamp. The amendments thus imposed included a provision restoring presidential powers to appoint MPs, 10 instead of the original 15 under one-party rule. This change freed the President's hand when appointing ministers, first to parliament then to Cabinet.[761] Meanwhile, a requirement that the President win at least 50 percent of the vote was abandoned, while the proportion of special seats for women MPs was increased from 15 to 20 percent. The proportion rose again to 30 percent ahead of the 2005 elections, still with no change to the problematic selection mechanism.[762]

This discussion leaves open the question, though, what explains the uncertain nature of legislative strengthening during this period? While the small number of opposition MPs post-transition could do little to galvanize change, growing factional tensions within CCM arguably provided the structural conditions for a reformist drive.[763] However, unlike in the post-2005 period, discussed shortly, there was at this stage neither the right factional alignment nor the

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[756] CCM, *Kanuni za Kamati ya Wabunge Wote wa Chama Cha Mapinduzi*, 16 October 1993, Dodoma.
[757] Ibid; Mmuya, 1998: 100; Wang, 2005b: 194-5; Killian, 2004; Tambila, 2004; Baregu, 2004.
[758] Wang, 2005b: 194-5.
[759] Makulilo, 2012.
[760] On the opposition, see especially: Hyden, 1999; Mmuya and Chaligha, 1994: 93-98; Nyirabu, 2002: 104-105.
[761] Nyirabu, 2002: 106-108.
[762] The mode of allocating special seats across parties was marginally improved, though; this distribution was now determined based on the number of votes, rather than seats, won in the election. Yoon, 2008: 63 & 67.
[763] See Chapter 4; Mmuya, 1998.

necessary leadership to channel intra-party tensions into a reformist agenda. Throughout his tenure, President Mkapa used his considerable political skill to keep mounting political pressure from becoming an impetus for legislative action. A key tool was his judicious use of ministerial appointments. For instance, following the fraught 1995 presidential nomination process, Mkapa appointed his main rival, Jakaya Kikwete, Minister of Foreign Affairs. Another failed presidential aspirant and notable Kikwete supporter, Edward Lowassa, received a ministerial portfolio as well. Although he initially resisted, Mkapa also yielded to pressure by allowing an "old guard" back into Cabinet.[764] This included ministers who were among those Nyerere referred to when he declared that Tanzania "stinks of corruption".[765] Moving into his second term, Mkapa continued his strategy of appeasement and reshuffles; even as he was himself tarnished by high-profile corruption scandals, he still managed factional disputes largely privately and within the Party.[766]

Mkapa's efforts to enforce party discipline were greatly aided by the Speaker of Parliament, Pius Msekwa. Although Msekwa oversaw some reforms to committees, notably when assisted by outside donor funding,[767]he also acted more as a CCM representative interested in monitoring MPs' actions than as a leader of Parliament committed to safeguarding the powers of *Bunge*. This attitude had much to do with his background as a veteran CCM cadre. He started work as the first African Clerk to the Independent legislature but, after the Arusha Declaration, was transferred to the Party Secretariat, a move that signalled parliament's then declining prominence. He went on to hold numerous high-level party positions before returning to Parliament as an MP in 1990. He was soon elected Deputy Speaker and then Speaker, serving throughout Mkapa's presidency and thus overseeing the first two multi-party parliaments.[768] Reflecting on the behaviour he expected from CCM legislators post-transition, Msekwa insisted, "It is a *moral obligation* for [ruling party MPs] to support the government of their party on the floor of the House."[769] As Speaker, he made no effort to distance himself from the Party, routinely attending CCM parliamentary caucus and NEC meetings.[770] Commenting on his leadership style, ruling party MPs characterised Msekwa as "soft", easily influenced by Party leaders. In 2003, one opposition MP went so far as to declare, "Msekwa is the number one agent for killing democracy

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[764] Mmuya, 1998: 79.
[765] Mmuya, 1998: 79; Kelsall, 2002: 106.
[766] Gray, 2015. This point about Mkapa's leadership skill came up repeatedly in interviews with MPs from the 8th Parliament (2000-2005).
[767] Msekwa, 2002.
[768] Msekwa, 2012: 48.
[769] Msekwa, 2002: 76. Emphasis added.
[770] Interview with an opposition MP, Dar es Salaam, April 2016. See also Wang, 2005b: 187-8.

in this country," adding, "He utilizes parliamentary rules of procedure to violate the constitution by silencing *CCM members* of the House."[771]

In sum, whereas Tanzania's *Bunge* began slowly to strengthen in the 1980s and 1990s, reforms were limited and any legislative gains precarious. This is because a major impetus for reform was lacking. The legitimacy crisis confronting CCM in the 1980s and the *de jure* multiparty transition created some space for change. Tanzania's evolving political economy—particularly the expansion of patron-client factions within CCM—had the potential to motivate far more significant reforms; however, these mounting factional tensions were largely contained within the party at first, and this notably due to the skilful leadership of Mkapa and Msekwa. By contrast, developments in parliament after 2005 confirm how intra-party tensions—once unleashed—can bring about profound legislative change.

5.2.3 Bunge "lenye meno", a parliament with teeth

Following the 2005 general election, an unprecedented reformist drive took hold in *Bunge*. This momentum lasted through the 9th Parliament (2005-2010) and into the 10th (2010-2015). Although the results were somewhat mixed, the overall effect was to greatly enhance *Bunge*'s institutional "complexity" and "boundedness", as the summary in Table 5.2 suggests. In what follows, I explain first what drove the changes in the 9th Parliament (2005-2010) and then the 10th (2010-2015).

Table 5.2 – A Summary of legislative institutional reforms (2005-2015)[772]

Reform	Key Features
Revised Standing Orders (2007)	-***Sectoral committees*****:** Number increased from 8 to 10; budgetary review schedule altered to allow committees more time to scrutinise ministerial policy statements. -***Oversight committees*****:** New committee, the Public Organizations and Accounts Committee (POAC), responsible for overseeing parastatal companies and other publicly-owned or administered bodies. -***Select committees*****:** New procedure freeing the Speaker to appoint select committees to conduct *ad hoc* investigations *without* a vote, removing the opportunity for government to impose a three-line whip. -***Private member's bills*****:** In addition to individual MPs, sectoral committees granted the power to table their own "committee bills"; -***Prime Ministers' Question time*****:** PMQs introduced, modelled on the UK practice.

[771] Interview with former CCM MP, Dar es Salaam, April 2016; Opposition MP cited in Baregu, 2004: 35. Emphasis added.

[772] This table summarises information from the relevant Standing Orders, accompanying legislation. See also: Sitta et al., 2008.

	-***The National Assembly Fund***: Independent budget secured for *Bunge*, negotiated by the Parliamentary Commission with the Ministry of Finance and disbursed into the NAF.
National Assembly Administration Act (2008)	-Entrenched in law key reforms from the 2007 Standing Orders safeguarding parliament's control over its own budget (previously, it was under the control of the Prime Minister's Office). -Transferred authority to oversee the parliamentary service, *Bunge*'s administrative arm, from government to parliament, specifically the Commission. -Granted the Commission the power to determine the salaries and emoluments of MPs and parliamentary staff.
Constituency Development Catalyst Fund Act (2009)	-Provided for the allocation of funds by the Treasury to CDCFs, each administered by a committee with an elected constituency MP serving as Chair.[773]
Revised Standing Orders (2013)	-***Oversight committees***: Abolished the recently created POAC, an important reversal. -***Budgetary review process*: (a)** Ensured parliament could advise government throughout the planning process, not just at the budgetary approval stage; **(b)** removed the vote-on-account, which previously meant *Bunge* had to sign off on spending for the first quarter *before* it could review ministries' expenditure plans; **(c)** entire budgetary review calendar brought forward to eliminate the need for a vote-on-account; **(d)** creation of a Budget Committee whose responsibility it was to liaise with Government throughout the year and especially when negotiating over amendments to the annual budget.
Budget Act (2015)	-Entrenched in law the budget-related changes in the 2013 Standing Orders. -Introduced a Parliamentary Budget Office, tasked with providing necessary expertise and administrative assistance to guide legislators through the budgetary review process.

5.2.3.1 A Speaker, a Prime Minister and a President

Three interrelated factors helped launch a wave of legislative reforms during the 9th Parliament. These included: (1) a fortuitous alignment of factional rivalries; (2) MPs' growing desire to invest in their role as local patrons and to reward their financial backers; and, (3) CCM's inability to impose discipline due to its own factional entanglement. I consider each factor in turn.

The factional tensions that defined the 9th Parliament—opposing competing clientelist networks—involved, most notably, the Speaker of Parliament, the Prime Minister and the President himself. The origins of these elite differences lay with the 2005 presidential elections. The previous chapter describes how President Kikwete's success in winning the CCM nomination and then the 2005 election was not "Kikwete's doing"; rather, it was the handiwork of his larger

[773] MPs interviewed for this thesis were generally dismissive of the CDCF, noting that the funds allocated were a small fraction of their overall constituency spending. See: Tsubura, 2014.

mtandao (network), whose masterminds were Kikwete's long-time ally, Edward Lowassa, and the now billionaire, Rostam Aziz. Another notable member of the Kikwete faction was a certain Samuel Sitta. A veteran CCM MP and former Minister of Justice, Sitta left Parliament in 1995 and later assumed an influential perch in Government, serving as director for the Tanzania Investment Centre (TIC).[774] Ahead of the 2005 elections, he decided to return to Parliament, going on to win in the Urambo East constituency on a CCM ticket while also supporting Kikwete's presidential bid.

The trouble within the pro-Kikwete *mtandao* surfaced when it came time to distribute post-election rewards. A "long-standing" friend of Kikwete's, Sitta was reportedly promised the role of Prime Minister, the assumption being that Lowassa would then take on another prominent Cabinet position, such as Minister of Finance.[775] Lowasssa and Aziz, however, wanted more in exchange for their backing of Kikwete and manoeuvred to ensure that Lowassa won the premiership. Meanwhile, it was suggested that Sitta become Speaker of Parliament. Never had the Speakership been a sought-after position. Sitta's immediate predecessor, Pius Msekwa, remained Speaker for 11 years after taking over from the ailing Chief Adam Sapi Mkwawa, who had served as Speaker *since Independence*.[776] The game changed in 2005, though. That year, an unprecedented six aspirants, with Msekwa among them, competed for the CCM Speaker nomination.[777] After both Sitta and Msekwa survived the initial cull by the CCM Central Committee, it was up to ruling party MPs to elect their preferred nominee. Although Msekwa started as the bookies' favourite,[778] the *mtandao*'s support for Sitta meant that he ultimately trounced the incumbent, taking over 80 percent of the vote.[779] As ever with the *mtandao*, the campaign for Sitta allegedly involved "a significant sum of money", spent on parliamentarians to ensure their support.[780] The victory did not put an end to the discord within the *mtandao*, though, as Sitta still resented Lowassa for taking the premiership. One close ally claimed that he "heard it from Sitta himself that he was tricked".[781]

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[774] TIC became a "one stop agency for providing services to new investors", a role which grew controversial as the Centre granted a rising percentage of what some analysts argue were politically motivated tax exemptions.
See: Therkildsen, 2012; CMI Brief, 2015.

[775] The points in this and the following paragraph were confirmed through numerous interviews, including with: a former CCM MP who previously worked under Lowassa in Mkapa's government and later became close to Sitta; several other CCM MPs, Party cadres and activists; opposition MPs; a prominent media-house owner; and journalists.

[776] Msekwa, 2012: 48.

[777] Mgaya Kingoba, "Dodoma yarindima", *Mtanzania*, 27 December 2005, pp 1 & 4.

[778] Nkolimwa, Dominic, "Msekwa eyes Speaker's seat again", *The Guardian*, 20 December 2005, p 1.

[779] Mgaya Kingoba, "Sitta Spika Mpya", *Mtanzania*, 29 December 2005, pp 1 & 4.

[780] Ibid; Interview with a CCM cadre and friend of Aziz, Dar es Salaam.

[781] Interview with a former MP, Dar es Salaam, August 2015.

Although frustrated, Sitta continued to cultivate ambitions of higher office, his eye ultimately set on the presidency.[782] In a somewhat paradoxical twist, he used the Speakership to pursue this personal agenda, in part, through a legislative reform effort. He appeared to have a strong desire to "[get] an alliance by making Parliament strong".[783] As one CCM politician phrased it, "Sitta succeeded very much in giving teeth to Parliament," [784] 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."[785]

Granted, Sitta may also have had more principled reasons to back legislative reforms, although there is reason to doubt his personal commitments.[786] He did, in any event, work with several reformist MPs, both opposition and CCM, as well as government officials and advocacy organisations. These actors notably helped supply the ideas that guided the reform effort. For instance, the then Comptroller and Auditor General (CAG), Ludovic Utuoh, encouraged the introduction of a new oversight committee, the Public Organisation Accounts Committee (POAC), which under the chairmanship of opposition and reformist MP Zitto Kabwe, was to play an active role strengthening oversight of Tanzania's still expansive parastatal sector.[787]

These more principled interests aside, though, factional tensions continued to motivate the reform drive. Speaker Sitta began his reformist drive 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 major victories.[788] The proposed changes fuelled tensions with the executive, and particularly with Lowassa who resisted, for instance, the proposal to introduce Prime Minister's Question time.[789] The 2007 changes nevertheless went ahead and soon bore fruit. For instance,

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782 Sitta ultimately contested for the CCM presidential nomination in 2015 but lost.
783 Interview with former CCM MP, Dar es Salaam, August 2015.
784 Interview, CCM MP, Dar es Salaam, July 2015.
785 Interview, opposition MP who worked with Sitta, Dar es Salaam, April 2016.
786 Some interviewees, notably MPs from the 9th Parliament, stressed this point while also emphasising Sitta's personal ambition. Others were more cynical, though, insisting that Sitta "very consciously built this aura of a very progressive Speaker to validate his claims to prominence [...]" (Interview with an opposition MP, Dodoma, June 2015). Sitta's controversial chairing of debates in the 2014 Constituent Assembly, which was tasked with approving a new Constitution, led to more doubts about the authenticity of his reformist commitments.
For background on the Constituent Assembly see: Branson, 2015.
787 Utouh, 2018.
788 Ibid.
789 Ibid; Sitta et al, 2008: 33-34.

by facilitating the formation of select committees,[790] the new rules cleared the way for Sitta to convene a committee tasked with probe the so-called Richmond scandal. The committee's investigation culminated in Lowassa's resignation as Prime Minister, a result that came as a shock to CCM, the Government and Tanzanians more generally.[791]

The 2007 Standing Orders also helped further advance the legislative strengthening process itself, with a first wave of reforms easing Sitta's pursuit of follow-up measures. For instance, the provision in the Standing Orders allowing parliamentary committees to table their own legislation was essential in seeing through the National Assembly Administration Act (NAAA). The Act started out as a committee bill, and as one parliamentary official recalled, it was only when the Commission chaired by Sitta was "about to assign a member to table the bill" that "government caved to pressure and took the bill up on its own." [792] The official went on to insist, "The government could never have just presented this bill itself."[793] As indicated above, the NAAA was essential in securing the autonomy of *Bunge*, notably by shifting control over the parliamentary budget from *the Office of the Prime Minister*—headed by Lowassa—to Parliament itself.

The NAAA was an especially strategic reform for Sitta as it appealed directly to the personal interests of rank-and-file 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 allowances, the pay package to the MPs. He increased it quite significantly and he was one of the very popular Speakers, I can assure you."[794] The transcript of the House debate on the NAAA reflects this enthusiasm, with numerous MPs congratulating Sitta on his initiative and even using Swahili terms of endearment, crying out, "Asante sana Baba!" (Thank you very much Father).[795] Certainly, Sitta's approach differed from that of his predecessor. If anything, he appeared to learn from Msekwa's mistakes as MPs' frustration with the former Speaker's failure to consider their welfare likely contributed to his defeat in the parliamentary caucus election.[796]

Beyond his own personal aspirations, Sitta's strategy for winning over the support of MPs says something about the changing status and ambitions of parliamentarians themselves. This brings us to the second key factor driving legislative reforms. The expansion of patron-client

[790] Sitta et al, 2008: 34.
[791] See Chapter 6.
[792] Interview, parliamentary official working for the Planning Department, Dodoma, July 2015.
[793] Ibid. On government opposition to the legislation, see also: Report of the Committee on Constitutional, Legal and Administrative Affairs, *Hansard*, 28 August 2008.
[794] Interview, CCM MP, Dodoma, June 2015.
[795] *Hansard*, 28 August 2008.
[796] Mgaya Kingoba, "Sitta Spike mpya", *Mtanzania*, 29 December 2005, pp 1 & 4.

factions altered MPs' incentives, giving them good reason to support the legislative strengthening process, and this because a stronger Parliament could improve their access to patronage resources. For instance, in praising the NAAA during a House debate, one long-time parliamentarian echoed a common view, observing that the new legislation—with its promise of additional allowances—would help MPs address local pressures, adding, "When it comes to service delivery, the MP is the patron; it is him who is the NGO down there in the district even if he has no money."[797] Beyond their interest in this direct access to resources, MPs also appreciated the improved *indirect* access that reforms could afford them. In interviews, they stressed how legislative strengthening—especially of committees—meant they could more effectively pressure ministers on issues of interest to potential financial backers. MPs then became more "marketable" as they were better able to exchange political favours for campaign funds.[798]

Aside the motivations of the Speaker and MPs, the third key factor behind the relative success of reforms was the inability of CCM leaders to impose discipline and thereby halt the legislative strengthening process. As a caveat, it is important to clarify that President Kikwete was amenable, at least initially, to change.[799] He did not necessarily support the more detailed proposals, however, and his relations with Sitta gradually cooled.[800] More to the point, though, neither Kikwete nor any other authority within CCM could control the factional tensions within the Party. Rival patronage networks split CCM at the very highest levels, thereby favouring more informal patterns of politicking while undermining formal disciplinary mechanisms.

The dividing lines first crystallized within Parliament, primarily as a by-product of the Sitta-Lowassa feud. In the wake of Lowassa's 2008 resignation over the Richmond scandal, a group of pro-Sitta MPs began to refer to themselves as "anti-corruption crusaders". They were CCM-*safi* (clean) and opposed Lowassa's camp, referred to as CCM-*mafisadi* (corrupt).[801] The two groups soon became active and mobilised more support outside of *Bunge*, focusing their attention notably on MPs' constituencies. For CCM-*safi*, the goal was to support each other to ensure re-election.[802] The group that explicitly identified with Sitta was never particularly large, as indicated by its alternate name, "the 11 anti-corruption apostles".[803] But as one member recalled, "It became like a family."[804] It also attracted considerable attention and, as the same MP noted, "We

[797] Hon. Basil P. Mramba, *Hansard*, 28 August 2008. My translation.
[798] Interview, CCM MP, Dodoma, June 2015; Interview, CCM MP, Dodoma, May 2015; Interview, Opposition MP, Dar es Salaam, April 2016.
[799] Interviews, CCM and opposition MPs; Debate on NAAA, *Hansard*, 28 August 2008.
[800] Ibid.
[801] Interviews with several CCM and opposition MPs; Msekwa, 2012: 121.
[802] Interview, former CCM MP and Sitta ally, Dar es Salaam, August 2015.
[803] Ibid.
[804] Ibid.

got support [in our constituencies] from even businessmen."[805] This affirmation was confirmed in the press. For instance, an article in the English language newspaper, *The Guardian*, reported that the paper's owner and one of the richest men in Tanzania, Reginald Mengi, was giving financial support to CCM-*safi* MPs.[806] While it is unclear why Mengi offered this aid, it is worth noting the he was at loggerheads with fellow businessman and Lowassa-backer, Rostram Aziz.[807] The Lowassa camp, meanwhile, was also active and spending liberally. Referring to campaigns against himself and three colleagues, one pro-Sitta MP insisted he had "credible reports showing that some rich and corrupt individuals have dished out Sh50m in each of the four constituencies so that we don't get re-elected in 2010 general election."[808]

This informal jockeying affected Party disciplinary measures at several levels. First, it undermined the functioning of the CCM parliamentary caucus. One former CCM MP sat in both the 8th (2000-2005) and 9th (2005-2010) Parliaments emphasised the contrast between the two.[809] Whereas under Speaker Msekwa in the 8th "the caucus was functioning very well", during Sitta's time "a lot of regretful things happened." He noted how the "gap between the Speaker and the Prime Minister" affected "the workings of the party caucus", which was "almost dysfunctional". It met irregularly or not at all. Even after Lowassa resigned and was replaced by his successor, "a lot of damage had been done." While serving as Speaker, Sitta criticized the imposition of party discipline as a check on MPs' constitutional "freedom of opinion" and an obstacle to parliamentary reforms.[810] Unlike previous Speakers, he stopped attending CCM caucus meetings, which until his resignation, were chaired by Prime Minister Lowassa.[811]

The caucus aside, more high-level efforts to discipline CCM MPs as well as Sitta himself also failed. During a meeting of the party's National Executive Committee (NEC) in August 2009, CCM MPs were "collectively censured." In the words of the former Speaker and then CCM Vice Chairman, Msekwa, this was "for their failure to make use of their Parliamentary caucus to resolve the apparently purely personal differences among them."[812] During this same meeting, there was also a bruising debate over whether to strip Sitta of his CCM membership, which would lead to him losing the Speakership and his parliamentary seat. It is unclear exactly who was behind the

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805 Ibid.
806 "Battle line for 2010 drawn – Lembeli", *The Guardian*, 9 August 2009. Mengi emerged as a prominent African capitalist in the 1980s, one of the leaders in the new wave of indigenous accumulation.
807 Interview, former CCM cadre and businessman, Dar es Salaam, April 2016.
808 "Battle line for 2010 drawn – Lembeli", *The Guardian*, 9 August 2009.
809 Interview, former MP and high-level CCM cadre, Dar es Salaam, March 2016. Other interviewees made similar points.
810 Sitta et al., 2008: 30.
811 Interview, opposition MP, Dodoma, June 2015.
CCM, *Kanuni za Kamati ya Wabunge Wote wa Chama Cha Mapinduzi* (CCM caucus rules), 16 October 1993.
812 Msekwa, 2012: 121.

calls for Sitta's ouster. The Lowassa faction, which was well represented in the formal Party structures, clearly wanted Sitta out and "was pulling strings through the party leaders".[813] Many veteran CCM cadres, who valued the Party's tradition of discipline and wanted a more subservient *Bunge*, were also highly critical of Sitta.[814] Msekwa was especially scathing, suggesting that Sitta's disregard for party discipline meant he was "seeking to arm Parliament with teeth strong enough to bite the CCM Government!"[815] There is some indication that even the President wanted to discipline the Speaker, who appeared to be at odds with Kikwete due to Sitta's continued efforts to follow up on both the Richmond scandal and a separate case involving the fraudulent diversion of funds for the 2005 presidential campaign.[816]

Ultimately, the attempt to expel Sitta was defeated and, instead, the NEC decided to appoint a team of three CCM "Elders" who were tasked with "reconciling the 'warring' factions."[817] The divisions within the Party thus proved too acute to manage through a formal disciplinary procedure. Far from eliminating the Speaker and halting the reformist drive, the NEC intervention helped reveal the weakness of the ruling party itself. The reactions in the media highlighted this point. The press was alive with speculation about who was behind the motion to expel Sitta, with plenty of rumours about money changing hands.[818] There were also assertions that the Party was trying to "shut the mouths of its MPs" and that the attack on the Speaker "[signalled] serious trouble in a once stable, credible outfit [CCM]."[819] As one journalist noted, with just over a year until the 2010 elections, "the battle for the control of the key political groups within the ruling party is expected to widen as every faction attempts to 'install' a leader of their choice—starting with the election of lawmakers."[820] Sitta, for his part, returned from the NEC meeting to a hero's welcome in his constituency, although party officials were conspicuously absent.[821]

5.2.3.2 The 10th Parliament, the reforms continue

As noted earlier, the reform process that took off during the 9th Parliament continued into the 10th (2010-2015), albeit with more mixed results. This was, in part, because the factional alignment

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[813] Interview, CCM MP, Dodoma, June 2015.
[814] Interview, CCM cadre, Dar es Salaam, March 2016.
[815] Msekwa, 2012: 123.
[816] Interview, former CCM MP, Dar es Salaam, August 2015.
"Revealed: JK's role in Richmond deal", *The Guardian*, 2 August 2009, p 1.
[817] Msekwa, 2012: 123; "CCM yapeleka maumivu kwa wabunge", *Mtanzania*, 19 August 2009.
The committee members included Msekwa himself, former President Mwinyi and Abdulrahman Kinana, later to become Secretary General of CCM.
[818] "I'm still strong – Sitta", *The Guradian*, 23 August 2009.
[819] "CCM yakanusha kubana wabunge", *Mtanzania*, 21 August 2009; Sunday Editorial, "Let's fight corruption, not Speaker Sitta", *The Guardian*, 23 August 2009.
[820] "I'm still strong – Sitta", *The Guradian*, 23 August 2009.
[821] Ibid.

that helped drive change in the 9th Parliament shifted in the 10th. The new Speaker, in particular, was more willing to listen to the party leadership. At the same time, though, she remained invested in the *Bunge*'s unfinished reform agenda, both to strengthen Parliament and to fulfil her own ambitions as Speaker. A cross-section of CCM and Opposition MPs was similarly motivated and, due to the fragmented patronage networks operating within CCM, could still circumvent Party disciplinary efforts when pushing for reforms.

A first successful effort to stymie parliamentary reforms came with the removal of Sitta as Speaker at the start of the 10th Parliament. This intervention, however, was less the result of some pre-planned and coordinated action by CCM leaders and more an eleventh-hour manoeuvre to quell a factional struggle over the Speakership. Shortly after the 2010 elections, thirteen MPs put their names forward for the CCM Speaker nomination, more than doubling the number in 2005.[822] The most high-profile candidates were Sitta and the former Attorney General, Andrew Chenge, whose explicit aim was to block Sitta's return. Chenge was frequently cited as among the pro-Lowassa CCM-*mafisadi* MPs but was also seen as a "diehard within the system" who, irrespective of his factional affiliations, was committed to ensuring the party's internal wrangles remained behind closed doors.[823] When explaining his desire to become Speaker, Chenge lambasted Sitta, insisting, "It is dangerous to allow *Bunge* to be led by a person whose worth can be measured by his skill in smearing others with mud." He promised, by contrast, to "heal the great wounds that have scarred *Bunge* and the Nation, the people and my Party […]".[824] Chenge was himself a highly controversial candidate, though, both due to his apparent affiliation with Lowassa and his alleged involvement in several corruption scandals.[825]

Given that the Sitta-Chenge "battle" threatened to split CCM both in and out of Parliament, the party's Central Committee intervened with a rule change. It declared it was time for a woman to be Speaker and selected three women MPs to be voted on by the CCM parliamentary caucus.[826] This de facto eliminated Sitta and Chenge while the party could claim to have "made history" as Anna Makinda became the first woman Speaker.[827] An MP since the 1970s and Deputy Speaker since 2005, Makinda was doubtless a highly experienced politician. She was also seen as an adherent of the ruling Party's more traditional consensus norms. Kikwete,

[822] Manyerere Jackton, "CCM yaandika historia", *Mtanzania*, 11 November 2010, pp 1 & 2.
[823] Interviews with several CCM MPs and journalists.
[824] Manyerere Jackton, "Chenge amsulubu Samuel Sitta", *Mtanzania*, 8 November 2010, pp 1 & 2. My translation.
[825] Ibid. One Opposition MP labelled Chenge as "probably the most corrupt individual in this Parliament", a reputation that CCM MPs also emphasised.
[826] Interview, CCM activist, Dar es Salaam, August 2015. Several CCM MPs interviewed gave the same explanation for the sudden change in eligibility rules.
[827] Manyerere Jackton, "CCM yaandika historia".

meanwhile, appointed Sitta to Cabinet along with several other prominent "apostles".[828] This outcome was certainly a successful "balancing" effort,[829] eliminating the most immediate and acute threat to party unity; yet borne as it was out of a last-ditch fire-fighting exercise, it also spoke to CCM's continued vulnerability, heralding further upset to come.

Indeed, the first major institutional reforms of the 10th Parliament proved an opportunity for MPs to demonstrate their new-found bargaining power, built on their ability to leverage informal—and even cross-party—clientelist networks. This initial round of reforms came in 2013 with changes to the Standing Orders. As noted in Table 2, these combined seemingly regressive measures concerning Parliament's oversight committees with major changes strengthening its budgetary review powers. I explain the politics surrounding each reform measure in turn.

First, the new rules eliminated the Public Organizations Accounts Committee (POAC), which had been introduced in 2007 under Sitta. The change came after corruption allegations made by POAC in 2012 led to the removal of several ministers and threatened to topple the Prime Minister.[830] Zitto Kabwe, the former POAC Chair and then a member Tanzania's largest opposition party, CHADEMA, argued that "POAC became too powerful" and was "a victim of its own success." [831] He elaborated, "Ministers felt that the committee was becoming even more powerful than Parliament and the Speaker was not managing us properly." Deo Filikunjombe, the POAC Vice Chair and a member of CCM, echoed Zitto's comments, noting that his committee had taken a lead in "firing" ministers and "because [the government] didn't want to be fired, they said, 'Ok, let's change this'" and committed to removing POAC. "So, the aim," he concluded, "was very political."[832]

The attempt to subdue *Bunge*'s oversight committees was not successful, though, at least not in the 10th Parliament. This was, yet again, a result of the fragmented power structure within CCM coupled with Zitto and Filikunjombe's adroit use of their personal networks in the party. Although their assertive chairing of POAC was a major reason for the committee's dissolution, they managed to get themselves reinstated as Chairs of PAC, which they promptly divided into two sub-committees, one of which took on the old POAC mandate.[833] According to Zitto, "nobody expected" this outcome, yet the controversial duo succeeded, they claim, by lobbying both the

[828] Manyerere Jackton, "Baraza hili hapa", *Mtanzania*, 25 November 2010, pp 1 & 2.
[829] Interview, CCM MP, Dar es Salaam, July 2015.
[830] See Chapter 6 for further discussion.
[831] Interview, Zitto Kabwe, Dar es Salaam, April 2016.
[832] Interview, Deo Filikunjombe, Dodoma, May 2015.
In a separate interview, one of the parliamentary Clerks (not for PAC/POAC) acknowledged that "people thought [the dissolution of POAC] was something strange", adding that "it might not [have been] Makinda pushing for it", thereby alluding to extra-parliamentary pressures.
[833] Interview, Zitto, Dar es Salaam, April 2016; Interview, Filikunjombe, Dodoma, May 2015.

Deputy Speaker and Speaker as well as the Government Chief Whip, the Minister in charge of chairing the CCM caucus and various sympathetic CCM MPs. When asked how he and Filikunjombe could wield so much influence, including over Ministers charged with enforcing party discipline, Zitto responded that being a chair of POAC had made him "very influential." He clarified, "No minister will agree to cross me, so me going to them and pleading for something, and they accept was like an investment for them that maybe when they have some problems they could get help or something."

This informal manoeuvring to save POAC was, of course, a temporary fix, leaving parliament's formal institutional strength undoubtedly diminished. By contrast, the changes to the budgetary review process, introduced through the 2013 Standing Orders and later entrenched in the 2015 Budget Act, were of a different order. The factors driving reform were multiple. The idea of changing the budget process was first raised in the 9th Parliament and was thus part of the momentum generated under Samuel Sitta.[834] After taking over from Sitta, Speaker Makinda became a chief proponent of the changes, which were also vigorously supported by committee chairs and rank-and-file parliamentarians.[835] For Makinda, the budget reforms were a central part of her "legacy" and something of which she professed to be "very proud".[836] Although she appeared genuinely committed to legislative strengthening, she also had "ambitions" to return as Speaker according to a personal aid, and this despite plans to retire from electoral politics.[837] As for MPs, they pushed for reforms after "[witnessing] how they were being bulldozed by government."[838] They complained that the budget review calendar left them little room to influence either government revenue plans or expenditure estimates, and even after the budget was passed, government would reallocate funds away from the approved budget.[839] Given the strong motivation of MPs, budgetary reforms became yet another issue where the ruling party appeared to have very little sway over its members. The "tug-of-war" was between parliament and the government whereas within parliament "there was no partisanship".[840] This does not mean it was all smooth sailing, though. As Makinda recalled, "It was difficult to break the ice. […]

[834] Interview, CCM MP and later Chair of the Budget Committee, Festus Limbu, Dar es Salaam, July 2015. Other CCM MPs confirmed this point.
[835] Ibid. See also: Interview with two Clerks of the Budget Committee, Dodoma, June 2015.
[836] Interview, Makinda, Dar es Salaam, March 2016; Interview with Limbu.
[837] Interview, parliamentary official, Dodoma, July 2015.
[838] Interview, Limbu.
[839] Interviews with multiple CCM and opposition MPs.
[840] Interview with a Clerk of the Budget Committee, Dodoma, June 2015; Interview with a Hakielimu activist, Dar es Salaam, May 2015. Interviews with CCM and opposition MPs.

It was a headache!"; she had to meet with the President "many times, more times than ever before in my life."[841]

But Makinda and the rest of parliament remained united in their support for the Budget Act. As with the NAAA, parliament used the provision introduced in the 2007 Standing Orders to prepare a committee bill. Again, as with the NAAA, Government responded by quickly prepared its own Budget Bill. The product was, however, far from satisfactory as the government bill mentioned neither the Budget Committee nor a proposed Parliamentary Budget Office. Makinda recalls how the proponents of reform in parliament threatened government, indicating, "Even if you want your government bill, we will amend the whole thing in the House." Ultimately, the Budget Committee worked with Ministry of Finance to come up with a compromise, which culminated in the passage of the 2015 Budget Act. Despite having to yield on certain issues, the legislation was nevertheless a success for parliament, which incorporated "90 percent" of its reform agenda.[842]

In sum, the reform outcomes in the 10th Parliament, despite their shortcomings, continued the unprecedented process of legislative institutional strengthening initiated in the 9th. Speaker Sitta, along with rank-and-file MPs, used parliament's ascendency to further his own personal political goals. He thereby aggravated tensions within CCM as extra-parliamentary patronage networks became wrapped up in the politics of legislative reform. Although the factional tensions were less acute in the 10th Parliament, Speaker Makinda nevertheless joined a cross-section of CCM and opposition MPs in furthering the reformist drive initiated under her predecessor.

The discussion presented in this section demonstrates how the institutional strength of the Tanzanian Parliament has evolved in line with changes in the ruling party and—more fundamentally—in patterns of accumulation and patronage distribution in Tanzania. When CCM consolidated as a strong "institutionalized coalition" during the *Ujamaa* period of the 1960s and 1970s, *Bunge* declined to the point of becoming a mere "sub-committee" of the Party. Amidst the economic reforms of the 1980s and 1990s, however, the tides turned. Party discipline weakened as rival patronage networks began to consolidate and to compete for control. This process created the space for some incremental reforms to Bunge. However, it was not until the mid-2000s that

[841] Interview, Makinda.

[842] Interview, Clerk to Parliament, Dodoma, June 2015; Interview, Hakielimu activist, Dar es Salaam, May 2015; Interview, Makinda; Interview, Limbu.

the alignment of factional tensions within CCM spurred a major advance in legislative institutionalization.

The relative decline of a party like CCM—and its consequent impact on legislative reform—still leaves room for reversals, as discussed further in the conclusion to this thesis. Such reversals are less likely where the ruling party is a "bargained coalition" as in the Ugandan case, to which I now turn.

5.3 Uganda's Parliament

Whereas the legislature is likely to remain weak under the rule of an "institutionalized coalition", only strengthening when the cohesion and institutional coherence of the ruling party begins to erode, the conditions for legislative strengthening are more propitious under a "bargained coalition". The Ugandan Parliament under the NRM is a case in point. The institutionally weak and fractious nature of the NRM both before and after the 2005 multiparty transition has allowed reformist MPs and parliamentary leaders to drive a legislative strengthening process while undercutting efforts by the executive to clip parliament's wings. This is not to say that the Ugandan Parliament has resisted all presidential interventions, or that it has grown into the model of a strong legislature. Rather, its strength is relative to that of its neighbours and, moreover, is subject to repeated rounds of intra-elite bargaining. President Museveni wins some rounds, undoing legislative gains, but he has repeatedly failed in his efforts to roll-back key institutional reforms.

Two further clarifications are in order. First, there are questions of electoral *timing* that help explain the dynamics of intra-elite bargaining, or more specifically, when and why MPs acquiesce to executive pressure. In the run-up to elections, as legislators contemplate expensive re-election campaigns, they are more likely to trade support for an executive agenda in exchange for financial or other rewards from the President. While alluded to here, this matter of timing is discussed further in the next chapter.

Second, to understand parliament's institutional trajectory under the NRM, it is important to recognise how Movement leaders' early quest for legitimacy helped motivate their promise of more progressive constitutional reform. This promise ultimately gave rise to the 1995 Constitution, which awarded unprecedented powers to the legislature. While we should not disregard the significance of these early constitutional gains, protecting legislative powers against subsequent executive challenges was only possible given the fractious internal make-up of the NRM.

I now examine the institutional trajectory of Parliament under the NRM in four parts. Building on the above point about regime legitimacy, I begin by explaining the NRM leadership's early support for—or at least tolerance of—a stronger legislature. I then consider how MPs in the

6th Parliament, the first elected after the enactment of the 1995 Constitution, further strengthened the legislature. Third, I consider the repeated efforts by the executive to tame parliament, particularly around the 2005 multiparty transition. Finally, I indicate how and why MPs have continued to bargain with the President, sometimes ceding but often resisting executive pressures to limit parliament's institutional strength.

5.3.1 Parliament and the promise of "fundamental change"

The NRM remained in a precarious position politically after seizing power in 1986.[843] One of the chief strategies to secure broad support involved denouncing the abuses of past regimes while promising a new, more democratic institutional order. The 1995 Constitution was part of that commitment. Although NRM leaders did manipulate the constitution-making process to serve their interests, they allowed for provisions granting the legislature unprecedented powers, something they would come to regret.

Pre-1986, the history of Uganda's Parliament was a troubled one.[844] Indeed, the legislature was at the heart of the 1966 constitutional crisis, which inaugurated Uganda's descent into authoritarian and military rule. Shortly after Independence in 1962, the alliance between Prime Minister Milton Obote's Uganda People's Congress (UPC) and the Buganda royalist Kabaka Yeka party broke down. Meanwhile, the UPC was itself increasingly consumed by factional infighting. In early 1966, mounting frustration with Obote's rule reached Parliament where all but one MP voted in favour of a motion to suspend then Colonel Idi Amin on suspicion of smuggling gold.[845] The motion implicated Obote as well, thereby prompting a swift and devastating response. Obote arrested five Cabinet ministers, declared himself Executive President, promoted Amin to Army Commander, and suspending the 1962 Constitution. A few months later in April, he introduced a new constitution in Parliament and, in May, placed Amin in charge of fighting the "battle of Buganda", which saw the Kabaka—the King—flee into exile. The following year, another constitution was introduced, one which gave extensive powers to the President, now Obote himself.[846] This new arrangement did not last long, though. In 1971, Amin orchestrated a coup against Obote, having fallen out with his erstwhile ally. He then abolished the legislature altogether

Invoking this turbulent history, Museveni promised "fundamental change" during his swearing in speech as President of Uganda in 1986. With Legal Notice No. 1, the newly formed

[843] See Chapter 3.
[844] Mutibwa, 1992; Low, 1988; Jorgensen, 1981.
[845] Mutibwa, 1992: 33-34; Young, 1966.
[846] Mutibwa: 37-41 & 58-61; Low, 1988: 42-3.

NRM government immediately suspended parts of the 1967 constitution, including sections providing for the composition and powers of Parliament.[847] It also instituted the "movement" or no-party system, which involved a ban on all party activities, as part of a "transitional" arrangement. This was pending the adoption of a new constitution, the formal preparation of which began with the creation of a constitutional commission in 1988.[848]

While the constitution-making process was to prove relatively inclusive and progressive, the NRM leadership used the intervening years to consolidate its hold on power, including by retaining control over what served as an interim legislature. Following Legal Notice No. 1, the National Resistance Council (NRC) became Uganda's legislative body.[849] Created in 1981 to organise civilian committees during the bush war, the NRC was in 1986 composed of between 22 and 38 former guerrilla commanders and the Chairman—the equivalent of the Speaker—was none other than Museveni himself.[850] The following year, the NRC grew to 80-98 members and, in 1989, expanded again following indirect elections.[851] While relatively free, these elections were nevertheless orchestrated so as to make it difficult for either UPC or DP-leaning candidates to perform well.[852] An NRM-sympathising majority was thus retained within the NRC, further reinforced by the still large proportion of "historicals" (i.e. former rebels) and presidential nominees.[853]

This is not to say the NRC was an insignificant institution, a mere rubber stamp. In a harbinger of what was to come, the post-1989 NRC proved a lively body, providing a space for "groups and individuals to propagate their competing hidden political agendas, for political bargaining, for access to political and material rewards and for the advancement of particularistic interests."[854] These factional tensions also affected substantive policy outcomes, challenging the executive. The NRC, for instance, forced a pause in the ongoing privatization process in 1993 on grounds that government was unfairly favouring foreign investors over indigenous entrepreneurs. It also saw the first key institutional innovations, including the creation of new committees to ensure a more efficient and thoroughgoing review of government legislation.[855]

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[847] Mukholi, 1995: 25.
[848] Kasfir, 1995: 15.
[849] Mukholi, 1995: 25.
[850] Museveni, 1997: 135-7; Carbone, 2008: 157.
[851] Carbone, 2008: 157.
[852] See Chapter 3.
[853] Kasfir, 1991; Mudoola, 1991.
[854] Mudoola, 1991: 236.
[855] Tukahebwa, 1998: 65. See also: Twebaze, 2014; Kasfir and Twebaze, 2009; The Interim Rules of Procedure for the NRC of Uganda.

Yet while the NRC was no rubber stamp, it was still viewed by many as a "discredited" legislative body, and certainly not one with the requisite legitimacy to debate and approve Uganda's new constitution.[856] As such, legislation was passed in 1993 to allow for the creation of a directly elected Constituent Assembly (CA), and the following year, elections for the CA were held. By this time, though, the NRM could be sure of a majority, and indeed, after Movement-supporting candidates captured over two-thirds of all seats, Museveni notoriously celebrated having "won" the election, notoriously because officially there was no party competition.

The CA convened later in 1994 and spent 18 months debating and approving the draft Constitution, which had been prepared by the Constitutional Commission following several years of nation-wide consultations. As noted earlier, the framing narrative was that the new constitution should correct for previous transgressions, notably by creating a strong legislature.[857] As the Chairman of the Constitutional Commission later asserted when addressing a seminar of parliamentarians, "It is now generally accepted that the 1995 Constitution was made to correct the mistakes of the past, to redefine Uganda, and to restore constitutional rule based on democracy and respect for human rights."[858] He then added, "We have therefore sought to strengthen the powers of Parliament as the supreme legislative body […]." During the proceedings of the CA, NRM leaders appeared to be broadly on board with this agenda, so long as the ban on political parties was preserved. As one former CA delegate recalled, "Surprisingly, Museveni kept a very low profile during the CA. […] There was a critical issue [preserving the Movement system] for debate and I recall those who were leaning towards no-party system were called into a caucus and addressed by Mbabazi, so that we have a consensus on that issue. Apart from that, Museveni himself never came there."[859]

The upshot of this balancing effort was that the Movement system was enshrined in the 1995 Constitution, an outcome that critics denounced as a move towards a one-party state.[860] At the same time, though, the Constitution greatly expanded the powers of the legislature, which included the ability to vet ministers prior to their appointment and to censure them in case of malpractice.[861] It also catered for the institutional make-up of Parliament, stipulating that the Speaker would be elected by all MPs, that committee chairpersons would be elected by the

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[856] *Hansard*, 20 April 1993; Mukholi, 1995: 35-6. The creation of a newly elected CA was also in keeping with the recommendations of the Constitutional Commission (Wapakhabulo, 2001: 118).
[857] See, for example: Odoki, 2005; Njuba, 1991.
[858] Odoki, 1997. Paper delivered at a seminar for parliamentarians.
[859] Interview, Wandera Ogalo, Kampala, December 2014. Wandera Ogalo was a member of the Constituent Assembly committee tasked with reviewing provisions relating to the powers of the executive, legislature and judiciary. As such, he asserts he would recall if the President had intervened to weaken the legislature.
[860] Oloka-Onyango, 2000.
[861] See Chapter VI of the 1995 Constitution.

committee members, and that legislators themselves would be voted in the basis of universal adult suffrage, except for those representing special interest groups.[862] Parliament was also given powers to determine important aspects of its budget, including the pay of MPs. Together these provisions helped ensure the "coherence" or "boundedness" of the legislature, safeguarding against executive incursions. The Constitution also catered for Parliament's institutional "complexity" by providing for standing and sessional committees and specifying their powers, including the power to summon witnesses and demand information from government.

In sum, while the NRM was still working to build up its legitimacy, Museveni and his inner circle maintained their narrative of "fundamental change". They therefore limited their efforts to intervene in the constitution-making process, only insisting on the institution of the Movement system. In this way, they allowed for a constitutionally empowered legislature to emerge.

5.3.2 Parliament asserts itself

The first Parliament to convene after the adoption of the 1995 Constitution saw through additional institutional changes, which on balance further strengthened the legislature. These reforms came about thanks to the efforts of a select few reform-minded MPs, who were able to mobilise their colleagues given the lack of formal party discipline. They also appealed to rank-and-file MPs' personal—and notably financial—interests as would-be local patrons.

The first major institutional change in the 6th Parliament (1996-2001) was a step back for the legislature. Shortly after Parliament was sworn in, President Museveni sought approval to increase the number of ministers from the maximum of 21 set in the Constitution. As MPs had a personal interest in the proposal, it was passed "without any serious debate" and at a speed that caused much public outcry.[863] Museveni was later to use the allocation of ministerial portfolios to swell the ranks of the front bench, to silence more vocal MPs and to encourage others to follow the government line in hopes of winning a seat in Cabinet.[864] As such, this change was a score for the executive, supplying Museveni with a new tool with which to tame the legislature. Regarding the decision of MPs to go along with the change, it shows that legislators' efforts to bargain with the executive can strengthen Parliament but also weaken it, depending notably on what institutional configuration best caters to MPs' interests.

[862] The new constitution provided for representation of special interest groups, including a woman MP per district, 10 army MPs, and workers MPs, among others. These representatives were elected by electoral colleges. Given the close ties between these colleges and the Movement, some Constituent Assembly delegates feared meant they would be biased in favour of the NRM.
[863] Waliggo, 2001:65.
[864] Kasfir and Twebaze, 2009; Carbone, 2008; Interviews with MPs and parliamentary staff.

During the 6th Parliament, though, institutional changes mostly served to strengthen the legislature. Of particular note were the Administration of Parliament Act (1997) and the Budget Act (2001). These two pieces of legislation are roughly equivalent to Tanzania's National Assembly Administration Act (2008) and Budget Act (2015), for which they in fact served as a model.[865] Uganda's Administration of Parliament Act (APA) instituted the Parliamentary Commission responsible for overseeing the institutional development of the legislature. It also catered for the fiscal autonomy of Parliament, as called for in the Constitution. Finally, it created the parliamentary service, which meant staff recruitment and salaries were determined separately from the rest of the civil service, and allowed for additional control by MPs over their own salaries and emoluments.[866]

The Budget Act (2001), meanwhile, established the Budget Office and the Budget Committee, which among other tasks, reviewed and synthesised proposed budgetary amendments from sessional committees, thereby easing their passage in the House.[867] The Act also required government to share with Parliament more information about the budget and in a timelier manner. Finally, it stipulated that any supplementary budgets whose value exceeded three percent of the total budget would require prior approval by Parliament.[868]

Together these reforms greatly enhanced both the institutional "coherence" and "complexity" of the legislature. Parliament's newfound financial autonomy bolstered its overall independence from the executive; certainly, it could no longer be described as "more or less an administrative department of the government."[869] The Budget Act, meanwhile, ensured more effective oversight, especially through the introduction of the powerful Budget Committee.[870]

As suggested above, the lack of formal party discipline and MPs' constituency concerns were both crucial in explaining these reforms. First, both the APA and Budget Act started as private member's bills, fronted by reform-minded MPs.[871] By contrast, recall that in Tanzania's *Bunge*, with its history of strong party discipline, no private member's bill has ever been passed, and only in the mid-2000s did MPs first challenge government with committee bills. Leaving aside the initiative of Uganda's reformist MPs, though, the APA and Budget Act also won the enthusiastic

865 Interview, Limbu, Dar es Salaam, July 2015; Interview, staff member of the Tanzanian Parliament, Dodoma, July 2015.
866 Administration of Parliament Act, 2005; Nakamura and Johnson, 2003: 9.
867 The Budget Act (2001).
868 Budget act (2001); Kasfir and Twebaze, 2009: 81-3.
869 Nakamura and Jonson (2003: 10) citing Ogalo, the MP responsible for tabling the Administration of parliament bill.
870 Kasfir and Twebaze, 2009. Interview, staff from the Parliamentary Budget Office, Kampala, February 2015.
871 Kasfir and Twebaze, 2009; Carbone, 2008; Nakamura and Johnson, 2003.

backing of a cross-section of MPs who hoped to further their personal and political ambitions and were willing to ignore government directives in the process. Indeed, shortly after the APA was enacted, parliamentarians increased their salaries despite ministerial objections.[872] The two principal backers of the Budget Act, meanwhile, both felt that the popularity of their proposed reforms was due to the "opportunity the bill provided for all MPs to influence the budget for the benefit of their own constituencies."[873]

A similar combination of factors, lack of formal party constraints and constituency pressures, led to new forms of informal political coordination, notably the formation of rival caucuses. Among the most prominent of these groupings was the Young Parliamentary Association (YPA). It was formed in 1997 by a mix of Movement-leaning and pro-multiparty parliamentarians, initially with the aim of supporting MPs' constituency development efforts.[874] As one former member recalled, its first actions were "very innocent" with members agreeing, "Let's try to do what we can as a group, let's go for a fundraising [*sic*]."[875] This constituency service objective was incorporated into the YPA Constitution, which including among its aims "liaising in matters of mutual concern especially development". [876] It also listed amongst the group's executive officers a "Development Coordinator" responsible for initiating projects and advising on potential sponsors. The YPA's development focus proved very popular and led, according to one former member, to over 100 MPs joining the group.[877] "There were very many members", another former YPA adherent stressed, "and every weekend all of them would be in one constituency mobilising people."[878] YPA also helped MPs organise for the next elections, forming a joint saving scheme to help fund the 2001 race.[879]

Over time, though, YPA became about more than constituency projects; it developed into a platform for pursuing a legislative strengthening agenda, alongside other, often controversial legislative activities.[880] The mover of the private member's bill that became the APA, for instance, was a member of YPA and used his connections through the group to help galvanize support.[881] Perhaps the most memorable activity spearheaded by YPA members, though, involved mobilising

[872] Nakamura and Johnson, 2003: 11-12.
[873] Kasfir and Twebaze, 2009: 82.
[874] See, "The Constitution of Young Parliamentary Association", 1997; Kasfir and Twebaze, 2009; Carbone, 2008.
[875] Interview, Wacha, Kampala, January 2015.
[876] "The Constitution of Young Parliamentary Association", 1997.
[877] Interview, Wacha, Kampala, January 2015. The YPA Constitution lists 86.
[878] Interview, Ogalo, Kampala, December 2014.
[879] Ibid; Kasfir and Twebaze, 2009: 102.
[880] Interview, Wacha; Kasfir and Twebaze, 2009; Carbone, 2008.
[881] Interview, Ogalo, Kampala, December 2014.

to censure government ministers on suspicion of corruption.[882] The avowedly non-partisan, development-oriented objectives espoused by the group's members helped motivate this anti-corruption drive. The caucus also provided the organisational infrastructure to see it through,[883] although as discussed further in the next chapter, factional rivalries helped further invigorate the censure effort. While these divisions did not feed directly into legislative institutional reforms in the 6th Parliament, they did affect Parliament's activity, thereby hinting at the disruptive consequences of Movement factionalism for executive-legislative relations.

To reiterate, institutional changes in the 6th Parliament—most of which served to strengthen the legislature—were largely dependent on MPs' informal organising around both constituency and legislative concerns and in the absence of formal party structures either inside or out of Parliament. MPs' responsibility for their own campaign spending, and their efforts to organise along those lines, were especially significant, and as described in the previous chapters, directly related to the structure of patronage and (lack of) party-building within the NRM. Factional tensions between rival big wigs were also important in shaping legislative activity, if not the legislative institutional reform agenda.

5.3.3 The executive backlash

It did not take long for President Museveni and his Ministers to try and tame what had become an unexpectedly unruly parliament, thereby reversing their initial, more permissive stance. These disciplinary efforts began during the 6th Parliament and lasting through to the post-2005 period. They involved, first, the use of informal pressures to enforce de facto party discipline. Later, NRM leaders also sought to introduce more formal checks both within the NRM and in the legislature itself.

The executive's surprise and frustration at parliament's oppositional attitude became apparent soon after the 6th Parliament convened. A few years in, President Museveni insisted that he must be allowed to implement the "contract" he had signed with the electorate, which he warned "some groups" were trying to "frustrate".[884] Alluding to the various groups that he had been "fighting", Museveni lamented, "[…] now there are MPs. How many wars shall I fight?"[885]

Museveni's first attempts to shore up his parliamentary majority involved strengthening the Movement Caucus (MC), which emerged alongside the YPA. As one former member of both the MC and YPA recalled, the YPA was the more formal of the two as it had its own executive

[882] Kasfir and Twebaze, 2009; Carbone, 2009.
[883] Interview, Wacha, Kampala, January 2015; Tamale, 1999.
[884] Citing a 1999 Monitor article, Carbone, 2005: 9.
[885] Ibid.

committee and constitution.[886] But Museveni attempted to compensate for what the MC lacked in formality through informal means. There were, for instance, routine allegations that MPs from the MC receiving bribes to vote with the Government on controversial issues. The President also intervened in the selection of Caucus leaders, appointing several ministers in a bid to make the positions more attractive.[887] Leaving aside the MC, some YPA members were also appointed to a rapidly growing Cabinet in a similar effort to co-opt and silence them.[888] Come the 2001 elections, a new set of informal pressures—both financial and coercive—were deployed to "de-campaign" oppositional MPs, whose numbers were thus reduced in the 7th Parliament (2001-2006).[889] Meanwhile, those who remained and tried to reinstate the YPA were "fought". As one former member recalled, "When we were holding elections for the executive, [a group of Museveni supporters] swarmed the room and elected themselves. […] So they took positions, put the people they wanted and destroyed us."[890]

These ad hoc efforts to discipline parliamentarians were nevertheless far from satisfactory, and NRM leaders soon started to emphasise the value of more formal party discipline . As one Minister asserted, "The absence of a whip means you can't count on an MP's vote."[891] Museveni himself was quick to identify the problem, and to renege on his former ideological commitments to a Movement system in all but name. Thus in 1999, he affirmed that "all MPs were elected either on a pro-Movement platform or a Multipartyist one," adding, "Even if there are no parties in Uganda in the strict sense of the word, those MPs who came through the Movement ticket must remember that their primary loyalty is to the movement and Parliament is secondary."[892]

However, tired of informal pressures and exhortations, NRM leaders embraced a return to multiparty politics, and this notably to *strengthen the NRM's hold over Parliament.* Shortly after the 2001 elections, the NRM National Executive Committee (NEC) established an ad hoc committee to consider the merits of a multiparty transition. When the committee report was debated by the Central Executive Committee and NEC in 2003, the top Movement organs followed Museveni's lead in voting for the ban on party activity to be lifted. There were, admittedly, multiple factors informing this decision, including donor pressure.[893] Press coverage of the NEC deliberations nevertheless underscored the President's emphasis on the *internal* politics of the

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[886] Interview, Ogalo, Kampala, December 2014.
[887] Kasfir and Twebaze, 2009: 95.
[888] Interview, Wacha, Kampala, January 2015.
[889] See Chapter 2.
[890] Interview, Wacha, Kampala, January 2015.
[891] Cited in Kasfir and Twebaze, 2009: 95. Carbone, 2008.
[892] Cited in Kasfir and Twebaze, 2008: 95.
[893] Makara et al., 2009.

Movement.[894] Museveni referenced the tendency for factional tensions to surface in Parliament and lamented the NRM's inability to oversee a smooth candidate selection process, as indicated during the chaotic 2001 campaigns. The report of the ad hoc committee also stressed that a multiparty transition would provide an opportunity to strengthen NRM discipline, the aim being, again, to keep factional infighting out of Parliament.[895]

In addition to party reforms, President Museveni also aimed to amend the 1995 Constitution, and this both to prepare for a multiparty transition and, crucially, to review the balance of powers between the executive and legislature.[896] A new Constitutional Review Commission (CRC), appointed during the 2001 presidential campaign and without an Act of Parliament, was at first seen as merely a tactical manoeuvre, an effort " [to pull] the rug from under the feet of another presidential candidate, Dr. Kizza Besigye, who had proposed major constitutional amendments once elected president."[897] Yet the constitutional review process was later manipulated to ensure the executive got what it wanted. Indeed, once the Commission's report was tabled, Cabinet responded by dismissing many of its recommendations and instead issuing a White Paper outlining "Government proposals not addressed by the report [of the CRC].[898] These proposals contradicted the CRC report on several important points, including by recommending that the President be granted powers to dissolve Parliament. Another primary focus of the constitutional reform process was the lifting of presidential term limits, which promised to further centralise power in Museveni's hands.

In sum, the NRM leadership, frustrated by an unexpectedly oppositional Parliament and the difficulty of imposing discipline through informal means, sought to bolster its powers by introducing more formal executive and party checks on legislative autonomy. These efforts were nevertheless to prove only partially successful.

5.3.4 The tug-of-war continues

The package of reforms accompanying the 2005 multiparty transition did weaken the legislature, yet the overriding impression is one of continuity rather than change. As in, reforms continued to be subject to the vagaries of elite contestation and executive-legislative bargaining. Parliament

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[894] Ssemujju, Ibrahim. "President Museveni has a new vision for Uganda", *The Daily Monitor*, 28 March 2003, pp 8-9.
[895] "NEC might agree to parties and then grant a third term", *The Daily Monitor*, 26 March 2003.
[896] "The Report of the Commission of Inquiry (Constitutional Review): Findings and Recommendations", 10 December 2003. See, in particular, the Terms of Reference.
[897] "Cabinet to veto Ssempebwa Report", *The Daily Monitor*, 22 August 2003.
[898] Ibid; "Government White Paper on: (1) The Report of the Commission of Inquiry (Constitutional Review); (2) Government Proposals not addressed by the report of the Commission of Inquiry (Constitutional Review)", 2004.

lost some of its institutional advantages, but the fractious internal politics of the NRM meant that it preserved or even gained others.

In the foregoing discussion, I first review how legislators have at times ceded to and at other time pushed back against executive efforts to undermine parliament's institutional strength. I then explain *why* this resistance has endured, highlighting how informal patronage networks continue to fuel elite rivalries, undermining Party discipline and exacerbating executive-legislative tensions.

5.3.4.1 Institutional continuity

First, the executive used Uganda's multiparty reforms to chip away at the legislature's institutional defences. MPs ultimately gave in to Museveni's push to remove presidential term limits, each pocketing a Shs5m (£1.6k) reward in exchange and just as re-election campaigns were heating up. NRM leaders also engineered the constitutional review process to ensure parallel changes to the Administration of Parliament Act and the parliamentary Rules of Procedure.[899] While the aim was ostensibly to accommodate political parties—including opposition parties—in Parliament, the net effect was to empower NRM leaders to intervene more directly in legislative affairs. For instance, the new legislation empowered party whips to select the membership of parliamentary committees while the Government Chief Whip chose who should serve as committee chairs.[900] This top-down selection was a radical departure from the previous norm, which let MPs choose their committees on a first-come-first-serve basis while chairpersons were elected by committee members from amongst their number.[901] By giving more powers to party whips, and particularly the Government Chief Whip who is a presidential appointee and sits on Cabinet, the new parliamentary rules weakened the institutional boundaries separating parliament from the ruling party.

Not all pre-transition efforts to strengthen the executive were successful, however. The government's attempts to grant the President the power to dissolve Parliament, for instance, were initially opposed within the NRM itself and subsequently voted down in Parliament.[902] The NRM leadership also struggled to enforce party discipline immediately post-transition, prompting President Museveni and his Ministers to intervene.[903] In a written statement sent to members of

[899] Interview, Ogenga-Latigo, former Leader of the Opposition (2006-2011), Kampala, December 2014.
[900] "Rules of Procedure of the Parliament of Uganda", 14 June 2006. The only exception being the chairs of oversight committees, who come from the opposition.
[901] "Rules of Procedure of the Parliament of Uganda", 6th & 7th Parliaments. See also
[902] Ssemujju, Ibrahim. "NEC proposes 3rd term for Museveni – delegates confused over parties' fate", *The Daily Monitor*, 29 March 2003.
Kasfir and Twebaze, 2009: 95.
[903] "Don't criticise the government in House, Museveni warns Movt MPs", *The Daily Monitor*, 20 July 2006.

the NRM parliamentary caucus in July 2006, Museveni declared, “If you are a Movement MP or a pro-Movement independent, you should not engage in altercations with ministers in Parliament.”[904] He clarified, “You should instead raise the concerned issues in the Movement Caucus which must always be attended by all ministers.” This message was not well received by some NRM MPs, many of whom “had assumed that [contradicting ministers during debates] was precisely why they were in Parliament.”[905]

This early disagreement heralded more trouble to come. Indeed, the efforts to enforce formal disciplinary measures remained contested throughout the 8th Parliament (2006-2011). As one veteran MP recalled, he was summoned to the appear before the NRM Disciplinary Committee for tabling a private member’s bill without the consent of the NRM Caucus. When he refused to go and appealed to the Constitutional Court, arguing that he was within his constitutional rights as an MP, the NRM leadership dropped the matter.[906] This is not to say that NRM leaders failed to subdue their MPs; many legislators and critical observers saw the NRM party caucus as achieving exactly that end.[907] But the disciplinary strategies used by the executive, largely informal and patronage-based, were not so different—nor were they significantly more effective—than those deployed pre-2005.

NRM leaders’ continued difficulty in using formal disciplinary tools only grew more acute in the 9th Parliament (2011-2016) as a new crop of “young Turks” began to challenge the NRM Whip, aided by a seemingly more independent Speaker.[908] Shortly after Parliament convened, NRM legislators criticised Museveni’s appointment of a new Chief Whip, John Nasasira, taking aim at his plans for a “Code of Conduct” to ensure MPs toe the party line.[909] Despite executive efforts to head off a simmering rebellion, the 9th Parliament only grew more assertive, prompting many to compare it to the oft-celebrated 6th (1996-2001).[910] These executive-legislative tensions culminated in an unprecedented move by the NRM leadership to expel four “rebel” MPs from the Party. Yet even this disciplinary attempt was partially undermined when the Speaker of Parliament, Rebecca Kadaga, refused to eject the four MPs from the House. The expelled MPs

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“Mwesigye warns undisciplined NRM leaders”, *The Daily Monitor*, 2 August 2006.

[904] “Don’t criticise the government in House, Museveni warns Movt MPs”, *The Daily Monitor*, 20 July 2006.

[905] “Clarify MPs’ roles under multiparty”, *The Daily Monitor*, 28 July 2006.

[906] Interview, Lyomoki, Kampala, February 2015.

[907] Statements to this effect, and particularly denunciations of the NRM Caucus retreats at the Kyankwanzi National Leadership Institute, were common in interviews with both NRM and opposition MPs as well as with journalists and other observers.

[908] Sserunjogi, Eriasa, “Power slipping away from Museveni in the NRM”, *The Independent*, 20 July to 4 August 2011, 10-13.
Lumu, David. “MPs to Museveni: You are one of Uganda’s problems”, *The Observer*, 18-21 August 2011, 3.
Imaka, Isaac. “MPs prove heavy for Museveni to swing”, *The Sunday Monitor*, 28 August 2011, 9 & 16-17.

[909] Sserunjogi, 2011.

[910] These executive-legislative clashes are discussed in the next chapter.

went on to fight a legal battle against the NRM, which they ultimately won. In a further ironic twist, President Museveni starting to court them, trying to win their support ahead of the 2016 elections. With an overall rate of legislative turnover exceeding 60 percent, it is telling that all four MPs made it back to the 10th Parliament (2016-2021), and two of them *on an NRM ticket*. What is more, they very quickly reverted to their old ways of making trouble for the President.[911]

Besides successfully evading formal disciplinary measures, MPs have also worked to secure several institutional gains since the 2005 transition. In the 2006 elections, women district representatives, who constituted a growing proportion of legislators due to the multiplication of districts, were for the first time directly elected through universal adult suffrage instead of Movement-based electoral colleges.[912] This change increased the "boundedness" of the legislature. Since then, other gains have included the introduction of new committees to improve scrutiny of government activities, enhancing the "complexity" of the legislature. For instance, in the 8th Parliament, the committee with the unenviable task of covering health, education, sport, gender, labour and social development was split in two, with the Social Services Committee taking on health, education and sport while a separate committee oversaw gender, labour and social development.[913] In the 9th Parliament, MPs again pushed to divide the Social Services Committee, this time splitting it into a committee on health and another on education and sports.[914]

Efforts to strengthen parliament aside, the legislature has had to go on the defensive, protecting its institutional gains from further executive attack. A key example is the prolonged tug-of-war over reforms to the budgetary review process. In 2012, government tabled the Public Finance Bill (PFB), which ostensibly aimed to address gaps in existing legislation and thereby improve fiscal policy, macroeconomic management and accountability.[915] The Bill, however, met with a wave of criticism. Parliamentarians were especially concerned that the PFB would repeal and replace the Budget Act (2001), which many credited with arming the legislature to effectively oversee government spending. The PFB, moreover, contained no provisions safeguarding the Parliamentary Budget Office or the Budget Committee, both essential innovations of the Budget Act.

The powerful push-back from legislators ultimately succeeded in transforming the PFB. Speaker Kadaga led the initial charge. A member of the 6th Parliament (1996-2001), Kadaga

[911] Accessed 15 December 2017: http://observer.ug/news/headlines/54950-bullish-anti-age-limit-mps-will-not-be-intimidated.html
[912] Wang and Yoon, 2018: 301 & 321.
[913] "Rules of Procedure of the Parliament of Uganda", 2006.
[914] "Rules of Procedure of the Parliament of Uganda", 2012. Interview, former Chairperson of the Education Committee, Kampala, February 2015.
[915] For a more complete account of the bills aims, see Public Finance Bill (2012).

recalled, "The Budget Act was a private member's Bill." She then warned, "Government wants to remove it so that we do not know what they are bringing in the final budget", thereby returning Parliament to its erstwhile status as a "rubber stamp".[916] Legislators quickly rallied behind Kadaga, and the government began to give ground.[917] In May 2013, the Finance Minister addressed a letter to the Chairperson of the Committee on Finance detailing a total of 55 amendments to the PFB, which was henceforth rechristened the Public Finance Management Bill (PFMB), 2012.[918] The Minister indicated that the changes were motivated by the "extensive consultations with stakeholders including Honourable members of Parliament".[919] MPs were not satisfied, though, with the Chairperson of the Budget Committee threatening to withhold his support unless the Finance Minister showed "line by line" that the Budget Act was fully preserved in the new legislation.[920] The final committee report on the PFMB, drafted in April 2014 following more negotiations with government, kept up the pressure. The report affirmed that "Parliament should be the appropriate locus of overall financial accountability", adding, "Its role should be to approve actions rather than to rubber-stamp decisions already taken." [921]

When Parliament finally passed the PFMB in November 2014, it had largely won the battle with government and even enhanced its own powers. Reflecting on the PRMB review process, one long-time parliamentary staffer working with the Budget Office remarked:

> "There is no other law that has received more vigorous scrutiny than that in the 12 years I have been in Parliament. Workshops after workshops, sessions after sessions, revisions after revisions, so many revisions. […] Eighty percent of the original bill was changed. So, we did some work, and our efforts I think payed off as the Budget Act, which is at the heart of Parliament, was not repealed."[922]

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[916] Article accessed 4 November 2017: http://www.monitor.co.ug/News/National/Kadaga-mobilises-MPs-against-plan-shutting-House-on-budget/688334-1518446-a7tq37/index.html
Article accessed 4 November 2017: http://www.monitor.co.ug/Magazines/PeoplePower/Changing-Budget-Act-would-mean---/689844-1721636-t4eeog/index.html

[917] Article accessed 4 November 2017: http://www.monitor.co.ug/News/National/MPs-support-Kadaga-in-bid-to-reject-Bill/688334-1636610-iptea/index.html
The bill was reviewed by a tri-partite committee composed of the Finance, Budget and Natural Resources Committees.

[918] "Amendments to the Public Finance Bill, 2012", 21 May 2013. Letter from Minister of Finance, Maria Kiwanuka, to the Chairperson of the Sectoral Committee on Finance, Parliament of Uganda.

[919] Ibid.

[920] Article accessed 4 November 2017: http://www.monitor.co.ug/News/National/Drama-as-MPs-fight-over-Finance-Bill/688334-2079822-15et15u/index.html

[921] Report, 12-3.

[922] Interview, member of Parliament staff, Kampala, January 2015. By "not repealed", he meant that its key provisions were preserved within the PFMB.

In effect, the legislature had succeeded—with help from several advocacy organisation—in making the PFMB arguably "one of the best pieces of legislation enacted by the 9th Parliament."[923]

That was not, however, the end of the story. The PFMB is an example both of Parliament's strength and its vulnerability. Less than six months after the President assented to the new legislation, a Public Finance Management (Amendment) Bill was tabled, seeking to ease many of the checks placed on government borrowing and expenditure. After the Finance Committee initially resisted the changes,[924] Parliament eventually passed the amended legislation in November 2015, thereby acquiescing to several provisions that it had been resisting for—by that stage—years.[925] Even so, it held out on others, and the budgeting process laid out in the original PFMA and carried over from the Budget Act was mostly preserved.[926] Crucially, both the Budget Committee and the Parliamentary Budget Office stayed as before.

In sum, although Parliament lost some of its erstwhile institutional strength post-2005, NRM MPs still resisted formal party disciplinary measures while successfully—if inconsistently—challenging executive attempts to further erode legislative strength. The question then is, why?

5.3.4.2 Explaining parliament's enduring institutional strength

Parliament's institutional staying power stems from the Movement legacy, which despite NRM leaders' best efforts, has endured. This legacy manifests in several ways, including: (a) individual NRM MPs' continued ideological resistance to party discipline, bolstered by the ongoing need to finance their own election campaigns; (b) the intensity of factional tensions within the NRM, riven as it is by competing patron-client networks; and (c) the desire of both MPs' and parliamentary leaders to use parliament as a platform to achieve their personal political ambitions. I address each of these in turn.

First, early resistance to the very idea of transforming the NRM into a political party signalled the ideological hold of the no-party arrangement over Movement stalwarts.[927] Responding to doubtful NRM cadres, Museveni sent a series of mixed messages. He called for more discipline while claiming that the NRM would remain "multi-ideological", the main objective being to allow for the departure of the multi-party sympathisers who were "spoiling our name"

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[923] Wamajji, Reagan. "A commendable job by Parliament's Finance Committee on the Public Finance Management (Amendment) Bill", *Parliament Watch*.
[924] Ibid.
[925] Wamajji, Reagan. "Five things we learnt from the passing of the Public Finance (Amendment) Bill, 2015", *Parliament Watch*.
[926] Mugoya, Musa. "Public Finance Management Act (PFMA) simplified the work of the tax man", *Parliament Watch*.
[927] Ssemujju, Ibrahim. "NEC proposes 3rd term for Museveni – delegates confused over parties' fate", *The Daily Monitor*, 29 March 2003.

and "diluting us".[928] The decision to register the Movement as the NRM-Organization (NRM-O), rather than Party, was a further mark of this compromise, or fudge.[929] Post-2005, many NRM MPs still expressed nostalgia for the no-party system, lamenting the new restrictions on open debate. They consequently justified instances of legislative opposition to the executive by using the old language of a "multi-ideological" movement organisation committed to the principle of "individual merit" and legislative "independence".[930]

Looking beyond ideology, however, the continued relevance of the "individual merit" concept—and MPs' associated commitment to parliamentary autonomy—is itself linked to the internal composition of the NRM. The Party's failure either to centralise campaign finance or to manage bruising party primaries is a major contributing factor.[931] A party official working in the Office of the Government Chief Whip made explicit the link between campaign finance and a Movement legacy in a statement that is worth citing in full:

> "*People still have a hang-over of individual merit* where they could offer themselves as individuals, come to parliament and talk as they want, debate as they want and arrive at whatever position they want as individuals. So, disciplining them to toe the party line is a serious problem. *One of the reasons is that it is a little bit expensive for someone to finance himself or herself to come to parliament* to the tune of about Shs400m ($120,000), but the party contributes between Shs20m and Shs25m, less than 10% of what this person is spending to come to parliament. So, when this person comes to parliament, *owning him or her becomes difficult*, so therefore disciplining him or her is difficult, much as he is carrying the party flag."[932]

A report compiled by an NRM parliamentary caucus committee on the troubled 2010 primaries reaches a similar conclusion. It notes that, in the absence of reliable financial support from the party, "Candidates are subject to the vagaries of personally funding campaigns, *which dilutes party control over members*."[933]

While the self-financing of rank-and-file MPs has proved politically problematic for the NRM, more concerning still are the rivalries between competing patron-client factions. For

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[928] Ssemujju, Ibrahim. "President Museveni has a new vision for Uganda", *The Daily Monitor*, 28 March 2003.
[929] Kiiza et al., 2008.
[930] Interviews with NRM MPs.
[931] See Chapter 3.
[932] Interview with official in the Office of the Government Chief Whip (OGCW), Kampala, January 2015. Emphasis added.
[933] "Final Report of the NRM Parliamentary Caucus Select Committee on NRM Primary Elections", July 2014.

instance, factional manipulation within the Movement was a major reason why the old system of voting for women district representatives through electoral colleges—which were widely viewed as corrupt—was replaced by universal adult suffrage ahead of the 2006 polls.[934] These factional tensions also spill out of the electoral arena and into the legislature itself, as was particularly notable in the 9th Parliament (2011-2016) with the tension between Speaker Kadaga and Prime Minister Mbabazi. These two party leaders had a longstanding feud, with Kadaga accusing Mbabazi of fronting rival candidates in her constituency.[935] Muhammad Nsereko, one of the "rebel" NRM MPs whom Mbabazi played an instrumental role in expelling from the NRM, also had reason to oppose the Prime Minister, having previously clashed over election campaign finances and ministerial positions.[936] Similarly, Theodore Ssekikubo, also an NRM "rebel", was at loggerheads with another Cabinet Minister, Sam Kutesa.[937] Kutesa is brother-in-law to the President and had repeatedly backed Ssekikubo's rivals while allegedly trying to rig him out of the NRM primaries.[938]

Over the course of the 9th Parliament, these elite-level tensions repeatedly undermined the enforcement of formal party discipline, thereby helping to safeguard parliament's institutional "boundedness". The battle over the fate of NRM "rebels" offers a particularly clear illustration of this point. As noted previously, Speaker Kadaga played a key role in ensuring that the four expelled MPs could retain their seats in Parliament, thereby helping to set a new legal precedent.[939] While principled, this decision was nevertheless also a direct challenge to her political rival, Mbabazi. It offered a way for Kadaga to regain the upper hand after previous clashes with the Prime Minister and President left her on the defensive.[940] In the words of one observer, "Kadaga's stature has been enhanced by the last ruling. [...] While outside Parliament, the President and Prime Minister may rule, the Speaker has for now stated that inside the walls of Parliament, her word is law."[941] Kadaga's decision was celebrated by the rebels themselves as well as other dissident NRM MPs, one of whom reportedly led chants of "God bless you! God bless you!" when she read out her

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934 Interviews with several NRM Women District MPs.
935 Accessed 25 Nov 2016: http://www.observer.ug/special-editions/40127-kadaga-mbabazi-is-targeting-me
936 Sserunjogi, 2011.
937 Interview, Ssekikubo, Kampala, July 2012.
938 Ibid.
Accessed 25 Nov 2016: http://www.newvision.co.ug/new_vision/news/1230439/kutesa-ssekikubo-divide-sembabule
939 Accessed 11 December 2017: http://www.monitor.co.ug/News/National/How-Kadaga-decided-MPs--fate/688334-1839980-by7rwaz/index.html
940 Interviews with several NRM and opposition MPs.
941 Accessed 11 December 2017: http://www.monitor.co.ug/OpEd/columnists/KaroliSsemogerere/House-Speaker-Kadaga-uses-pulpit-to-score-big/878682-1846308-224klh/index.html

verdict.[942] Ultimately, the support base she gained through this decision helped her efforts to retain the Speakership following the 2016 elections. She was fiercely opposed by her former Deputy, backed by a taskforce within the NRM that initially considered Sam Kutesa as a potential contender.[943] But the rebel MPs, some opposition members and a number of other backbenchers within the ruling party rallied behind her.[944]

Finally, when it comes to explaining why MPs fought to amend the PFMB and preserve their budgetary oversight powers, Kadaga's interest in safeguarding Parliament's strength and consolidating her own political position were again important factors. However, the personal interests of backbench MPs were also significant, notably given legislators' preoccupation with providing services to their constituencies and thereby building their political base. As discussed further in the next chapter, MPs achieve this aim in part by influencing government spending.[945] "[T]he budget is about taking bread to your people," observed a former Leader of the Opposition (LoP), adding, "So there was always commonality."[946] MPs' "parochial" interest, to use the LoP's language, in their budgetary oversight role helped reinforce their desire to protect Parliament's powers.

In sum, the Ugandan legislature's ability to preserve its institutional strength post-2005 is due to a combination of an individual merit "hang over", weak formal party discipline, and MPs' shared interest in using Parliament's institutional strength—particularly regarding budgetary oversight—to fulfil personal political aims. Underlying all three factors is the continued fragmentation of patronage networks within the NRM. The resultant intra-party rivalries and personalisation of politics undermine the NRM's own institutional coherence both outside the legislature and within.

5.4 Conclusion

The comparison of the Tanzanian and Ugandan parliaments shows how, in an authoritarian context, variation in legislative institutional strength is closely—if inversely—related to the institutional strength and cohesion of the ruling party. Where party institutions are strong, buttressed by a more centralized distribution of patronage, the legislature is likely to be

[942] Accessed 11 December 2017: http://www.monitor.co.ug/News/National/Expelled-NRM-MPs-retain-their-seats/688334-1799668-sn3yn/index.html
[943] Accessed 11 December 2017: http://www.observer.ug/news-headlines/43818-how-nrm-plans-to-oust-kadaga
[944] Accessed 11 December 2017: http://www.observer.ug/news-headlines/43194-mps-ready-to-die-for-kadaga-to-be-speaker
Two of the rebel MPs interviewed after Kadaga's decision were enthusiastic in their support for the Speaker.
[945] Interviews with several opposition and NRM MPs.
[946] Interview, Ogenga-Latigo, Kampala, December 2014.

marginalised and institutionally weak. By contrast, where ruling party institutions are themselves fragile, undermined by a fragmented patronage network, the result is more legislative strengthening. As such, the institutional strength of the Tanzanian *Bunge* first declined during the 1960s and 1970s, when the ruling party consolidated as an “institutionalized coalition”. This downward trajectory only reversed when the institutional strength and cohesion of the ruling party itself began to erode. Even so, it was not until the mid-2000s, when factional alignments fuelled executive-legislative tensions, that the legislative reform process took off. As for the Ugandan Parliament, it has followed a more consistent path, undergoing a process of legislative strengthening, which NRM leaders have struggled to reverse. This institutional outcome is largely a consequence of the NRM’s own fractious internal politics.

This analysis challenges several core assumptions from the comparative politics and Africanist literature. These include the notion that a “ruler”, acting rationally, moulds institutions to suit his own political calculus; the “neo-patrimonial” view of a uniform patronage politics, which undermines legislative institutional strength; and the characterisation of a multi-party transition as a key turning point, after which parliamentary institutions may begin to strengthen. Instead, this chapter links legislative institutional strength to variations in a distribution of power and patronage, which – at times – undermine the attempts of authoritarian rulers to engineer institutional outcomes. It argues that variation in the structure of patronage networks, rather than their presence or absence, is what explains differences in parliamentary strength. Finally, it shows how the influence of multiparty transition plus of the progressive ideas and attitudes of reformist MPs, while not insignificant, depends on the extent of ruling party cohesion, as in, on the the institutional legacies and internal politics of the ruling party itself.

Explaining variation in legislative institutions is only part of the story, though. To get a better sense of the substantive implications of this variation, as well as the precise nature of intra-elite bargaining within the legislature, it is necessary to study parliaments’ actual performance, to which I now turn.

6 Understanding legislative performance and its significance

"These tax measures will be debated in parliament in its next sitting,
but in the meantime, they have to be paid by everyone."

-President Nyerere, announcing new tax
measures during his New Year's address, 1 January 1982[947]

"We shall pass all the amendments in Parliament that we want.
The period of beseeching is over."[948]

-President Museveni, anticipating a more
docile Parliament after the 2005 multiparty transition

In 1982, the legal requirement that Tanzania's Parliament approve all government spending and tax plans was an afterthought for President Nyerere. His disregard for *Bunge* came, though, at a time when the underlying power balance supporting the ruling party's hegemony was beginning to shift. Over the ensuing decades, successive waves of economic crisis and liberalising reforms saw new patron-client factions strengthen within the ruling party, turning Parliament into a forum for elite contestation.

In neighbouring Uganda, President Museveni faced a very different set of challenges. A legislature he initially assumed he could ignore proved far more assertive than anticipated. Come 2005, he was hoping that a multiparty transition and the reintroduction of a government whip would quell legislative dissent. This expected outcome did not materialise, though. Instead, the enduring fragmentation of patronage networks within the NRM fuelled continued legislative activism up to the time of writing.

[947] Cited in Tambila, 2004: 64.
[948] Cited in Carbone, 2005: 9.

In both cases, the legislature's influence—its ability to disrupt an executive agenda—varied along with the wider distribution of power within the regime, a point which I now seek to explore further. More specifically, I aim to address two questions, namely, what explains variation in legislative influence? And what is the significance of this influence? Or rather, whose interests does a more assertive legislature tend to serve?

6.1 Argument and methods

In this introductory section, I outline a theory of legislative influence and its significance, particularly as regards *distributive politics*, as in the politics of "who gets what, when and how."[949] I then discuss the data and methods used to evaluate my theory. I thus set up the subsequent empirical analysis, in which I examine variation in legislative performance—and its distributive implications—across Tanzania and Uganda, focusing especially on the most recent periods of legislative activism.

6.1.1 Explaining legislative performance and its significance

Previous chapters showed how variation in the distribution of power within authoritarian regimes affects ruling party cohesion and legislative institutionalisation. This chapter now examines how the extent of ruling party factionalism, along with a parliament's own accumulated institutional strength, shapes legislative influence over the executive.

The argument goes as follows (Fig. 6.1). Where the distribution of power within a ruling party leads to more elite contestation, as in where patterns of accumulation are relatively diffuse and rival patron-client factions emerge, the legislature is more likely to become an arena for intra-elite bargaining. Thus, elite contestation directly animates legislative activity (Path A). This same contestation also—as observed in the last chapter—informs efforts to strengthen legislative institutions (Path B), which then further reinforce legislative activism (Path C). In other words, while a legislative-executive clash may occur even where a parliament is institutionally weak, elites interested in opposing the executive will find the legislature a more potent tool where it has undergone a process of institutional reform.

This explanation accounts for the conditions under which the legislature is more likely to influence an executive agenda. It nevertheless leaves open the question, what is the broader significance of heightened legislative influence? Whose interests does a more assertive legislature serve, and what salient political outcomes does it affect (Path D)?

[949] This is a reference to Harold Laswell's famous definition of politics. Laswell, 1936. This discussion builds on the theory laid out in Chapter 2.

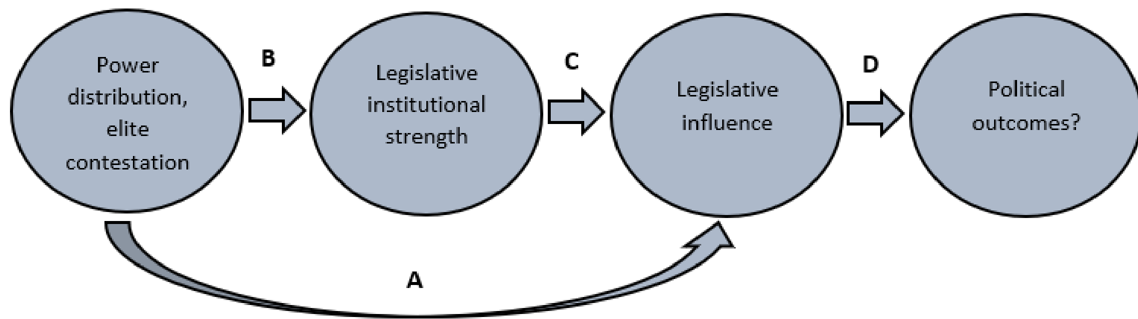

Figure 6.1 – Explaining legislative influence

As observed in Chapter 2, studies of both authoritarian and democratic regimes present a variety of hypotheses about how a strong legislature—or even the mere presence of a legislature—affects substantive political outcomes. While many scholars focus on the implications of the legislature for regime survival or economic growth,[950] I engage with the literature that examines distributive outcomes. Drawing on my theory of the legislature as an arena for intra-elite bargaining, I present a fresh set of claims about the distributive implications of legislative interventions, be they amendments to the budget, oversight of executive spending, or changes to government tax legislation. I argue—contra much of the literature—that the effects of these interventions tend to be largely *regressive*, as in, they favour an existing wealthy elite rather than redistributing to the majority of poor voters.

First, to summarise briefly, studies of both authoritarian and democratic legislatures suggest that parliaments have a *progressive* distributive influence. Regarding authoritarian regimes, the comparative literature claims that legislatures facilitate power-sharing arrangements, which then encourage policy compromises favouring, for instance, higher social spending.[951] The literature on more democratic contexts, meanwhile, maintains that democratic institutions—including competitive elections and legislatures—encourage greater responsiveness by individual legislators to median voter interests, which similarly favours progressive redistribution.[952] The specifically Africanist literature increasingly echoes this comparative work. Scholars argue, for instance, that incumbent legislators seeking re-election are incentivised to deliver collective goods to their constituents, thereby securing the widest possible support.[953]

[950] Gandhi, 2008; Boix and Svolik, 2013; Wright, 2008; Wilson and Wright, 2015.
[951] See Gandhi, 2008.
[952] For a review, see Golden and Min, 2013.
[953] Lindberg, 2010; Weghorst and Lindberg, 2013; Van de Walle, 2009. There is also a more executive-centred literature, which maintains that—under certain conditions—electoral competition leads to changes with broadly redistributive implications, such as more education spending. See: Stasavage, 2005; Harding and Stasavage, 2014.

Despite the broad consensus that stronger parliaments encourage progressive redistribution, there is still debate regarding both the underlying theory and evidence. Work has begun to appear challenging, for instance, the supposedly positive relationship between progressive spending on service provision and incumbent success.[954] Some research examining the aggregate distributive effects of democratization also indicates that democracies tend to benefit middle- and upper-income groups rather than the poor or median voter.[955] Meanwhile, on the theory side, scholars propose alternative ways of modelling accountability pressures, noting for instance that legislators' allocative decisions are informed by the interests of their political financiers rather than directly by their voters.[956] Taking this insight further, Khan (2005) argues that the "distribution of organizational abilities affects the identification of preferences" and that, in developing country democracies, these abilities are concentrated not in the hands of the median voter but in powerful patron-client factions.[957] The influence of these factions, in turn, helps to "explain why electoral competition does not in general result in government preferences being set by the poor even though they constitute huge majorities."[958]

My own analysis, by focusing specifically on the distributive implications of heightened legislative activity, helps advance this more critical work in a new direction. More specifically, this thesis eschews the theoretical frameworks advanced in much of the rational choice institutionalist literature, particularly the narrow focus on median voter interests and the incentives of individual, office-seeking politicians. As noted above, it instead emphasises how parliament's influence depends on its prominence as an arena for elite bargaining, which intensifies where power is organised across competing patron-client factions. We can infer, given that elite bargaining drives legislative activity, that legislative interventions have generally *regressive* distributive implications; as in, they are shaped by politicians' efforts to direct material rewards towards themselves and to serve the interests of their patron-client factions. This is not to suggest that legislative activity *never* results in more progressive redistribution. However, this more positive outcome remains rare, occurring mainly when there is external pressure from more non-elite organizations, be they labour unions, farmers' association, faith or other advocacy groups. This pressure—especially when it plays off elite tensions—can help galvanize individual legislators to engage in collective legislative action of a more progressive bent.

[954] De Kadt and Liebermann, 2017.
[955] Nel, 2005; Ross, 2006.
[956] Samuels, 2002.
[957] Khan, 2005: 707. For authors raising similar concerns, including regarding the elite concentration of organizational abilities, see also: Ansell and Samuels, 2014; Behuria, Buur and Gray, 2017; Nel, 2005; Pepinsky, 2014; Rodan and Jayasuriya, 2012; Gray and Whitfield, 2014; Whitfield et al, 2015.
[958] Khan, 2005: 707.

Three final points of clarification are in order. The first relates to timing. I argue that the nature and extent of elite bargaining, as channelled through the legislature, vary over the course of a parliamentary term. Just as the study of "political business cycles" reveals electorally timed fiscal and monetary interventions by governments,[959] I identify what we might refer to as the "parliamentary business cycle." Put simply, the legislature is more likely to challenge the executive on substantive distributive issues earlier in a parliamentary term; by contrast, it will more likely rubber stamp executive initiatives as elections loom. To the extent that legislators collectively pressure the executive late in a parliamentary session, their demands are more likely to centre on their own emoluments, the aim being to maximise their material advantage going into campaigns.[960]

The second clarification is about the role of the opposition. As per the previous chapter, I maintain that the primary contribution of opposition parties in Parliament—or where parties fail to act collectively, of individual opposition legislators—is to help galvanize legislative action. This action ultimately depends for its success, though, on the nature of intra-elite contestation within the ruling party. It is worth noting, moreover, that opposition politicians are themselves caught up in patron-client factions, some incorporating opposition and ruling party actors, such that their legislative contributions are not necessarily of a qualitatively different nature to those of their ruling party colleagues. In other words, they are part and parcel of the overall patterns of elite contestation, with the corresponding distributive implications. This is a point a return to the conclusion to this thesis, where I discuss the implications for legislative activity when dominant party systems give way to more competitive multiparty politics.

The final clarification relates to an argument already alluded to in Chapter 2. The legislature, where it becomes an arena for elite contestation, helps mediate distributive politics and thus influences *some* distributive outcomes; it emphatically does not determine all distributive outcomes. Indeed, even where parliament is relatively assertive, we can safely assume that most elite bargaining still occurs outside of legislative channels.[961] To the extent that the legislature does influence an executive agenda, however, it is important that we understand how and to what end. As such, this chapter seeks to shed new light on the political processes whereby elites—and in some instances, more non-elite groups—pursue their interests through the

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[959] Block, 2002.

[960] In countries where there is a routine presidential succession, such as Tanzania, a new president may enjoy an initial "honeymoon" period, which could attenuate the extent of legislative assertiveness early in a term. Even so, in so far as parliament does assert itself, it is still more likely to do so at the start rather than the end of an electoral cycle.

[961] See Pepinsky, 2014.

legislature. First, though, it remains to be seen what methods and evidence are best suited to this study.

6.1.2 *Assessing legislative influence*

The legislative studies literature presents a variety of approaches to assessing legislative influence. I first consider the merits of a quantitative analysis of legislative outputs, drawing on available data to briefly contrast the performance of the Tanzanian and Ugandan parliaments. I then discuss the value of a more process-oriented approach, one that focuses on *how* the legislature intervenes to alter an executive agenda. I argue that this latter option is most appropriate at this stage of my analysis given current data constraints and, more substantively, my theoretical interest in tracing whether and how the dynamics of elite bargaining shape legislative interventions.

Quantitative analyses of legislative influence, or performance, are widespread in comparative legislative studies as researchers endeavour to answer Mezey's classic question, "how much" policy power do parliaments exert, and particularly, how much legislation do they enact?[962] There are a variety of relevant indicators, including overall legislative output or bills passed. A more sophisticated measure currently gaining popularity is "box scores", or the percentage of executive-initiated legislation enacted by parliament.[963]

Tables 6.1 and 6.2 offer a quick comparison of overall legislative output and box scores for the Tanzanian and Ugandan parliaments in recent decades, although a lack of data complicates this effort.[964] What –if anything—can we conclude? First, there is notable variation in bills initiated, bills passed and hence box scores *between parliamentary sessions* in both Tanzania and Uganda. There is no clear *cross-country* contrast, though, as the difference between the mean legislative output and mean box scores is not statistically distinguishable from zero.[965]

Table 6.1 – Tanzanian Parliament: Legislative Output

Parliament	**Bills Initiated**	**Bills Passed**	**Box score**
9th (2005-2010)	102	101	99
10th (2010-2015)	65	59	91
Average	84	80	95

[962] Mezey, 1979; Arter, 2006.
[963] Saiegh, 2014: 490. See also: Opalo, 2015.
[964] For Uganda, I draw on Kasfir and Twebaze, 2016. For the Tanzanian Parliament, there appears to be no official record keeping. A member of parliamentary staff, who kept count of the number of bills introduced and passed since he began work at Parliament, kindly provided me with the data in Table 1, which he had saved on his personal computer
[965] As in, t-tests indicate we cannot reject the null hypothesis that there is no difference between the mean legislative output or and mean box scores for the two countries.

Table 6.2 – Ugandan Parliament: Legislative Output

Parliament	Bills Initiated	Bills Passed	Box Score
6th (1996-2001)	96	80	83
7th (2001-2006)	100	100	100
8th (2006-2011)	96	91	94
9th (2011-2016)	101	93	92
Average	98	91	92

If we go on to contrast Uganda and Tanzania's legislative output with results from elsewhere, they appear relatively low, raising further questions about what kind of meaningful conclusions we can draw. Whereas the average president—albeit from middle- to high-income democracies—initiates 109 bills each year,[966] that figure exceeds the average number of executive-initiated bills in Uganda and Tanzania *over an entire 5-year parliamentary term*. Arguably, though, these findings say more about the executive than the legislature in the two countries. Regarding box scores, parliaments from the same, above-cited country sample approve three-quarters of executive-initiated legislation on average, although there is considerable variation both across countries and within countries over time.[967] While Uganda and Tanzania's box scores are far higher than this three-fourths average, they compare more favourably with the mean legislative passage rates in parliamentary regimes featuring single-party majority governments (88 percent).[968] Ultimately, though, this analysis does not yield very concrete findings, except perhaps that neither the Ugandan nor Tanzanian Parliament seems very active—or oppositional—and that there is no marked difference between the two. How might a different measure complicate this story?

A comparison of the proportion of private member's bills initiated in each Parliament does yield more clearly contrasting results. Whereas only one private member's bill has ever been debated in Tanzania and none passed,[969] roughly 10 percent of bills initiated in Uganda since 1996 were introduced by private members.[970] Most were introduced by Movement-sympathising or NRM MPs, with the numbers *increasing* significantly after the 2005 multiparty transition. Most of these private member's bills also passed. These results support the general narrative presented in this thesis regarding variation in legislative strength, namely that the strength of the Ugandan

[966] Saiegh, 2014: 494. This average is pulled from a sample of 50 countries from across Europe (19), Latin America (14), Asia and the Middle East (11), Oceania (3), Africa (2), and North America (1). They are all categorised as democracies and almost all are middle- or high-income.
[967] Ibid: 490.
[968] Ibid: 491.
[969] Msekwa, 2012. Interview with parliamentary clerk.
[970] Kasfir and Twebaze, 2016.

Parliament under the NRM has endured over time and has tended to exceed that of its Tanzanian counterpart.

It is, however, not enough to hang an analysis of legislative performance on private members' bills alone. Moreover, the weak conclusions emerging from the study of legislative output and box scores suggest the need to explore alternatives ways of assessing performance. This could be through a more elaborate quantitative measure, for instance, drawing on Blondel's seminal work advocating a measure of legislative "viscosity", which would include the number of legislative amendments and time spent debating a bill.[971] Unfortunately, limited data for the Tanzanian and Ugandan parliaments prevents a study of viscosity in the manner Blondel prescribes. More generally, though, his work underscores the value, of studying the complex and often subtle ways in which legislative influence is exerted at all stages of the legislative process. This view points towards the second major, process-oriented approach to studying legislative influence.

Rather than pursue a quantitative study of legislative outputs, however defined, adherents of this second approach prefer to develop what tend to be qualitative analyses of the often subtle ways legislators influence the executive.[972] In this vein, Arter advocates replacing Mezey's classic "how much policy power?" question with a "how?" question.[973] He affirms, "Whilst the legislative performance of an assembly cannot be quantified with clinical accuracy […], it can be studied and it should be studied in the widest process-oriented sense."[974] Arter's "anatomy of legislative influence approach" begins "with 'thick description' in the form of a nuanced cartography of the multiple and multi-faceted patterns of legislative participation in the policy process."[975]

I draw inspiration from this approach to dissect how Ugandan and Tanzanian legislators intervene to influence the executive. This analytical focus has the added advantage of being particularly well suited to linking theory with outcomes, to examining legislators' behaviour, why they intervene and to what effect. As such, I use the same "thick description" as in the previous chapter to assess, through a series of case studies, whether elite contestation does indeed drive legislative interventions, and with largely regressive distributive implications.[976] While some of the

[971] Blondel, 1970: 80.
[972] Fenno, 1986; Shepsle, 2002; Arter, 2006.
[973] Arter, 2006.
[974] Arter, 2006: 480.
[975] Ibid: 479.
[976] This "thick description" or process tracing enable me to test the validity of my theorised causal mechanism, although there would be additional value in establishing the aggregate distributive effect of legislative interventions, which needless to say, calls for a different methodology and different evidence. See: Beach and Pedersen, 2013.

case studies I examine relate to government bills, for instance new legislation on tax regulations or the management of oil revenues, I also broaden my focus to look at parliament's role in budgetary review and executive oversight.

In what follows, I consider the Tanzanian and Ugandan legislatures in turn. For each, I begin with a general historical overview of legislative activity. While this mostly involves a more simplified focus on legislative outputs to capture general within-case trends, I centre the discussion on distributive outcomes where possible. Following this general overview, I shift towards a more in-depth analysis of elite contestation and its effects on legislative performance, focusing for both countries on the recent period of relative legislative activism. I first examine the "parliamentary business cycle", illustrating variation in elite bargaining over the course of a parliamentary term. I then delve into a series of case studies, which enable a more fine-grained analysis of the *process* through which parliament intervenes. As indicated earlier, the idea is to demonstrate, first, *how* parliament asserts itself—or indeed, acquiesces—vis-a-vis the executive and, second, to identify the distributive implications of this legislative intervention. Through this approach, I can link various patterns of elite contestation—and the occasional non-elite pressures—to different forms of legislative activity and distributive outcomes. This analysis undoubtedly leaves room for further research, which could provide a more systematic review of exactly *how much* influence the legislature exerts. Even in the absence of this more systematic review, though, the below case studies indicate that parliament is an arena for elite bargaining worthy of our attention.

6.2 The fall and rise of the Tanzanian Parliament

In this section, I first outline variation in legislative performance over time in Tanzania, indicating how *Bunge* was marginalised from the late 1960s until the early 1990s, when it began to reassert itself. I focus, in a second instance, on the more recent period of legislative activism. I indicate how heightened elite contestation, buttressed by previous rounds of legislative institutional strengthening, has led to more assertive legislative interventions, with largely regressive distributive implications. To analyse these dynamics, I begin by showing how legislative activity varies over a "parliamentary business cycle" before next delving into a series of case studies relating to parliament's oversight, fiscal and legislative activities. I do not, for the Tanzania case, explore the nature and significance of non-elite pressures, saving that discussion for my analysis of the Ugandan parliament.

6.2.1 An historical overview of legislative performance

The performance of Tanzania's *Bunge* has varied over time, evolving in line with changes in the wider distribution of power in Tanzania, the structure of patron-client factions and the institutional strength of CCM. Legislative activism first declined following the Arusha Declaration as wealth accumulation and patronage networks became more centralised and as CCM's institutional strength and cohesion grew. *Bunge* only began to reassert itself when these trends reversed following economic liberalisation in the 1980s. There was a notable period of legislative activism in the early 1990s, more muted and sporadic executive-legislative contestation under President Mkapa (1995-2005) and, finally, a relatively sustained period of legislative activity under President Kikwete (2005-2015). Legislative performance remained uneven because, as noted in the last chapter, heighted factional contestation within the ruling party did not always translate directly into executive-legislative tensions; the extent to which the legislature became a channel for elite contestation varied along with the political manoeuvring of CCM elites and the shifting configuration of patron-client networks.

It was not obvious at Independence that Tanzania's *Bunge* would be side-lined. Indeed, although we should not exaggerate,[977] Parliament did start out by asserting itself, particularly after the 1965 elections when it challenged the government on the status of Zanzibar, government fiscal policy and, as discussed in Chapter 5, Parliament's own "supremacy".[978] The key turning point for *Bunge* came only after the Arusha Declaration and, even more so, after the 1968 expulsion of seven CCM MPs from the party and, hence, from *Bunge*.[979] After the expulsions, and amidst a general push to strengthen the ruling party, legislative challenges became "rare" or "incidental".[980] The exception that helped prove the rule was Parliament's 1973 rejection of an Income Tax Bill. The legislation would have increased the tax burden of those who, like MPs themselves, earned more than average income.[981] In response to this legislative intervention, then President Nyerere threatened to dissolve Parliament, resulting in the unanimous enactment of the previously rejected bill.[982] By the late 1970s, *Bunge*'s lacklustre performance prompted one observer to conclude that the legislature continued to exist "by default".[983] Its marginal status was perhaps best exemplified by President Nyerere's notorious 1982 New Year's message. As noted earlier, the President used his address to announce new tax measures, going on to clarify that

[977] Kjekshus, 1974a.
[978] Cliffe, 1967a: 339-342; Hartmann, 1983: 109; Tordoff, 1977; Velzen et al, 1972a; Martin, 1988.
[979] See Chapter 5. Velzen et al, 1972b; Martin, 1988. Tordoff, 1977; Kjekshus, 1974b; Tambila, 2004.
[980] Tordoff, 1977: 238; Kjekshus, 1974b: 73-5.
[981] Tordoff, 1977: 237.
[982] Tambila, 2004: 62.
[983] Tordoff, 1977: 241.

these "will be debated in parliament in its next sitting, but in the meantime, they have to be paid by everyone."[984]

Already when Nyerere issued this statement, though, the political balance in Tanzania was changing, and in Parliament's favour. The 1980s came with heightened levels of economic instability and elite contestation. At first, the CCM National Executive Committee managed the fallout, for instance, taking the lead in censuring ministers for corruption;[985] *Bunge*, although more prominent as a "critical platform", remained "of minor importance as a legislative body."[986] But by the 1990-95 session, and leading up to the first multiparty elections, Parliament began to surprise many with its newfound assertiveness.[987] Given this wider context,[988] it is perhaps not surprising that this legislative opposition retained an ideological tenor as some MPs—including long-time Party members sympathetic to *Ujamaa* principles—sought to scrutinise an emergent, seemingly exploitative accumulating class.[989] An informal caucus coalesced, known as the group of 55 or G55, and helped push through three controversial private motions in parliament.[990] The first of these, and the one that brought the group together, called for further oversight of efforts to privatize Tanzania's "national patrimony", the concern being that the government was "treating our natural resources like they belonged to no-one, like they could be disposed of, given to X, Y and Z [...]."[991] The motion ultimately led to the sacking of the Tourism Minister after a parliamentary select committee linked him to a scandal about the leasing of hunting blocks to the deputy minister for defence of the United Arab Emirates.[992] In a similar vein, the G55 pushed another motion demanding that party and government officials declare their assets, the aim being to curb corruption and to salvage something of the old Leadership Code after it was abolished. The enduring fear was that scrapping the Code "meant [the removal of] all the hindrances that were there in terms of amassing wealth, some of it illicitly, and not declaring anything [...]."[993]

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[984] Tambila, 2004: 64.
[985] Tambila, 2004: 65; Mwakyembe, 1986.
[986] Van Donge and Liviga, 1986
[987] Killian, 2004.
[988] See Chapter 4.
[989] Killian, 2004; Interview with member of the G55 parliamentary group, *Dar es Salaam*, April 2016.
[990] Interview with G55 member, April 2016.
[991] Ibid.
[992] Wang, 2005: 186; Accessed 6 April 2018: https://m.ippmedia.com/en/news/kigwangalla-sends-controversial-obc-packing-loliondo-game-area
[993] Interview with G55 member, April 2016.

Relative to the activism of 1990-1995 Parliament,[994] *Bunge*'s performance during President Mkapa's tenure (1995-2005) was more muted.[995] The official opposition was weak; the G55 dissolved;[996] and Mkapa proved reasonably effective at managing factional divisions within CCM, largely keeping them from spilling into Parliament.[997] There were exceptions, though, and these speak to the significance of elite contestation in fuelling executive-legislative tensions. The first backbench rebellion of the multi-party era, for instance, saw *Bunge* reject the Pension Bill (1998), in part because it did not cater for MPs' own benefits.[998] Another instance of legislative activism came when Parliament forced the resignation of then Minister of Finance, Simon Mbilinyi, over a tax exemption scandal in 1996. While this move was initially celebrated as an example of *Bunge* holding the executive to account, it later emerged that Mbilinyi—whom many saw as a committed reformer—had been "fitted up" by CCM heavyweights left out of Mkapa's first Cabinet.[999] The factional in-fighting continued in 2001 when Parliament played a key role in pushing the Minister of Trade and Industries, Iddi Simba, to resign. Many MPs were critical of Simba's seat in Cabinet, attributing it to his close family ties to Mkapa and his financial contributions to CCM, Simba being a wealthy businessman and high-profile advocate for Tanzania's emerging indigenous entrepreneurs. Calls for his ouster, though, were a response to his apparent involvement in improprieties relating to the handling by his Ministry's of sugar import licences.[1000] He was, moreover, also among the key actors behind Mbilinyi's resignation, and it was MPs from Mbilinyi's home region, forming the so-called "Southern bloc", who took the lead in demanding his removal.[1001]

While Parliament occasionally asserted itself under Mkapa, the legislative pressure under Kikwete (2005-2015) was of a different order. This came as a new constellation of patron-client factions within CCM undermined the President's control over intra-party wrangles, which then moved into the legislative arena.[1002] The consequences were multiple, including more aggressive parliamentary review of the government budget and repeated legislative challenges, including attempts to pass controversial private member's bills.[1003] Perhaps most noteworthy, though, was

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[994] There were, it should be stressed, numerous instances in the 1990-1995 period when Parliament did little to challenge government, not least when legislating the multi-party transition.
Tambila, 2004; Mmuya and Chaligha, 1994.
[995] Killian, 2004; Tambila, 2004; Wang, 2005; Kelsall, 2003.
[996] Its members mostly stayed in CCM, though, evidence that the G55 did not emerge in anticipation of the multiparty transition. Interview with former G55 member, Dar es Salaam, April 2016.
[997] See Chapter 5.
[998] Killian, 2004: 198.
[999] Kelsall, 2002: 606; Mmuya, 1998: 75-7; Chaligha, 2004: 151-2.
[1000] Kelsall, 2002: 607.
[1001] Kelsall, 2003: 65. Chaligha, 2004.
[1002] See Chapter 5.
[1003] Ibid.

how often Parliament forced ministers to resign. With Prime Minister Lowassa's 2008 resignation, it even triggered the fall of his government. President Kikwete ultimately reshuffled his Cabinet seven times removing over 60 ministers due to parliamentary pressure. This degree of legislative activism would be remarkable in any advanced democracy, let alone in Tanzania where *Bunge* was long marginalised.

In sum, legislative performance in Tanzania has varied along with changes in the wider distribution of power within CCM. Under Kikwete (2005-2015), these changes led to an unprecedented assertion of *Bunge*'s powers, a development which I now explore in more depth. I first examine how, during Kiwkete's presidency, legislative activism appeared to follow a particular "parliamentary business cycle". I then examine a series of legislative interventions through more in-depth case studies.

6.2.2 Tanzania's "parliamentary business cycle"

The idea of a "parliamentary business cycle" is meant to capture how legislators' behaviour is likely to shift ahead of elections; ruling party MPs are more submissive to the executive *except* when defending their own pecuniary interests. I here offer an initial illustration of this "parliamentary business cycle" under President Kikwete.

First, the end of a parliamentary term—which coincides with the end of a presidential term—emerged as a time when the executive more readily forced through its agenda, largely unhindered by ruling party MPs. Both of President Kikwete's two terms ended, for instance, with the government tabling controversial legislation in Parliament under a "certificate of urgency". This provision, carried over from the days of one-party rule, enables the executive to rush legislation through the House with minimal scrutiny.[1004] In 2010, government used this extraordinary procedure to push through the Mining Act (2010) while, in 2015, it tabled not one but three highly significant pieces of legislation: the Petroleum Bill (2015), the Oil and Gas Revenue Management Bill (2015), and the Tanzania Extractive Industry (Transparency and Accountability) Bill (2015). At least in the case of the Mining Act, government had been preparing the legislation for some time and, arguably, simply wanted to ensure its enactment.[1005] The same could not be said, however, about the petroleum-related legislation in 2015, which one CCM MP claimed were a copy-paste of legislation from Uganda.[1006] Advocacy groups, legislators and relevant

[1004] Kjekshus, 1974: 22.
[1005] Interview, former Commissioner for Minerals, *Dodoma*, July 2015.
[1006] Interview, CCM MP, *Dodoma*, July 2015.

stakeholders all voiced concerns about the three bills' apparent weaknesses, concerns that were then largely ignored.[1007]

Several factors combined to ensure that CCM legislators passed the controversial bills, despite many of them claiming there was "something fishy".[1008] The legislation was tabled at the tail end of Parliament's budget session and just before President Kikwete was schedule to dissolve *Bunge* ahead of the 2015 elections; many CCM MPs were already absent from the House, preferring to focus on their constituency campaigns; and those who were present, after first criticising the legislation, were later whipped into line during a series of CCM Caucus meetings chaired by government ministers.[1009] The Opposition came out strongly against, but the Speaker responded with unprecedented force, suspending disruptive opposition MPs such that, by the time the bills were finally passed, barely any were present to vote.[1010] Ultimately, with elections just around the corner, CCM MPs more readily sided with the government to present a common front against opposition criticism.

The pre-election acquiescence of CCM MPs under Kikwete was, however, not universal; legislators ran a hard bargain when their own pecuniary interests were on the line, *particularly* ahead of costly re-election campaigns.[1011] They demanded, for instance, tax exemptions on the "gratuity" payments they received at the end of a five-year term.[1012] The overall value of these gratuities was also hotly contested. Ahead of the 2015 election, just days after rubber stamping the controversial petroleum legislation, CCM MPs engaged in a remarkable brinksmanship exercise over the gratuity issue. They first raised the alarm after the treasury disbursed "only" Sh160m (£45k) into their accounts instead of the expected Sh230m (£67k).[1013] Whatever the sum, this pay-out far exceeded the Sh43m (£19k) MPs received in 2010.[1014] CCM legislators nevertheless reacted by refusing to debate a final piece of legislation, the Teachers' Service

[1007] Accessed 7 April 2018: https://www.policyforum-tz.org/extractive-industries-related-bills-tanzania-cso-extractive-industries-working-group-position
Accessed 7 April 2018: https://www.policyforum-tz.org/extractive-industries-related-bills-tanzania-cso-extractive-industries-working-group-position
[1008] Interview, CCM MP, *Dodoma*, July 2015.
[1009] Interviews, CCM and Opposition MPs, *Dodoma*, July 2015.
Accessed 7 April 2018: http://www.thecitizen.co.tz/News/-/1840340/2775762/-/item/1/-/nqcvwr/-/index.html
Interviews, several CCM MPs, *Dodoma*, July 2015.
[1010] Accessed 7 April 2018: http://www.thecitizen.co.tz/News/Bill-passed-with-only-two-opposition-MPs-in-House/-/1840340/2776768/-/item/1/-/lb1xpg/-/index.html
[1011] For evidence of a more general "political business cycle" in Kikwete's Tanzania, see: Therkildsen, 2012.
[1012] Ibid. Accessed 7 April 2018: https://www.state.gov/j/drl/rls/hrrpt/2016/af/265310.htm
[1013] Accessed 7 April 2018: http://www.thecitizen.co.tz/News/MPs-anxious-about-send-off-package/1840340-2780778-grql72z/index.html
[1014] Accessed 7 April 2018: http://www.thecitizen.co.tz/News/MPs-poised-to-pocket-Sh160m-sendoff-pay/-/1840392/2165628/-/swkclfz/-/index.html

Commission Bill (2015), which incidentally focused on ensuring suitable pay for Tanzania's educators. CCM MPs also threatened to block President Kikwete from delivering his closing speech in *Bunge* unless they received their full payment. The money duly appeared in their accounts.

During Kikwete's presidency, then, Tanzania's "parliamentary business cycle" appeared to follow a distinct pattern. Pre-election, CCM MPs readily acquiesced to controversial executive initiatives, which they might have contested out of campaign season. At the same time, they became *more* assertive in demanding financial rewards for themselves. Further research is needed to confirm the extent of these cyclical changes in legislators' behaviour under Kikwete, and whether the same pattern holds across different administrations. For now, though, the idea of a "parliamentary business cycle" provides a useful heuristic to capture the changing pre-election dynamics of elite contestation as channelled through executive-legislation relations. This then leaves us with the question, what explains the nature and extent of legislative activism outside of campaign season?

6.2.3 Case studies – Elite contestation in Parliament

In this section, I show how, during Kikwete's presidency, heightened elite contestation strengthened parliament's influence. This trend was further reinforced as legislative reforms provided elite actors with new institutional tools to pursue their agenda through Parliament. To demonstrate the drivers of legislative activism during the 2005-2015 period, as well as the largely regressive, distributive implications, I first consider the nature of the legislature as an arena for elite bargaining. I then examine a series of case studies, first on legislative oversight of the executive and, second, on fiscal policy.

6.2.3.1 Elite contestation under President Kikwete

In Tanzania, elite contestation has tended to enter the legislature, and thereby affect legislative activity, through a mix of direct and indirect channels.

First, going back to the 1990s, after Nyerere handed over the CCM Chairmanship to Mwinyi, members of Tanzania's emergent business class began to contest for parliamentary seats. As outlined in Chapter 4, the prominent Lowassa supporter, Rostam Aziz, became an MP in 1992, the first Tanzanian of Asian origin to do so. From one of Tanzania's leading business families, Aziz told a friend that he decided to enter Parliament because "political leverage is good for business."[1015] Following Aziz, the number of politicians-cum-businessmen entering *Bunge* rose throughout the 1990s and 2000s.[1016] The above-mentioned Iddi Simba was a notable example of

[1015] Interview, family friend of Aziz, Dar es Salaam, April 2016.
[1016] Chaligha, 2004; Languille, 2015.

this new breed of politician, but unlike the very vocal Simba, many chose to keep a low profile. For instance, during the 9th Parliament (2005-2010), some of Tanzania's wealthiest businessmen-MPs ranked among the least active contributors to formal debates in the House. With zero contributions, Aziz ranked last of 267 backbench CCM MPs. Another prominent businessman and currently Tanzania's only other billionaire, Mohammed Dewji, fared little better, ranking 254 with a total of 10 contributions.[1017] Some businessmen-MPs *did* intervene in debates, or else used their contacts with other legislators to further their business interests.[1018] There are, however, many ways to exercise "political leverage" that do not involve direct, personal interventions.

Taking a more indirect route, private sector actors—whether MPs themselves or not—have sought to amass political influence in Parliament by financing networks of legislators, whom they then rely on to do their political work.[1019] In interviews, MPs described their efforts to recruit corporate sponsors, including by setting up political offices in Dar es Salaam, Tanzania's commercial capital.[1020] Contributions from private sector financiers come with "expectations", though.[1021] As one MP affirmed, "[Financiers] can be businessmen who want, through you, to be helped to win tenders in the councils, in the government", elaborating, "There are businessmen who expect through you to be protected in terms of their illegal business contracts and some tax evasions and malpractices of the sort."[1022] Explaining who these financiers are, the MP indicated, "Mostly they are big businessmen in the country. For instance, they are tycoons in Dar es Salaam who sponsor a big number of MPs, each with Sh5m. They try to make a team in parliament to protect them when something wrong comes here to be discussed about their business." While these "networks" form around elections, driven notably by competition within CCM, interviewees were clear that they continue to exist "even after elections."[1023]

The attempts of political financiers to assemble "a team" in *Bunge* are complimented by more ad hoc yet intense lobbying efforts. Former Speaker Anna Makinda voiced concerns about this trend, stressing that "there are interested parties" lobbying "because of some personal reasons."[1024] She clarified that, "Even the budget time, they come to lobby about taxes; business

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[1017] Twaweza, 2010.
[1018] Interview, former Vice Chairman of the PAC, Dodoma, May 2015. Languille, 2015: 92-3.
[1019] See Chapter 5 for further examples.
[1020] Interviews with CCM and Opposition MPs as well as their personal assistants.
Many MPs do not develop such extensive networks, preferring instead to rely on family, friends and local, smaller-scale business interests.
[1021] Interviews, opposition MP, Dodoma, January 2016.
[1022] Interview CCM MP, Dodoma, June 2015.
[1023] Interview, CCM and opposition MPs.
[1024] Interview, Makinda, Dar es Salaam, March 2016. Chaligha (2004) describes similar, if less widespread, lobbying practices under President Mkapa.

interests come to lobby."[1025] A businessman and CCM grandee observed that "Parliament has been subjected to corrupt transactions" where "you grease the members and you soften their voices or even keep their voices shut over certain happening."[1026] This "greasing" practice was perhaps especially common under Kikwete. As one CCM MP noted, "The general public, and the businessmen in particular, learned that the most powerful people are the MPs and therefore they started to come [to Parliament] to corrupt MPs."[1027] Meanwhile, being a vocal MP was seemingly its own currency. An opposition MP affirmed, "my experience is that if you become a vocal MP in the House, then government listens to you and they bargain with you."[1028] Other interviewees suggested not only government, but private sector actors listened as well.

In sum, there are at least three channels—direct and indirect—by which elite bargaining has reached the legislative arena. These channels involve private sector financiers who: one, contest for parliamentary seats; two, fund MPs' campaigns and, thereby, build up networks of supporters; and three, lobby in a more ad hoc, issue-based manner. The following case studies detail how this elite bargaining worked under President Kikwete.

6.2.3.2 Executive oversight cases

Bunge's activism during the Kikwete years was perhaps most pronounced—and certainly most eye-catching—when it involved scrutinising executive corruption scandals, which prompted an unprecedented number of cabinet reshuffles. Commenting on Parliament's role, the then Vice Chair of the Public Accounts Committee (PAC) quipped, "President Kikwete only hires [ministers]. He doesn't fire. We have been firing for him."[1029] In the following three case studies, I demonstrate how rival patron-client factions within CCM, making use of newly empowered parliamentary oversight committees, helped motivate this heightened legislative scrutiny. While in some instances, this legislative oversight did help uncover corruption, an important gain, the politics of oversight nevertheless meant it largely failed to secure meaningful action in response. Many MPs were seemingly more focused on settling factional scores by removing ministers from their posts than they were on demanding genuine accountability.

The first case study relates to the Richmond scandal.[1030] The scandal arose following the 2006 government decision to award the Richmond Development Company a $123.2m tender to generate gas-fired electricity, the aim being to address nation-wide shortage due to drought and

[1025] Ibid.
[1026] Interview, Dar es Salaam, April 2016.
[1027] Interview, CCM MP, Dodoma, January 2016.
[1028] Interview, opposition MP, Dodoma, June 2015.
[1029] Interview, then PAC vice chair, Dodoma, May 2015.
[1030] See Chapter 5 for more detail on the factional tensions relating to Richmond.

a fall in the hydro-electric supply.[1031] After major delays in commissioning the new Richmond plant, Speaker of Parliament, Samuel Sitta, convened a parliamentary select committee in 2007 to investigate. The committee later found that Richmond was a shell company, which was taken over in 2006 by Dowans Holdings, based in the United Arab Emirates.[1032] The committee chair, Dr. Harrison Mwakyembe (CCM), called on Prime Minister Lowassa to resign as he was held responsible for awarding Richmond the controversial tender.[1033] The select committee's report further claimed that Richmond was jointly owned by Prime Minister Lowassa and prominent businessman-cum-political financier, Rostam Aziz, who allegedly also had ties to Dowans.[1034] The committee's investigations, and the resultant furore in Parliament, prompted Prime Minister Lowassa to resign in February 2008. He was followed shortly thereafter by the then Minister of Energy, Nazir Karamagi, himself a rich businessman with shares in Tanzania-based multinationals. Nine ministers ultimately lost their jobs after Lowassa's resignation as premier prompted the dissolution of Cabinet.[1035] Aziz meanwhile, had already lost his position as CCM Treasurer and, in 2011, resigned his position on the CCM Central Committee and his parliamentary seat, citing the ruling party's "gutter politics".[1036]

Besides a few CCM heavyweights losing their positions, though, what came of *Bunge*'s Richmond investigations? The perturbing answer is, not much. During the debates about the scandal, MPs passionately declared, "We have to protect the welfare of millions of Tanzanians who are dying simply because of problems caused by these dubious contracts." [1037] Yet following the 2008 Cabinet reshuffle, neither Parliament nor the Government conducted any meaningful follow-up investigations and there were no prosecutions. Instead, Tanzania continued to pay dearly for the Richmond tendering debacle, including a multi-million-dollar monthly flat fee owed to Dowans even when it produced no electricity.[1038] Given this lack of follow-up, there is reason to believe ousting CCM heavyweights *was itself* a principal motivating factor behind *Bunge*'s Richmond investigations. As discussed in Chapter 5, Speaker Sitta was looking for ways to get at his political rival, Lowassa. Lowassa, for his part, rejected the allegations against him, including his supposed partial-ownership of the Richmond company.[1039] He instead pointed a finger at President Kikwete, suggesting that if there was anyone who had something to answer for, it was

[1031] Cooksey, 2017.
[1032] Ibid.
[1033] Accessed 15 April 2018: https://www.tzaffairs.org/2008/05/report-on-richmond-scandal/
[1034] Ibid. See also endnotes 10 & 11 in Cooksey, 2017.
[1035] "Cleaning the stables", *Africa Confidential*, 15 February 2008.
[1036] Accessed 15 April 2018: http://allafrica.com/stories/201107140303.html
[1037] Accessed 15 April 2018: https://www.tzaffairs.org/2008/05/report-on-richmond-scandal/
[1038] Cooksey, 2017.
[1039] Accessed 15 April 2018: https://www.tzaffairs.org/2008/05/report-on-richmond-scandal/

him.[1040] Ultimately, those most instrumental in pushing Parliament's (short-lived) activism over Richmond, including Sitta and Mwakyembe, went on to assume ministerial posts of their own in the 10th Parliament, at which point they became markedly less vocal on corruption issues.

Parliament's oversight activism nevertheless continued, extending into the next parliamentary session. The first major executive-legislative clash in the 10th Parliament came in 2012, following pressure from *Bunge*'s Public Organisations Accounts Committee (POAC). It should be remembered that the POAC was created in the 9th Parliament following the adoption of the 2007 Standing Orders, championed by then Speaker Sitta.[1041] The committee began to assert itself in 10th Parliament, though, with the prominent opposition MP, Zitto Kabwe, serving as Chair and the fast-rising CCM MP, Deo Filikunjombe, as Vice Chair. In April 2012, Zitto and Filikunjombe responded to a damning report from the Controller and Auditor General (CAG) by recommending the removal of ministers who had failed to reign in widespread corruption and financial laxity in their ministries.[1042] The recommendation caused another furore in Parliament, and notably within CCM. During a raucous CCM parliamentary caucus meeting, Prime Minister Mizengo Pinda—the caucus Chair—barely succeeded in dissuading MPs from calling for *his own* removal, which would have led to the second Cabinet dissolution in less than five years.[1043] President Kikwete and the CCM party leadership ended up ceding to the parliamentary caucus, with the CCM Central Committee agreeing that Kikwete should sack eight ministers named by Parliament.[1044]

The removal of the ministers, including the Minister of Finance, was certainly a dramatic outcome. But, again, what did this round of legislative pressure accomplish? It is unclear how firing the ministers, described in the press as a "weight" on government finances, would address the systematic breach of accountability rules, fraud and embezzlement identified in the CAG report.[1045] There were also allegations that the targeting of certain ministers was not done in good faith. One of the former ministers ousted in 2012 claimed, for instance, that his efforts to enforce government policy had alienated a group of businessmen, who then "syndicated money", bribing MPs to demand his resignation.[1046] While the concerned former ministers acknowledged that there was a "smell of corrupt conduct" in his actions, he insisted that "those who were leading

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[1040] Cooksey, 2017.
[1041] See Chapter 5.
[1042] "Corrupt but open", *Africa Confidential*, 22 April 2012.
[1043] "Mawaziri wa JK walivyosulubiwa", *Nipashe*, 22 April 2012, pp 1 & 4; "Pinda kuwaumbua mawaziri kesho", *Nipashe*, 22 April 2012, pp 1 & 4. In our interview, Filikunjombe stressed that he was among those calling for Pinda and the government to fall.
[1044] "Kamati Kuu CCM yabariki mawaziri nane kung'oka", *Nipashe*, 28 April 2012, pp 1 & 4.
[1045] "Corrupt but open", *Africa Confidential*, 22 April 2012.
"Pinda kuwaumbua mawaziri kesho", *Nipashe*, 22 April 2012, pp 1 & 4.
[1046] Interview, former minister, Dodoma, July 2015.

were the ones who'd been corrupted." The former minister would, of course, have every reason to make these counter-accusations, shifting blame to his challengers. It is nevertheless worth noting that there was no further action taken against him, and he stayed on in Parliament as a backbench MP. However culpable he may have been, this result alone raises questions about the substantive impact of Parliament's oversight efforts.

A final legislative-executive clash, one of the biggest during Kikwete's presidency, concerned the so-called Escrow scandal. Yet again the subject was corruption in Tanzania's energy sector. In 2007, Tanesco, the state-owned electric supply company, dragged a private company with which it had a contract, Independent Power Tanzania Ltd (IPTL), into international arbitration.[1047] The dispute was over the allegedly inflated monthly fee IPTL was demanding in capacity charges. For the next seven years, while the case was ongoing, the disputed charges owed by Tanesco to IPTL were paid into an escrow account. In February 2014, the international court of arbitration finally upheld Tanesco's claims, thereby clearing the way for it to reclaim money from the escrow account. However, over half the deposited funds—or $122m—had already been fraudulently paid out to IPTL's new owner, Pan African Power Solutions (PAP), which to top it off, appeared to have acquired IPTL illegally. The scandal was revealed in a series of articles by *The Citizen* newspaper and picked up by *Bunge*'s Public Accounts Committee (PAC), which tasked the CAG to investigate.[1048] PAC's intervention occurred, again, under the leadership of Zitto and Filikunjombe who, after POAC was eliminated in 2013, managed to return as Chairs of PAC and sub-divide the committee's activities to cover both the mandate of the former POAC and PAC.[1049] This manoeuvre proved essential in enabling the escrow investigations and the drafting of PAC's damning report, which detailed a financial saga whose origins lay in the early 1990s and whose many threads crisscrossed from Malaysia to Hong Kong to the British Virgin Islands to Kenya and back to Tanzania.[1050]

Given Parliament's central role in uncovering the escrow scandal, was it any more effective in securing meaningful follow-up? Again, the answer is no. The combined pressure from CCM and Opposition legislators compelled still more ministers to resign;[1051] observers, however, deemed these resignations "symbolic" while noting the lack of major prosecutions, particularly of

[1047] For background, see Cooksey, 2017.
[1048] Interview, Zitto, Dar es Salaam, April 2016; Cooksey, 2017.
[1049] See Chapter 5.
[1050] Accessed 15 April 2018: http://www.thecitizen.co.tz/News/Facts-on-IPTL-deal-ahead-of-the-tabling-of-escrow-scam-report/-/1840392/2532948/-/item/1/-/n85pjsz/-/index.html
[1051] Accessed 15 April 2018: http://www.thecitizen.co.tz/News/MPs-uproar-over-runaway-corruption-in-government/-/1840392/2608238/-/o6n4pbz/-/index.html

the owners of IPTL and PAP.[1052] Even those ministers who did resign were not necessarily directly implicated in the escrow scandal. The case of then Minister of Energy and Minerals, Sospeter Muhongo, was particularly concerning, seemingly constituting a mini corruption scandal of its own. Indeed, there were widespread rumours that MPs demanded Muhongo's resignation not because of the escrow scandal, with which he had no obvious link, but because of pressure from business interests frustrated with the Minister's intransigence over licensing, among other issues.[1053] One interviewee offered a particularly dramatic account, alleging that during the escrow scandal, "there were two groups [of MPs] who were fighting, both being bribed."[1054] He clarified that one group was "being paid by those people who wanted Muhongo out". Meanwhile, the Minister, "after learning that there are people who have come with money to lobby MPs for [him] to be sacked," went on to "solicit" money from the "escrow beneficiaries" to ensure that he was "defended". Muhongo was later cleared of any corrupt involvement in escrow, and he was duly reappointed as Minister of Energy by Kikwete's successor, President Magufuli.[1055] More generally, the PAC Chair and Vice-Chair—who as noted above played an important role in bringing the escrow scandal to light—expressed frustration with this confusion plus the lack of follow-up in implementing parliament's resolutions. "Even in PAC", former Chair Zitto Kabwe noted, "we are not very good with follow-up", explaining that "it is out of the political will of the chairperson and the committee members."[1056]

In sum, during the Kikwete years, parliament heightened scrutiny may seem like cause for celebration, but further reflection suggests we should be more circumspect. *Bunge*'s oversight zeal was largely a product of intra-elite contestation, fuelled by competing patron-client factions and private interest lobbies. Moreover, prior legislative institutional reforms, which helped strengthen *Bunge*'s oversight committees, meant these various elite groups could better pursue their aims through parliament. Finally, given the politics behind this legislative scrutiny, it is not surprising that the outcome was engineered more to serve competing elite interests than to uphold any general accountability principles.

[1052] Cooksey, 2017. The IPTL and PAP owners were finally arrested in 2017, almost two years after President Magufuli succeeded Kikwete and amidst a much-altered political environment, discussed further in the conclusion to this thesis.
[1053] Interviews with MPs.
[1054] Interview, CCM MP, Dodoma, June 2015. The detail of such allegations must be taken with a grain of salt. However, as similar rumours were repeated by multiple interviewees, not to mention in the press, they point to a genuine concern.
[1055] Admittedly, he did not last long. Accessed 15 April 2018: http://www.thecitizen.co.tz/News/The-rise-and-fall-of-Prof-Muhongo-/1840340-3940022-c6d94qz/index.html
[1056] Interview, Zitto, Dar es Salaam, April 2016.

6.2.3.3 *Budgetary review and fiscal policy*

A similar story can be told about *Bunge*'s engagement with fiscal policy issues under Kikwete. Here I focus on Parliament's interventions following the introduction of the new Budget Committee in 2013.[1057] Prior to this reform, *Bunge* did occasionally attempt to influence the budget on substantive issue, but these interventions lacked coordination, making the legislature a "rubber stamp" on fiscal matters.[1058] By contrast, with the advent of the Budget Committee, Parliament gained a direct "avenue" to the Minister of Finance.[1059] It could intervene earlier during the budget drafting phase and, during the approval phase, could coordinate across sector committees. Where need be, it could also pressure the Ministry of Finance to agree an increase in the overall budget ceiling and thereby accommodate increased spending in various sectors.[1060] These institutional gains launched a new wave of legislative interventions in the 10th Parliament, first relating to spending priorities and later shifting to revenue collection. Of note, the more progressive legislative demands for reallocations to, for instance, social services proved largely ineffectual. Meanwhile, lobbying from business interests helped ensure that Parliament intervened to preserve a more *regressive* tax regime.

The Budget Committee started out by helping sector committees push for more spending in popular areas, and particularly when there was outside lobbying by various advocacy groups. These "civil society organisations" (CSOs) began to engage in more parliamentary lobbying in the mid-2000s, relying less on direct political pressure—as we shall see is more common in Uganda—but rather on the supply of "evidence" to help "convince" MPs.[1061] It was through the efforts of CSOs and the coordinating work of the Budget Committee that, in 2013, MPs rallied behind several amendments aimed at increasing expenditure in key "pro-poor" sectors. An additional Tsh184b (£74m), for instance, was allocated to the Ministry of Water to improve access countrywide.[1062] In 2014, parliament again pushed for several amendments, raising the budget ceiling for the Ministry of Health by approximately five percent.[1063]

These interventions did not, however, have the desired effect. This was because the executive consistently overestimated revenue collection such that actual spending fell far short of planned expenditure. Implementation of the budget for financial year 2013/14 was so poor that,

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[1057] See Chapter 5.
[1058] Interview, parliamentary clerk (1), Dodoma, June 2015.
[1059] Interview, parliamentary clerk (2), Dodoma, June 2015.
[1060] Ibid; interview, clerk (1); interview, former Budget Committee Chair, Dar es Salaam, July 2015. See Chapter 5 for more detail on reforms relating to the Budget Committee.
[1061] Interviews with staff at leading CSOs involved in budget advocacy, including Policy Forum, Hakielimu, and Sikika.
[1062] Interview, clerk (2).
[1063] Interview, staff at Sikika, Dodoma, May 2015.

when it came to the water sector, “It didn’t even get the amount originally allocated before the Tsh184b increase.”[1064] This weak budget implementation prompted the Budget Committee, and consequently Parliament, to shift strategies. The committee, supported by CSOs and various donors, began to recommend areas where government should *reduce* “unnecessary” expenditure, thereby demanding greater fiscal discipline. There was also a growing consensus that Parliament should reorient its budgetary review away from a focus on expenditure towards an emphasis on revenue collection. The stated rationale was that *Bunge* could help identify new sources of revenue to then support government expenditure, including on priority social services.[1065]

The 10th Parliament did end up intervening on tax issues. Contrary to legislators’ rhetorical commitments, though, *Bunge*’s actual impact was not especially “pro-poor”. Its handling of the Value Added Tax (VAT) Act (2015) is a case in point, indicating the far more ambivalent role Parliament played in safeguarding elite interests. The new legislation was introduced to repeal and replace the original VAT Act of 1997, which although initially celebrated as a “best model”, was later amended to incorporate a growing number of exemptions.[1066] The older legislation also made it relatively easy for the Minister of Finance or the Tanzania Investment Centre (TIC) to award fresh exemptions to investors on a discretionary basis, a practice which created a “vampire tax collecting regime”.[1067] Tanzania ranked among the countries with the lowest VAT productivity in southern and eastern Africa while, between 2001 and 2011, the value of tax exemptions averaged 24.5 percent of total tax collection, spiking to as high as 38.6 around elections.[1068]

Following the 2010 election, though, both Parliament and Government took steps towards fiscal reform. Speaker Makinda convened a special parliamentary committee, referred to simply as the Speaker’s Committee, and tasked it with recommending changes to Tanzania’s tax regime, including to decrease the number of exemptions.[1069] Prompted in part by Parliament’s efforts, Government later established its own technical reform team, which led to the tabling of the VAT Bill (2014).[1070] The proposed legislation abolished all but a few exemptions, eliminated special reliefs for named bodies, and removed the discretionary powers of the Minister of Finance

[1064] Interview, clerk (2).
[1065] This point came up repeatedly in interviews, including with parliamentary clerks, the former chair of the Budget Committee, Speaker of Parliament Anna Makinda, and the Vice Chair of the PAC.
[1066] Fjeldstad et al., 2015; Policy Forum Budget Working Group, 2013.
[1067] Interview, Tanzanian businessman and long-time CCM cadre, Dar es Salaam, April 2016. Fjeldstad et al., 2015.
[1068] This pattern points to an important feature of Tanzania’s “political business cycle”.
See: Terkildsen, 2012; Fjeldstad et al., 2015.
[1069] Interview, Makinda, Dar es Salaam, March 2016.
[1070] Interview, clerk (2); Fjeldstad et al., 2015.

to grant fresh exemptions. Many of these changes were in line with recommendations made by *Bunge*'s own Speaker's Committee.[1071] And yet Parliament proceeded to amend the VAT Bill, rolling back many of the key changes. Exemptions abolished through the Bill were reinstated; there was no clarity on what should happen to exemptions granted by the TIC, which in 2011/12, amounted to 13 percent of the total; and the discretionary powers of the Minister of Finance were reduced but not removed.[1072] As the then Deputy Minister of Finance declared, the proposed reforms were substantially "diluted".[1073]

But why did MPs, after first presenting a "common stand in favour of reducing exemptions",[1074] reverse their position? This outcome was the result of extensive lobbying, targeting notably members of the Budget Committee. Some of this advocacy was open. For instance, the Tanzania Private Sector Foundation engaged PricewaterhouseCoopers to make its case to MPs. The Ministers of Agriculture and of Tourism also came out in opposition to the Bill, demanding that exemptions for their sectors be preserved.[1075] Aside these more visible interventions, though, many alleged that a different kind of influence-peddling was going on behind the scenes. The Deputy Minister of Finance, for instance, insisted, "It is not even professional lobbying of just making a case. It has another picture."[1076] This underhand dealing, he argued, led MPs and Ministers alike to start "changing the goal posts". Regarding the actions of some of his ministerial colleagues, he remarked, "It was amazing that a minister who passed a bill in Cabinet could later go to the Budget Committee and say, 'No, it is not right.'"[1077] Like her Deputy, the Minister of Finance "wasn't happy at all".[1078] As one parliamentary clerk recalled, "She said, even in Parliament, the aim of the government is to reduce exemptions, but it seems MPs do not keep their word".[1079] The clerk then averred, "I think she was right", noting that, after the fact, members of the Budget Committee also realised that they "were too lenient".

In sum, Parliament engaged government more actively on fiscal policy following the 2013 introduction of the Budget Committee. As was true of its other oversight activities, *Bunge*'s fiscal

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[1071] Interview, then Deputy Minister of Finance and former member of the Speaker's Committee, Dodoma, July 2015.
[1072] Ibid; Interview, clerk (2); Fjeldstad et al., 2015.
[1073] Interview, Deputy Minister of Finance.
[1074] Ibid.
[1075] Fjeldstad et al., 2015. Interview, clerk (2).
[1076] Interview, Deputy Minister of Finance. As others have documented, this "other picture" of lobbying is not at all unusual when it comes to Tanzania's fiscal policy.
See: Therkildsen, 2012.
[1077] Interview, Deputy Minister of Finance.
[1078] Interview, clerk (2).
[1079] Ibid.

interventions were affected by heightened elite contestation and, consequently, had largely *regressive* distributive implications. This analysis supports my broader argument, namely that variation in Tanzania's legislative performance mirrored changes in the composition and strength of patron-client factions within CCM. As such, *Bunge* remained marginalised during the *Ujamaa* period but began to reassert itself following economic liberalisation and, with it, the expansion of private accumulation and rival patronage networks. Under President Kikwete (2005-2015), this legislative activity appeared to follow a "parliamentary business cycle", shaped by MPs' changing incentives ahead of expensive re-election campaigns. This cyclical dynamic aside, though, legislative activism reached unprecedented levels. Indeed, the Kikwete years were a high-water mark as the combination of legislative institutional strengthening and acute factional rivalries encouraged parliamentary challenges to the executive.

6.3 The rise and rise of the Ugandan Parliament

Unlike *Bunge*, Uganda's Parliament under the NRM has presented a *relatively* strong and consistent challenge to the executive, and this despite expectations that the 2005 multiparty transition would herald a new era of legislative subservience. The lack of cohesion within the NRM—both pre- and post-2005—has meant that elite tensions continue to spill over into the legislature; NRM MPs pursue personal and factional interests, often going against the party line. Meanwhile, prior rounds of legislative reform also provide the institutional tools to help magnify legislators' efforts.

In this section, I briefly review the performance of Uganda's Parliament under the NRM before examining *why* legislative-executive tensions have endured. I explore, first, how elite bargaining plays out over a "parliamentary business cycle"; I then show, through a series of fiscal and legislative case studies, how elite contestation continues to drive executive-legislative clashes. This elite focus aside, I also examine how *non-elite* organising and advocacy can fuel legislative activism, particularly where more popular groups play off existing elite divisions. As per the earlier theoretical discussion, I further illustrate how these popularly-backed interventions are likely to engender more *progressive* distributive outcomes, going against the generally *regressive* trend. But they also elicit their own variety of executive backlash, directed both at Parliament itself and at external, organised groups. As such, they remain relatively rare, and their success, elusive.

6.3.1 An overview of legislative performance

The performance of Uganda's parliament, while fluctuating, has not registered any marked decline under the NRM. In the pre-transition period, NRM leaders could blame legislative activism on the lack of formal party discipline and the clear examples of factional contestation within the broad

"Movement" church. There was, however, no obvious decline in legislative performance after the 2005 transition and the introduction of an NRM party whip. This outcome suggests that informal intra-party pressures continue to override formal party and parliamentary institutional constraints.

Even before the ratification of the 1995 Constitution, elite contestation led to tensions between the legislature, then the National Resistance Council, and the executive.[1080] It was the activities of the 6th Parliament (1996-2001), though, that began to attract serious attention.[1081] MPs enacted a series of important private member's bills,[1082] challenged the government over corruption allegations and moved to censure ministers. These efforts, while in part borne out of a principled desire to hold government to account, also became a focus for factional jostling. For instance, the *Daily Monitor* newspaper reported in 1999 on a controversial letter written by a presidential advisor and addressed to a select group of MPs.[1083] The letter allegedly raised concerns that "senior Cabinet ministers and NRM historicals had failed to mobilise Parliament for Museveni and were instead using Parliament to settle personal scores and censure their colleagues", thereby "causing political insecurity in the Movement". The President's move to sack some ministers only further fuelled the flames, with ousted Minister of Energy, Sir Richard Kaijuka, vowing to speak even louder than anti-corruption leader, Winnie Byanyima, "since I am no longer a minister."[1084] More generally, the outcome of the 6th Parliament's oversight activities resembled the results of *Bunge*'s more recent efforts; there were no prosecutions while Museveni only dropping a few ministers, many of whom he later reinstated.[1085] As such, we can question the 6th Parliament's efficacy in overseeing the executive, but there is no doubt that it was actively—if opportunistically—used to air factional differences.

Taken aback by the 6th Parliament's assertiveness, President Museveni moved to suppress it. He replaced the independent-minded Speaker, instituted the Movement Parliamentary Caucus, and more aggressively monitoring MPs' behaviour.[1086] The partial muzzling of the 6th Parliament, and the apparent further weakening of its successor,[1087] fits with an overall impression of gradual authoritarian retrenchment under the NRM. Public esteem for the legislature perhaps reached its nadir in 2005 when MPs amended the constitution to remove presidential term limits, and this

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[1080] See Chapter 5.
[1081] Kasfir and Twebaze, 2009; Carbone, 2008; Tamale, 1999.
[1082] See Chapter 5.
[1083] "Mutale sparks off new row among MPs", *The Daily Monitor*, 10 April 1999.
[1084] "Kaijuka joins Byanyima crusade – Mushega consoles Otafiire, Kaijuka", *The Daily Monitor*, 7 April 1999.
[1085] Tangri and Mwenda, 2013, especially chapter 10.
[1086] See Chapter 5.
[1087] Kasfir and Twebaze, 2009; Carbone, 2008.

after most legislators received a USh5m bribe. Observers also forecast that the introduction of a party whip following the multiparty transition would lead to a more disciplined NRM majority in Parliament.[1088] President Museveni himself, after previously lamenting having to fight "wars" with MPs, commented that with the return to multiparty competition, "We shall pass all the amendments in Parliament that we want. The period of beseeching is over."[1089]

Museveni did not, however, get his wish. Closer scrutiny of Parliament's performance pre- and post-transition upsets any easy narrative of uninterrupted legislative decline. Even during the supposedly more subservient 7th Parliament (2001-2006), legislators used the institutional gains brought about during the 6th, notably the introduction of the Budget Committee and the strengthened sectoral committees, to exercise greater fiscal oversight.[1090] They also continued these, and other activities, largely unabated into the multiparty 8th and 9th parliamentary sessions.

Available quantitative data helps confirm the consistency of Parliament's overall performance.[1091] For instance, throughout the NRM period, MPs have played an active role tabling private members' bills. The number actually *increased* post-2005, going from six bills tabled in the 6th Parliament to 18 in the 9th (2011-2016), of which 7 were enacted.[1092] Most of this legislation was introduced by NRM or NRM-sympathising MPs.

Regarding Parliament's review of government bills, there is again no straightforward pattern of rising or falling engagement. There was a higher average number of committee proposals on government legislation introduced in the 7th and 9th Parliaments while the total number of amendments to government legislation was roughly the same in the no-party and multi-party periods.[1093]

Finally, Parliament's accountability committees have consistently struggled to produce reports in a timely manner and, even once completed, reports are often never debated.[1094] Parliament has occasionally come into the limelight after moving to censure ministers, including in the 8th and 9th Parliaments. There have been no high-profile prosecutions, though, and the concerned ministers tend to return to Cabinet in short order.[1095] These interventions are

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[1088] Ibid; Rubongoya, 2007.
[1089] Cited in Carbone, 2005: 9.
[1090] Kasfir and Twebaze, 2009; interviews with staff in the Parliamentary Budget Office, *Kampala*, February 2015. A review of the *Daily Monitor*'s coverage of the 7th Parliament's budget sessions also indicates routine legislative challenges of executive spending priorities.
[1091] I did not include this quantitative data in my comparative analysis at the start of this chapter as I lack similarly detailed information for Tanzania's *Bunge*.
[1092] Kasfir and Twebaze, 2015.
[1093] Ibid.
[1094] Centre for Policy Analysis, "Strengthening the oversight function of Parliament of Uganda: An assessment of accountability committees", September 2014.
[1095] Tangri and Mwenda, 2013.

nevertheless significant as a means of settling factional scores and as a focal point for influence-peddling by various business interests.[1096] That said, ministers suspected of corruption and pursued through legislative channels are, it seems, only genuinely side-lined if they fall out with Museveni himself.[1097]

This brief review indicates that legislative activity in Uganda has remained largely stable, and this despite NRM leaders' efforts to impose more discipline both pre- and post-2005.[1098] I now examine in more depth what factors underpin continued executive-legislative bargaining in the multiparty era.

6.3.2 Uganda's "parliamentary business cycle"

The NRM's fragmented patronage networks, and MPs' responsibility to largely self-fund their campaigns,[1099] directly inform the activities of Uganda's multiparty parliament. Crucially, this activity fluctuates over the course of a parliamentary term. To the extent that the legislature challenges the executive, it is more likely to do so earlier in a parliamentary term. As the next election approaches, MPs tend to rubber stamp government initiatives, demanding more personal and pecuniary rewards in exchange.

As noted in the previous chapter, legislators' responsibility for raising their own campaign funds reinforces an "individual merit" hangover from the no-party era. The expense of financing a parliamentary campaign and the party's own meagre contributions means that, when an NRM candidates wins and comes to parliament, "*owning* him or her becomes difficult, so therefore disciplining him or her is difficult."[1100] Perhaps the greatest irony is that it is MPs from the west of Uganda, the supposed NRM heartland, who face the highest levels of intra-party competition and who, consequently, demonstrate some of the lowest levels of loyalty and discipline once they reach Parliament.[1101]

What may at first make MPs more independent, however, can later become a source of heightened vulnerability and, thus, political passivity. Indeed, Parliament's performance declines with the approach of a new campaign season and the deteriorating financial position of individual MPs.[1102] Legislators' indebtedness is widespread, exacerbated by costly campaigns, constituency

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[1096] Ibid: 135-6. Vlassenroot et al, 2012: 15.
[1097] For the example of former Minister of Education Jim Muhwezi, see Tangri and Mwenda, 2013: 135-6.
[1098] For further detail, in addition to the below discussion, see Chapter 5.
[1099] See Chapter 4.
[1100] Interview, NRM party official, Kampala, January 2015. See also: NRM Caucus report, 2014.
[1101] ACFIM report; Interview, NRM party official, January 2015.
[1102] MPs' attendance goes down as does the frequency with which Parliament challenges the executive. A common theme in interviews with MPs and staff from various advocacy organisations was that any serious legislative business had to be achieved in the first two to three years of a five-year parliamentary session.

demands, and targeting by aggressive loan sharks.[1103] President Museveni, meanwhile, has been known to gloat over MPs' financial woes, observing that only 50 MPs in the 9th Parliament had an independent source of income.[1104] As one parliamentarian remarked, "Museveni calls MPs 'internally displaced'," referring to the way some legislators elude creditors by hiding in their parliamentary offices, from which they cannot be arrested.[1105] This financial distress means the President can make a show of bailing out parliamentarians while trips to State House are an opportunity for legislators of all stripes to lobby the President for assistance.[1106]

The Office of the Government Chief Whip (OGCW) is another source of financial relief. The official budget for the OGCW draws from both the parliamentary budget and the budget of the Office of the Prime Minister. In practice, though, it uses classified expenditure—primarily from defence and State House—to provide extra, off-budget support to MPs.[1107] As one NRM official working in the OGCW recounted, the use of classified expenditure enables the Office to help individual MPs with "personal problems", adding, "Facilitating that member is very important such that he knows that he belongs to a party that cares."[1108] The Party's "caring" attitude then helps address issues of NRM indiscipline, although opposition MPs also benefit.

Beyond addressing "personal problems", the OGCW can help link MPs to Ministers such that they access funds for constituency service. This is a routine practice, but it can be especially effective as a strategy for quelling opposition to government budget proposals. As the official explained,

> "There have been people who have come here and said, 'We have been trying to meet the Minister of Works about roads in our constituency, but we have not managed to meet him, so why should we support his ministerial policy statement?' [...] So when the Chief Whip calls them, listens to them, addresses such issues, then they get back to the fold."[1109]

[1103] Accessed 15 June 2016: http://www.observer.ug/news-headlines/37701-heavy-debt-mps-named
Accessed 25 Nov 2016: http://www.monitor.co.ug/News/National/Legislators-loans-as-swearing-in-enters-/-/688334/3207688/-/qsyn1xz/-/index.html
This issue was raised by several interviewees.

[1104] Accessed 15 June 2016: http://www.observer.ug/component/content/article?id=24180:president-says-only-50-mps-can-sustain-themselves
ACFIM survey of MPs on Campaign Finance; Interviews, NRM and Opposition MPs.

[1105] Interview, NRM MP, Kampala, February 2015.

[1106] Accessed 15 June 2016: http://www.observer.ug/news-headlines/33244--state-of-emergency-as-mps-get-bailed-out

[1107] Interview, NRM party official, January 2015.

[1108] Ibid.

[1109] Ibid.

As is clear from this statement, MPs' financial stress and constituency pressure provide an opportunity for the Party to buy back their loyalty and discourage them from pursuing collective legislative action or aggressive oversight of the government budget.

In keeping with the concept of a "parliamentary business cycle", MPs' willingness to approve government budgets unchallenged is especially notable around elections. At the tail end of the 8th Parliament (2006-2011), for instance, Museveni gave MPs Ush1m (£260) to retrospectively approve an unprecedented supplementary budget of $740m (£451m), money that had already been used to buy fighter jets and other military hardware from Russia.[1110] It was later alleged that the cost of the jets was inflated, thus implying that money had been diverted to the NRM campaigns. While nothing as extravagant occurred ahead around the 2016 polls, there was nevertheless a spike in parliamentary approval of supplementary budgets, again likely freeing up extra cash for campaigns.[1111]

MPs are not always this passive, though, even pre-election. Indeed, they demand a *quid pro quo*, adopting a more assertive posture when their own financial interests are at stake. For instance, in 2005, just before the first multi-party elections, Parliament passed a bill establishing a pension scheme for legislators.[1112] The bill stipulated that the scheme would cater for MPs serving since 2001, i.e. the very same MPs responsible for enacting it. The State Minister for Pensions was vehemently opposed to the legislation, notably criticising an amendment compelling Government to contribute 30 percent of each MP's salary to the scheme, triple what it pays for other public service pensions. This executive opposition notwithstanding, the Parliamentary Pensions Bill sailed through the House.

Another way MPs extract additional benefits from Government, especially pre-elections, is by increasing the parliamentary budget. Following the enactment of the Administration of Parliament Act (1997), this budget is set by the Parliamentary Commission, although the Ministry of Finance still needs to approve the overall ceiling.[1113] Figure 6.2 shows the increase in approved expenditure from the end of the 8th Parliament (2006-2011) through to the end of the 9th (2011-2016).[1114] Overall during this period, the parliamentary purse grew by 319 percent, with 52

[1110] Accessed 19 April 2018: http://www.monitor.co.ug/News/National/688334-1133504-aohn4hz/index.html
Accessed 19 April 2018: https://www.wsj.com/articles/SB10001424052748704013604576248094099823846
Interview, public health activist, Kampala, March 2015.
[1111] ACFIM report (2016), chapter 11.
[1112] Accessed 19 April 2018: https://ugandaradionetwork.com/story/members-of-parliament-to-get-pension
[1113] See Chapter 5.
[1114] Data sourced from Approved Budget Estimates for FY 2009/10 through 2016/17, available at: http://www.budget.go.ug/

percent of that increase accruing in the *last two years* of the 9th Parliament.[1115] By way of comparison, this growth in Parliament's budget easily surpassed the already high 209 percent increase in the total government budget during the same period.[1116] Moreover, it far and away exceeded the 54 percent increase in the agriculture budget, which in financial year 2015/16 was only 37 percent higher than that of Parliament. The comparison with agriculture is particularly revealing as the agriculture sector employs roughly 70 percent of Ugandans and contributes 26 percent to GDP.[1117]

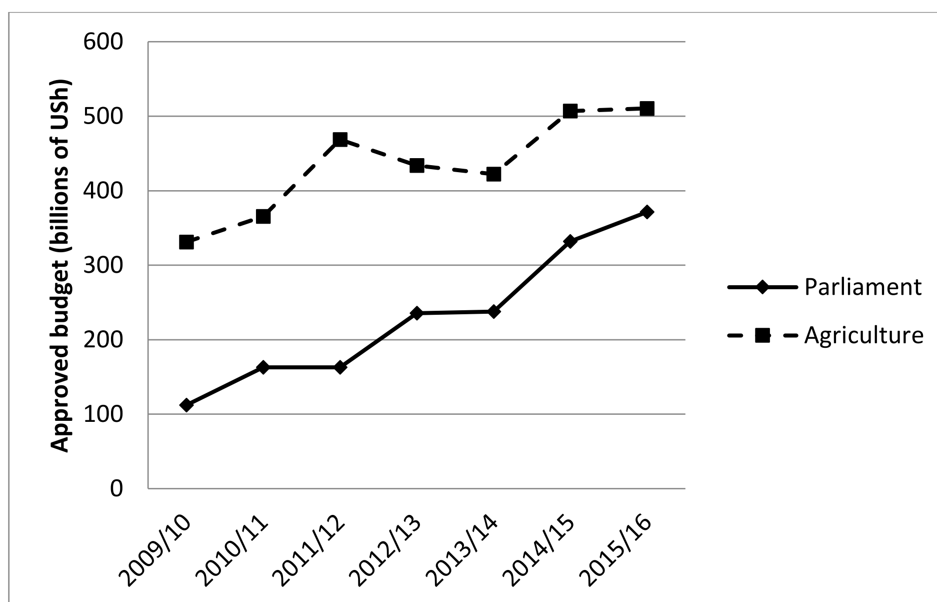

Figure 6.2 – Parliament and Agriculture budgets compared

Uganda's "parliamentary business cycle" thus sees considerable variation in the nature and extent of executive-legislative bargaining during a parliamentary term. MPs seemingly grow more subservient as political and financial pressures mount ahead of an election. When they *do* challenge the executive, their aim is to secure further financial benefits for themselves. The distributive implications of this form of bargaining are, needless to say, sharply regressive.

This cyclical trend aside, though, it remains to be seen what drives legislative activism earlier in a parliamentary session, and whether this activity may lead to more progressive distributive outcomes.

[1115] An increasing portion of this budget goes towards MPs salaries and other emoluments. These are the fourth highest in Africa, where only South African, Nigerian and Kenyan MPs are better remunerated. Accessed 19 April 2018: http://observer.ug/news-headlines/46774-how-ugandan-mps-pay-compares-with-counterparts-worldwide

[1116] The total approved budget grew from Ush7.8tr in 2009/2010 to Ush26.4tr in 2015/16.

[1117] Deloitte, "Uganda Economic Outlook 2016".

6.3.3 Case studies – Elite contestation in parliament, and non-elite organisation outside

In what follows, I first elaborate on how elite contestation—coupled with non-elite pressures—continues to fuel legislative activity in the post-transition period. I then examine a series of budgetary and legislative case studies from the 9th Parliament (2011-2016). Through this analysis, I detail how non-elite groups play off elite factionalism to influence the executive *through Parliament* and, in the process, raise the prospect—however slim—of more progressive distributive outcomes.

6.3.3.1 Elite contestation and non-elite mobilisation

Elite contestation, and occasionally non-elite organising, have continued to shape legislative activity in several ways post-2005.

First, unlike in Tanzania, Uganda's top private sector elite—those who did not accumulate their wealth while already in politics—tend not to seek election to Parliament.[1118] However, as documented in Chapter 4, business elite *do* routinely invest in MPs' campaigns, with some purporting to "have" legislators who will defend their interests in Parliament. These private sector financiers also engage in more *ad hoc* lobbying, including through bribes and other inducements. As has proved true more recently in Tanzania, oversight committees are a prime target for this kind of intervention. While there were concerns pre-2005 about private sector bribery,[1119] similar allegations have been made in recent years. These relate notably to the Public Accounts Committee, especially when it was more active under the Chairmanship of the media savvy and energetic Nadala Mafabi (2006-2011).[1120] Rumours about other committees are common as well. One former committee chair recalled, "There are business interests, many other interests who come and say, "Do this, say this", and many other things."[1121] These various interests "compromise the chairpersons or the committee" to ensure Parliament does not exercise effective scrutiny.

Aside private sector actors, there is a distinct class of accumulators in Uganda who have amassed their wealth while in politics. Some have only served in Parliament, but more prominent are the long-serving cabinet ministers.[1122] Rivalries are rife within this NRM elite, including those

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[1118] While some of Tanzania's richest men—including its billionaires Rostam and Dewji—have passed through Parliament, Uganda's top private sector fortunes—be they from the Ruparelia or Madhvani families or more recently high-flying African entrepreneurs—do not tend to follow the same path.
[1119] Tangri and Mwenda, 2013: 93. Interview, Byanyima, Oxford, June 2014.
[1120] Accessed 19 April 2018: https://www.independent.co.ug/analysis-happened-pac/
Accessed 19 April 2018: http://www.monitor.co.ug/News/National/Nandala-denies-bribe-claims-by--UNRA-probe/688334-3223066-elegc6/index.html
[1121] Interview, long-serving NRM MP and former committee chairperson, Kampala, February 2015.
[1122] See Chapters 3 and 4 for more details. The military is another important category, although I do not handle it here.

closest to Museveni, the "aristocracy".[1123] These personal animosities often date back decades, but they are kept alive, notably re-animated during elections when rivals accuse each other of interfering in their campaigns.[1124] The same tensions also surface in Parliament as ministers try to marshal rank-and-file MPs to target other ministers. That said, there is also a notable cleavage between backbench MPs and their more privileged frontbench colleagues, from whom backbenchers have to "beg" for constituency services.[1125]

These various tensions make Parliament a tinderbox, ready to light. But more interesting, and potentially beneficial, is how elite differences can provide leverage for non-elite groups, be they unions, famers' associations, faith groups or other advocacy organisations. In Uganda, these groups have grown more sophisticated in their efforts to lobby Parliament, certainly relative to their counterparts in Tanzania. They have, notably, learned how to use political organising and pressure to rally backbench MPs behind their agenda, prompting legislators to substitute their more individualised lobbying efforts for collective, legislative action.[1126] MPs' political motivation is then strengthened where, by adopting a particular political cause, they can outmanoeuvre a rival faction within the legislature. Thus, MPs and parliamentary leaders unite against ministers or, indeed, back one minister against another.

The efforts of non-elite groups to engage the legislature nevertheless present their own challenges. Of particular concern is retaliation from NRM leaders who respond to effective legislative action by selectively disciplining key MPs and parliamentary leaders. They also target the organisations involved in lobbying Parliament, including by undermining influential campaigners and by using patronage to divide an organisation's membership. These strategies are certainly not unique to Uganda. Rather, where clientelist politics pervade, regime elites often use the top-down and selective distribution of patronage to reassert a hierarchical relationship

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[1123] Accessed 2 June 2018: http://africanarguments.org/2015/06/29/family-therapy-dynasty-and-change-in-uganda-by-angelo-izama/

[1124] See Chapter 4 for some details, although this is discussed more in the below case studies.

[1125] Interviews with NRM MPs.

[1126] This heightened sophistication relates notably to the strategies adopted by non-governmental organisations (NGOs) in Uganda. Since the early to mid-2000s, several NGOs, particularly those involved in budget advocacy, have moved beyond providing evidence and arguing their case to MPs to experiment instead with various ways of exerting direct, political pressure. They have resorted to petitions, mobilised in MPs constituencies, rallied constituents to phone or text their MPs ahead of key votes, and crucially, partnered with unions, farmers associations, faith groups and other mass membership organisations.
For the above, I draw on interviews with MPs as well as NGO and union staff, including from: CSBAG, Advocates Coalition for Development and Environment (ACODE), NGO Forum, White Ribbon, Health Gap, Uganda National Teachers' Union (UNATU), Uganda Medical Workers' Union (UMWU), Parliament Watch, Uganda National Health Consumers' Organisation, Action Group for Health, Revenue Watch Institute (RWI), Uganda Women's Network.

between rulers and ruled, thereby countering the political threat posed by horizontal, mass organising.[1127]

Having provided a broad-brush picture of how elite contestation and popular organising jointly shape legislative activity in Uganda, I now turn to a series of legislative case studies to provide a more detailed illustration.

6.3.3.2 Budgetary review and fiscal policy

In what follows, I first examine a case relating to medical workers' recruitment and pay before addressing one regarding teachers' salaries. In both instances, I show how: (a) activist organisations were crucial in pushing Parliament to demand more social spending; (b) elite divisions within Parliament helped create the opening for activists to lobby effectively; and (c) a backlash from the executive limited the long-term impact of this more progressive mobilisation.

The health budget

In September 2012, Parliament refused to pass the annual budget for the 2012/13 financial year unless Government agreed to allocate additional funds to the Ministry of Health. The threat of a Government shut-down came after the Social Services Committee had for years ritualistically flagged Uganda's critical shortage of health workings with no response from the executive. In 2012, though, a perfect storm gathered to drive health to the top of the political agenda. Legislators, campaigners and the media all converged on this one issue, pressuring Government to act. Meanwhile, certain MPs and ministers used the occasion to fire shots at one another, further intensifying the legislative-executive clash.

Already in 2011, at the start of the 9Th Parliament, a loose coalition of advocacy groups, unions and professional associations working in the health sector united around a key campaign goal: to increase recruitment and salaries for medical workers.[1128] From the start, the coalition worked closely with the Parliament's Social Services Committee. The new chairman, Sam Lyomoki, was an NRM MP for "workers", one of the "special interest" groups represented in the Ugandan Parliament.[1129] Lyomoki's personal and political background meant that he also had deep roots in political organising outside of the legislature. A trained medical professional himself, he oversaw

[1127] See: Berman, 1998; Chubb, 1981: 81-2; Cooper, 2002, especially Chapter 4.
[1128] This agenda materialised amidst a severe national shortage of health workers, which had reached crisis proportions due to government's failure to recruit and retain staff with adequate pay packages. Interviews with MPs and NGO staff involved in the campaign.
[1129] As noted in Chapter 5, the 1995 Constitution provides for representation of women, youth, workers, people with disabilities and the Uganda People's Defence Force, i.e. the military.

the founding of the Uganda Medical Workers Union (UMWU) in the early 1990s and later served as its secretary general.[1130]

In 2011, the new campaign coalition first tried to convince the Ministry of Health to reallocate money within its own budget and invest in recruiting new medical workers. The membership of the Social Services Committee enthusiastically signed up to the cause, but their recommendations met with stiff opposition. This came both from the Ministry and the leadership of the Budget Committee, the parliamentary committee responsible for compiling and reviewing all proposals from sector committees.[1131]

Undeterred, campaigners and MPs alike renewed their efforts the following year. This time, though, they recommended that the Ministry of Finance reallocate funds from other sectors to the Ministry of Health, thus increasing the overall health budget. Representatives from a mix of advocacy organizations and professional associations contributed to the Social Services Committee report, which called for a reallocation to the health sector of Ush260b (£65m) to both recruit new medical workers and to improve their pay.[1132] When the report was brought to the House, it attracted strong, cross-party support and was soon adopted. Crucially, this including a commitment not to pass the annual budget until the additional funds were provided to the health sector.

The Budget Committee was then tasked with drafting its own report to accommodate these demands. The Committee identified Ush39.2b (£9.9m), which it felt could be re-allocated through a 30 percent cut in non-wage spending across all sectors.[1133] Campaigners as well as MPs on the Social Services Committee never expected to get the full amount they asked for, so even though the Ush39.2b was only 15 percent of the initial sum requested, they supported the Budget Committee's proposal.

Government, on the other hand, remained staunchly opposed. President Museveni, as NRM Chairman, repeatedly convened the NRM parliamentary caucus, where he met with unusual resistance. After one particularly stormy session, he walked out, declaring that he would not "sacrifice the defence budget for anything", here referring to a recommendation that Government re-allocate money from defence to health.[1134] Within Parliament, the Leader of Government

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[1130] Interview, Lyomoki, Kampala, February 2015.
[1131] Where there is no added specification, this and the below narrative come from a mix of interviews with Lyomoki, members of the social services committee, parliamentary clerks and health campaigners.
[1132] "Report of the Parliamentary Committee on Health on the Ministerial Policy Statement for the Health Sector for the Financial year 2012/2013", August 2012, p 35.
[1133] "Report of the Budget Committee of Parliament on the harmonisation of the budget figures before supply", September 2012, p 5.
[1134] Accessed 20 April 2018: http://www.monitor.co.ug/News/National/Museveni-storms-out-of-meeting/688334-1511336-u3i90hz/index.html

Business, then Prime Minister Amama Mbabazi, led the executive pushback. While many other ministers preferred to stay silent, the frontbench was nevertheless almost completely full. Indeed, in a truly unusual development, the three deputy prime ministers, President Museveni's brother-in-law, Sam Kuteesa, and his wife, Janet Museveni, all showed up to monitor what was for them a "crisis".[1135]

Given the intransigence of the NRM top brass, though, what kept the budget debate alive? Several factors motivated ruling party MPs to resist the pressure from on high. As documented in the official Hansard, NRM legislators repeatedly criticized their government for its failure to prioritize public services, highlighting the negative electoral implications. As one MP lamented,

> "Yesterday we lost a seat to the Opposition in Butambala District. This was because of poor service delivery in hospitals and health units. Even in Gombe Hospital, there is a polling station within the staff quarters and they have about 200 staff, but we got 10 percent of the votes."[1136]

Beyond the fortunes of the NRM party more broadly, MPs also emphasised their personal struggles to satisfy constituents' expectations:

> "Pity MPs from areas like mine. We have now resorted to buying ambulances; facilities are not there; hospitals are nowhere within our areas. So, we need to allocate some good amount of money to the health sector."[1137]

> "In this country, the calamity and condemnation we face is all about life. So, if we do not come out strongly to increase the health budget, we will continue being victimised, especially we Members of Parliament where the failure of service delivery bounces back to us."[1138]

These concerns, reiterated by numerous interviewees, clearly suggest that constituency pressures can lead MPs to prioritise voters' concerns over the NRM party line. The incentive to focus on local demands is clearer still once we factor in the individualised nature of campaign finance, and the

[1135] Interview, public health activist, Kampala, March 2015.
[1136] *Hansard*, NRM MP, 13 September 2012.
[1137] Ibid.
[1138] Ibid.

pressure MPs feel to prove their worth as individual patrons to win re-nomination within the NRM.[1139]

The 2012 budget debate was, however, also fuelled by another feature of intra-party politics, namely the NRM's factionalism. Backbench attacks on an aloof and self-interested frontbench were a regular feature throughout, seemingly feeding off tensions between rank-and-file MPs and Museveni's privileged inner circle. As one especially vocal first-term MP admonished,

> "These members here on the frontbench do not know what is happening down there. When they even have a slight headache, they are flown outside for treatment. […] I wish they could go down on the ground and see what people go through. We had a tour of the Eastern Region and the whole Kibuku District does not even have a doctor. [HON. MEMBER: 'Tell them']."[1140]

This larger schism aside, more personal enmities also enflamed the debate. Prime Minister Amama Mbabazi was a principal target, singled out by several MPs with whom relations were strained. One particularly outspoken contributor was an NRM legislator, Chris Baryomunsi, whose own constituency bordered Mbabazi's in the western district of Kanungu. The two were locked in a factional war in the area, which spilled over onto the national stage.[1141] During the 2012 budget debate, Baryomunsi not only criticized Mbabazi defence of the official government line but individually shamed the Prime Minister for his alleged failure to attend to his constituents. After Mbabazi issued a statement to counter the Budget Committee's report, Baryonmunsi commented,

> "This is a very good example of a very bad statement brought by the Prime Minister (Laughter). I have six patients from Kanungu in my house and two of them are from the Prime Minister's constituency because they cannot get service in Kanungu. […] There is only one medical doctor serving the whole of Kanungu."[1142]

[1139] See Chapter 4.

[1140] *Hansard*, NRM MP, 18 September 2012.

[1141] Baryomunsi later served on the special committee convened by the NRM parliamentary caucus to investigate the 2010 primaries. The committee's findings regarding Mbabazi's behaviour as NRM Secretary General helped set in train the process that led to his ouster, both from his party and government positions (see Chapter 4). Baryomunsi, meanwhile, went on to assume a ministerial position of his own, thereafter becoming a notable defender of government policy.

[1142] *Hansard*, NRM MP, 18 September 2012.

Mbabazi had another, more high-profile critic, Speaker Rebecca Kadaga, who among other things, had accused the Prime Minister of funding rival candidates in her Kamuli constituency.[1143] Kadaga allowed the health debate to drag on and even contributed to challenging Mbabazi. For instance, she questioned his claims that there was no money to redirect towards the health sector budget, noting:

> "Prime Minister, I have been here for some time and do remember that at some point, when it became necessary to fund the war in the North, the Government directed that every ministry surrenders some money and I passed the vote – and we all did and found the money. (Applause). […] Because we were able to do that when we had less money, why can't we do it now? Think about it."[1144]

While this push-and-pull was ongoing within the House, the campaign continued outside as well. The media was alive with debates over the budget, many featuring call-in sessions and testimonies from health workers and concerned citizens. Advocacy organisations were also using the media to encourage people to contact their MPs and insist they hold firm. MPs themselves confirm receiving numerous calls and text messages throughout the budget debate.

Finally, with the clock ticking down and the government in danger of running out of cash, Prime Minister Mbabazi arrived with an alternative proposal. He asserted that Government would provide, as a "first step", approximately Ush49.5b (£12.5m) to recruit more health workers and to provide some health workers—not all—with an additional allowance. He indicated a small portion of these funds would come from reallocations while the remainder, he promised, would arrive as a supplementary budget later in the year.

Many feared this was an evasion strategy and that the government would never provide the additional funds. Even so, Parliament accepted Mbabazi's offer and passed the budget. The Social Service Committee along with outside advocacy organizations then set about monitoring Government to ensure that the supplementary budget was indeed released and that the recruitment process and pay increase went ahead. After the Committee threatened the Minister of Finance with a censure motion, the money was duly released.[1145] The Ministry of Health then

[1143] See Chapter 5.
[1144] *Hansard*, NRM MP, 18 September 2012.
[1145] Interview, Lyomoki.

undertook the recruitment of a targeted 10,231 health workers, which was considerably more than the 6,172 the Ministry first estimated that it could afford.[1146]

Unfortunately, however, this "first step" also proved the last, thereby frustrating both campaigners and legislators who had hoped for a more sustained effort to address the critical lack of qualified staff in the health sector. Government, however, responded to the unprecedented level of legislative activism with a calculated counter-attack. The targets included dissident MPs within the ruling party. The Chairperson of the Social Services Committee, the "workers" MP with a medical and unionist background, was moved to the committee on defence, about which be professed to "know nothing".[1147] His replacement on the Social Services Committee was a loyal ruling party cadre who was later appointed NRM Deputy Treasurer.

Largely because of this Government backlash, Parliament returned to making minor amendments and soft, non-binding recommendations to the health sector budget. Even so, what the 2012 confrontation clearly demonstrated was the potential for outside pressure to help mobilize MPs in pushing for an increase in public goods provision, and for tensions within the NRM to further fan the flames during a heated House debate.

The education budget

Despite the limited follow up, the executive-legislative clash over the health budget was not a one-off occurrence. Similar tensions over education spending offer a further indication of how extra-parliamentary mobilisation can prompt legislative interventions. Indeed, throughout the 9th Parliament (2011-2016), there were repeated calls for an increase in teachers' salaries, which were considered critical to improving the quality of education services more broadly. A key driver behind this push was the Uganda National Teachers' Union (UNATU), working alongside sympathetic MPs. As was true of campaigners on health, UNATU and its allies helped galvanise rank-and-file MPs' to take collective action while benefiting—perhaps unwittingly—from elite divisions within the legislature. Again, the response from President Museveni and certain key ministers combined some concessions with a repressive backlash, targeting UNATU especially.

[1146] "Remarks by the Hon. Minister of Finance, Planning and Economic Development on the Shs43b required as supplementary budget for the remuneration of health workers for FY 2012/13", February 2013.
"Progress report on the recruitment of health workers for HCIV & HCIII", Ministry of Health, February 2013.
Both documents were submitted to the Social Services Committee. Copies provided by a health campaigner present at the relevant committee meetings.

[1147] While committee chairs and members are routinely, although not automatically, moved to different committees, their preferences and expertise are generally considered. This was not the case for Lyomoki. Interviews with Lyomoki and health campaigners.

UNATU's emergence as a political force was itself a considerable achievement. Labour organizing has long been a target of political repression in Uganda, including under the NRM.[1148] The Movement Government did allow for a series of progressive reforms to Uganda's labour law in the 1990s, including the removal of a 1968 ban on public sector unions. It obstructed the implementation of this legislation, however, including by blocking the registration of a teachers' union until 2003, when it ceded in the face of sustained protest.[1149]

After overcoming this initial hurdle, UNATU slowly consolidated until, ahead of the 2011 elections, its potential to pose a political threat was finally revealed. Aware of the Union's success in recruiting and organising new members, President Museveni embarked in 2009 on a nationwide tour to meet with secondary school teachers. The tours were ostensibly aimed at advising on how to teach patriotism to students, although opposition politicians claimed teachers were being forced to join the NRM.[1150] Whatever the intention, UNATU remained unmoved by these presidential overtures. Throughout 2009 and 2010, the Union continued to draw attention to the poor performance of Universal Primary Education (UPE), the NRM's flagship programme,[1151] while pushing for an increase in teachers' pay.[1152]

Shortly after the 2011 elections, UNATU amplified its efforts, striking in July for a 100 percent salary increment for teachers. The Union's main target was initially Government; however, Museveni evaded its demands while the Prime Minister and Minister of Education appeared actively hostile. UNATU therefore shifted its focus to Parliament's Social Services Committee where, in the words of UNATU's then Vice National Chairperson, "the debate picked [*sic*] with excitement."[1153] The Committee recommended an immediate 20 percent increase in teachers' salaries, urging Government to phrase in the full 100 percent increment over the next three years.[1154] A majority of MPs then endorsed these recommendations in the House and directed the Budget Committee to identify funds from other sectors to cover the increase in the education budget.

[1148] Barya, 2010.

[1149] Interview, Lyomoki; Interview, the Secretary General of UNATU, James Tweheyo, Kampala, January 2015.

[1150] Accessed 9 June 2018: http://www.monitor.co.ug/Magazines/PeoplePower/-/689844/701754/-/4ljoqx/-/index.html

[1151] Stasavage, 2005.

[1152] UNATU's criticisms of government were consistently raised in the Union's newsletter, *Voice of the Teachers*. See, for instance: James Tweheyo, "Why Government must hire more teachers and increase their pay", *Voice of the Teachers*, August 2010, pp 1&3.

[1153] James Tweheyo, "Teachers' 2011 Strike: Worthwhile or a waste of time??", *Voice of the Teachers*, June 2012, pp 4-5.

[1154] "Report of the Committee on Social Services on the Ministerial Policy Statement and Budget Estimates for the Financial Year 2011/12", September 2011, pp 7-8.

Parliament's more independent stance was a product, first, of UNATU's success in playing to the interests of backbench MPs. Indeed, after turning the Social Services Committee into an "ally", UNATU then appealed more broadly to MPs' sense of their own electoral vulnerability. The Union's Vice National Chairperson thus affirmed:

> "Parliamentarians are easier to work with because they want votes, and teachers are the most widely distributed people in this country. [...] One of the reasons why some MPs lose is because they injure us and what injures the teacher injures the parent injures the child."[1155]

A former member of the Social Services committee made a similar comment, noting that parliamentarians "are also rural-based" and therefore "know the challenges that are being faced in rural schools, the implementation of UPE in the rural areas."[1156]

Spurred by these motivating factors, MPs continued supporting the teachers. However, it is likely they would have folded had it not been for another factor strengthening legislators' commitment, namely a particularly fortuitous alignment of elite tensions. As UNATU launched a second round of industrial action in early September 2011, Prime Minister Mbabazi declared striking teachers would be fired.[1157] MPs responded by demanding the Prime Minister's resignation.[1158] To understand this bold move, it is worth recalling that, in addition to the personal antagonisms mentioned above, a broad swathe of NRM MPs were deeply frustrated with Mbabazi as NRM Secretary General, and this due to his alleged factional meddling in the botched 2010 party primaries.[1159] Given this resentment, he made for a particularly problematic Leader of Government Business in the House.

Even with Parliament's support, though, the resolve of striking teachers was beginning to wane. Many were suffering at the hands of strike-breaking local officials.[1160] The Budget Committee then reported back to Parliament after holding a residential meeting at a luxury hotel paid for by Government. It did not support the proposed salary increment for teachers, instead

[1155] Interview, UNATU General Secretary, Tweheyo, Kampala, January 2015.
[1156] Interview, NRM MP, Kampala, February 2015.
[1157] Accessed 9 June 2018: http://www.monitor.co.ug/News/National/-/688334/1230474/-/bjcqliz/-/index.html
[1158] Accessed 9 June 2018: http://www.monitor.co.ug/News/National/-/688334/1231134/-/bjc4q9z/-/index.html
[1159] See Chapter 4.
[1160] Ibid.

making a more general reference to the need for an "across board" salary review.[1161] Soon after, UNATU called off its strike.[1162]

What at first looked like a failure nevertheless proved to be the start of a more drawn out campaign. Soon after the strike ended, the Prime Minister announced that Government would increase teachers' salaries by 50 percent over three years in instalments of 15, 20 then 15 percent. Keeping government to its word was the next challenge, though, and the effort devolved into a game of cat-and-mouse between Government and UNATU with Parliament in the middle.

In 2012, Government delivered the first 15 percent increment. It however reneged on its promise of a 20 percent pay raise in 2013, citing austerity conditions after a multi-million-dollar corruption scandal prompted donors to suspend aid.[1163] UNATU responded by announcing further strike action. It also turned to Parliament for support and was again well received by the Education Committee, which had since split from Social Services. As before, the Committee resolved to back teachers' demands, and Parliament voted to task the Budget Committee with finding the additional funds for the 20 percent increment.[1164] President Museveni was unflinching, though, threatening to halt infrastructure developments in dissident NRM MPs' constituencies while declaring that uncooperative teachers should be "[swept] aside" in favour of new recruits.[1165] Ultimately, when the Budget Committee reported that no funds were available for teachers' salaries,[1166] the overwhelming majority of NRM MPs voted to accept this verdict. Soon thereafter, UNATU suspended its strike, although not without demanding some assurance from Government that it would allocate a fresh increment the following year.[1167]

This it did,[1168] but come 2015, Government refused to provide the final salary increment.[1169] This time, there was no resistance from Parliament. With the 2016 general election fast approaching, NRM MPs were loath to offend their party leadership ahead of highly competitive party primaries. UNATU, meanwhile, was struggling in the face of varied government

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[1161] "Budget Committee Report on the Budget Estimates for FY 2011/12", 8 September 2011, p 8.
[1162] Accessed 9 June 2018: http://www.monitor.co.ug/News/Education/-/688336/1238498/-/f1l9a7/-/index.html
[1163] Accessed 9 June 2018: http://www.monitor.co.ug/News/National/Don-t-pass-Budget--teachers-urge-MPs/-/688334/1898028/-/u628sp/-/index.html
[1164] "Report of the Committee on Budget on the instruction from Parliament to find funds for a 20% salary increment for teachers from the budget estimates for FY 2013/14", 18 September 2013.
[1165] "Museveni: sack striking teachers", *The Observer*, 18 September 2013.
[1166] "Report of the Committee on Budget", 18 September 2013.
[1167] Accessed 9 June 2018: http://www.monitor.co.ug/News/National/Protest-off-as-Unatu-strikes-deal-with-government/-/688334/2007384/-/157ymr1/-/index.html
[1168] Accessed 9 June 2018: http://www.monitor.co.ug/News/National/Government-allocates-Shs215-billion-for/-/688334/2346558/-/b4gwlv/-/index.html
[1169] Accessed 9 June 2018: http://www.monitor.co.ug/Magazines/PeoplePower/Government-should--swallow-its-pride-and-pay--teachers/-/689844/2734474/-/5pvg9dz/-/index.html

strategies to disorganize the Union.[1170] The Ministry of Education had started transferring teachers known to be active UNATU members. It was also trying to "sabotage" the Union by circumventing the UNATU leadership when disbursing seed capital to teachers' SACCOs (Savings and Credit Cooperatives). The NRM had resorted to this tactic before, for instance, using the Government's SACCO support initiative to divide opposition-leaning associations set up by market vendors and motorcycle taxi drivers.[1171]

The struggle over teachers' salaries in many ways exemplifies the fraught politics underlying parliamentary activism, particularly when galvanised by outside pressure. By appealing to MPs, UNATU was able through Parliament, and parallel strike action, to extract concessions from Government. Both legislators and UNATU itself nevertheless struggled to withstand the executive backlash, characterized by a mix of patronage and intimidations. As a result, progress on teachers' salaries was halting, while overall the quality of education in Uganda showed little sign of improving.

6.3.3.3 Legislative review

The politics of health and education spending already reveal much about the factors shaping legislative activism, at least early in a parliamentary term. It is hard to understand the trajectory of Uganda's 9th Parliament, though, without considering the executive-legislative maelstrom that arose out of the 2011-2012 petroleum debates. The 2006 discovery of oil in Uganda's western region fuelled excitement about the country's future wealth, but also fears of a resource curse. After several years delay, Parliament finally intervened. Pressure from outside advocacy organisations, media scrutiny and broader popular mobilisation helped motivate and guide this legislative action, although factional tensions within the NRM again contributed to oil rising to the top of the parliamentary agenda. Ultimately, the legislature ensured the enactment of much improved—if still flawed—legislation regulating the petroleum sector. Even so, the executive backlash was fierce, limiting the potential for sustained legislative intervention.

Shortly after Uganda's oil discovery, which occurred during the 8th Parliament, a range of national and international NGOs as well as donor agencies began advocating for stronger policy and legislation to regulate the new sector. Parliament was among the main targets of this advocacy, and the Parliamentary Forum on Oil and Gas (PFOG) was duly set up, headed by an ambitious backbench NRM MP, Henry Banyenzaki. The Forum was "not very outspoken" at that stage, though, and Banyenzaki, after causing a mild stir, was appointed minister after the 2011

[1170] Interview, UNATU General Secretary, Tweheyo, Kampala, January 2015;
Interview, UNATU Communication and Advocacy Officer, Kampala, January 2015.
[1171] Titeca, 2014.

elections.[1172] By then, little progress had been made as Government repeatedly delayed formulating petroleum legislation while early draft bills were widely criticised as deficient by advocacy groups.[1173]

Parliament's lacklustre engagement changed entirely in October 2011, though, when MPs mobilised to recall the House for a special sitting.[1174] The two-day session centred on a set of documents tabled by Independent MP Gerald Karuhanga.[1175] The documents purportedly revealed that senior ministers had taken multimillion-dollar bribes from Anglo-Irish oil company, Tullow. The ministers named were Prime Minister Amama Mbabazi, Foreign Affairs Minister, Sam Kuteesa, and Internal Affairs Minister, Hillary Onek. MPs responded by passing a resolution calling on all three to resign. They also voted for a moratorium on new oil contracts pending the enactment of legislation to ensure accountability in the oil sector. More generally, the highly mediatised debate helped redirect the national conversation as, beforehand, "Many MPs and the country [did not know] what oil meant for Uganda."[1176]

Parliament was rewarded for its efforts when, in early February 2012, Government tabled two petroleum bills in the House.[1177] While ministers insisted they had been preparing the legislation since 2008, MPs and transparency advocates credited the parliamentary uproar with pushing government to act. This promising initial outcome aside, though, new questions were being raised about the October 2011 debates. It had emerged that MP Karuhanga's documents were forged and were passed to him by the Justice Minister, Kahinda Otafiire.[1178] Otafiire's alleged aim, shared by a supportive clique of NRM legislators, was to side-line long-time rivals. Prime Minister Mbabazi, among the targeted ministers, then retaliated by pressuring the Ugandan High Court to revisit its decision to clear Otafiire in a case relating to his commercial investments in sugar.[1179]

[1172] Interview, PFOG Secretary General, Niwagaba, Kampala, January 2015.
[1173] Accessed 21 April 2018: http://www.oilinuganda.org/categories/oil-timeline
[1174] Interview, PROG Secretary General.
[1175] Accessed 21 April 2018: http://www.oilinuganda.org/features/law/makerere-professor-criticises-mps-as-they-seek-oil-sector-role.html
[1176] Interview, opposition MP, Kampala, April 2013.
[1177] The Petroleum (Exploration, Development and Production) Bill and the Petroleum (Refining, Gas Processing and Conversion and Storage) Bill.
[1178] Accessed 21 April 2018: http://www.monitor.co.ug/Magazines/PeoplePower/-/689844/1255796/-/13vloiyz/-/index.html
Interview, staff at the donor-funded Democratic Governance Facility, Kampala, February 2015.
[1179] Ibid. Accessed 21 April 2018: http://www.monitor.co.ug/News/National/688334-1244752-a4rmgyz/index.html

This high-level power struggle was laid bare during a meeting of the NRM Central Executive Committee in early January 2012.[1180] President Museveni used the occasion to announce he was investigating Otafiire over his alleged involvement in leaking the bribery documents. The President also attempted to address another set of tensions, this time between Prime Minister Mbabazi and Speaker Kadaga. His intervention only aggravated the situation, though, as Mbabazi reportedly accused Kadaga of letting the backbench "prosecute" him during the October debate, adding that she denied him the opportunity to defend himself. Kadaga shot back, "Why do you lie to yourself?"

Museveni's frustrations with this intra-party squabbling were made plain in a two-hour speech delivered to Parliament just days after the new petroleum legislation was tabled. The President lamented the political fragmentation within the NRM, demanding greater party "discipline".[1181] Instead, a broad cross-section of MPs joined the now reanimated PFOG and, attracted by the luxury venues, began attending donor-funded and NGO-organised workshops.[1182] When the Natural Resources Committee, tasked with reviewing the petroleum bills, finally tabled its report in September 2012, NRM MPs, opposition members and various NGOs were united in their criticism. Of particular concern was the committee's failure to address the controversial "Clause 9", which gave the Minister of Energy far-reaching licensing powers. The creation of a "super minister", many argued, went against basic accountability requirements and, given his role as appointee, essentially left President Museveni to sign off on licenses.[1183]

A frenzied period of lobbying ensued. In late October, PFOG along with supportive NGOs invited all legislators to a "harmonising session" at Munyonyo Speke Resort where participants discussed alternatives to the recommendations in the Natural Resources Committee report.[1184] Days later, the NRM leadership followed suit, calling a parliamentary caucus meeting.[1185] Soon thereafter, the debate kicked off in Parliament, and on 12 November, MPs voted to substantially

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[1180] Accessed 21 April 2018: http://www.monitor.co.ug/News/National/-/688334/1300296/-/b24o2sz/-/index.html
[1181] Museveni, Hansard, 10 February 2012.
[1182] Interviews, DGF and ACODE staff as well as PFOG members.
[1183] Interview with PFOG Secretary General.
Accessed 21 April 2018: http://www.oilinuganda.org/features/law/oil-bills-lukyamuzi-to-table-minority-report-in-parliament.html
Accessed 21 April 2018: http://www.oilinuganda.org/features/law/committee-report-on-oil-leaves-ministers-powers-intact.html
[1184] Accessed 21 April 2018: http://www.oilinuganda.org/features/law/last-minute-scramble-to-salvage-petroleum-bills.html
[1185] Accessed 21 April 2018: http://africanarguments.org/2012/10/29/uganda-battle-over-national-oil-company-reveals-strains-of-the-sector-by-angelo-izama/

dilute Clause 9. This was "our greatest day", declared the PFOG Chair, NRM MP Theodore Ssekikubo.[1186]

The victory was short-lived. President Museveni, taken aback by the move, demanded that Clause 9 be re-incorporated in its original form. Speaker Kadaga agreed that the clause would be debated afresh on November 27, with an emergency NRM caucus planned for the day before. On the morning of the scheduled debate, Parliament's gates were mobbed by people pushing to watch from the gallery. This included residents of Bunyoro, in the heart of the oil region, who had travelled, in the words of one woman, "because there is a very important law that is going to be passed, and I want to see […] how am I going to benefit."[1187] MPs eventually intervened to ensure those jostling outside were allowed to enter Parliament, and this amidst accusations that the Bunyoro group had been "facilitated" by Kampala-based NGOs.

The debate itself proved riotous with some MPs calling for a vote, others singing the national anthem, and the NRM Chief Whip patrolling, trying to coral MPs into voting. Speaker Kadaga eventually slipped out through a back entrance, insisting she would not reconvene Parliament until the disruptive MPs were disciplined. This was a tall order as the Chairman of the parliamentary Rules, Privileges and Discipline Committee identified 239 MPs to be investigated.[1188] On 5 December, legislators again refused to vote on the controversial Clause 9, demanding a compromise position be reached with Government.[1189] While the Minister of Energy did negotiate a consensus with a group of PFOG MPs, this was overruled by Cabinet.[1190] Museveni then set about calling MPs individually and, on 7 December, Parliament finally voted to re-introduce the original Clause 9. Only five NRM MPs ended up voting against the reintroduction, but a further 100 stayed away from the House, a "*de facto* abstention".[1191] The debate was also

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[1186] With roughly 50 MPs voting, the House was not quorate when the amendment was passed, an indication that the NRM leadership had taken their eye off the ball. Regarding the MPs, the PFOG Secretary General lamented, "Most of the people in that legislature are so indifferent", adding, "They only rush for workshops because there is a monetary inducement."

[1187] Accessed 21 April 2018: http://www.oilinuganda.org/features/law/bishop-mps-prise-open-parliament-doors-to-public.html

[1188] Accessed 21 April 2018: http://www.oilinuganda.org/features/law/mps-revolt-against-creation-of-a-super-oil-minister.html
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[1189] Accessed 21 April 2018: http://www.oilinuganda.org/features/law/parliament-adjourns-to-consider-consensus-on-oil-clause-9.html

[1190] Accessed 21 April 2018: http://www.oilinuganda.org/features/law/museveni-edges-towards-victory-as-oil-fatigue-sets-in.html
Interviews, PFOG Secretary General and Chair.

[1191] Accessed 21 April 2018: http://www.oilinuganda.org/features/law/oil-bill-executive-power-finally-prevails.html

overseen not by Kadaga but by her deputy, Jacob Oulanyah, who later accused his boss of letting him take the heat.

This unprecedented show of legislative independence did not go unpunished. On 13 December, President Museveni delivered a blistering address in Parliament. He called out by name three MPs along with the Executive Director of a prominent NGO and accused them of "acting on behalf of foreign interests". The Director was ultimately forced out of his position, interpreted by some as an effort to "break" the NGO so it could "[serve] as an example to others."[1192] The named MPs were also targeted for further intimidation, with two of them taken to Museveni's personal ranch, where he allegedly threatened, "I'm going to lock you up."[1193] Donors, meanwhile, distanced themselves from PFOG, taken aback by their designation as meddling "foreign interests".[1194]

That was not the end of the story, though. The sudden death of a vocal NRM MP only a day after Museveni's 13 December address left many accusing the NRM leadership of murder. MPs responded by again mobilising to recall Parliament, this time demanding that the President appear before the special session for questioning. Museveni, in turn, threatened a "coup" *against Parliament*, should it not abandon its recall plans and fall back in line.[1195] While the details are murky, Speaker Kadaga was also widely rumoured to have been personally intimidated, the result being that the recall did not go ahead.[1196] The unprecedented expulsion of four NRM MPs in early 2013, and the subsequent efforts to eject them from Parliament, offered a final warning to any other would-be "rebel" parliamentarians.[1197] Ultimately, the oil debates were a turning point in the 9th Parliament, with the Speaker, the NRM caucus, and Parliament as a whole coming out of it much subdued, although by no means defeated.[1198]

Whether through its fiscal oversight or its legislative interventions, the Ugandan Parliament does intervene to shape the executive agenda, including to secure more progressive distributive outcomes. In the oil case, the debate was mainly framed in terms of "fighting corruption", itself a progressive aim.[1199] These interventions are, in part, borne out of elite tensions and the frustrations of rank-and-file NRM MPs. Crucially, though, pressure form more popular, extra-parliamentary organisations helps direct these fractious party politics into

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1192 Interview, ACODE staff member, Kampala, January 2015.
1193 Interview, Secretary General of PFOG.
1194 Interview, DGF staff.
1195 "Coup Calls", *Africa Confidential*, 1 February 2013.
1196 Interviews, NRM and opposition MPs.
1197 See Chapter 5.
1198 See Chapter 5 for more examples of Speaker Kadaga and Parliament's oppositional stance.
1199 This was the dominant narrative in the media as well as one echoed by MPs.

productive forms of collective action. This legislative activity offers a counterpoint to the seemingly dominate preoccupations of Parliament, which sees elite bargaining translate into distinctly *regressive* distributive outcomes.

6.4 Conclusion

This chapter argues that legislative performance in single and dominant party regimes varies along with the internal cohesion and institutional coherence of those parties. Where patron-client factions are more fragmented, as in Tanzania after the 1980s or Uganda under the NRM, this encourages a more assertive Parliament. The dynamics of elite contestation in these cases—and thus the nature of legislative activity—do vary over the course of an electoral term, following a "parliamentary business cycle"; the overall trend nevertheless points towards more legislative challenges to the executive.

But why should we care about a legislature absorbed by ruling party factionalism and elite influence-peddling? What does this explanation of legislative activity say about its significance? Certainly, the implications are more normatively ambivalent than is often assumed in the literature. In particular, when it comes to the distributive outcomes of legislative interventions, the common assumption is that individual legislators will favour more progressive redistribution; specifically, they try to secure re-election by channelling more goods to their constituencies. My argument, however, is that because legislative activity is shaped largely by elite contestation, it follows that the distribution outcomes will be largely regressive, benefiting one elite group over another. This is *not* to say that more progressive outcomes fail to materialise altogether, but they are the exception to a dominant trend. We must also look beyond the individual incentives of MPs to understand them. Indeed, a close empirical analysis indicates that more progressive redistribution occurs when extra-parliamentary organisations—including unions, professional associations and advocacy groups—help redirect elite tensions towards more constructive ends.

7 Conclusion – Studying institutions, authoritarianism and democracy

> "At independence, democracy was not championed or challenged
> with respect to its content of rights, but was the mechanism
> through which political power would be gained or distributed,
> and with it economic power and status."
>
> -Sam Nolutshungu, 1990

This thesis presents an original theory of authoritarian parties and parliaments, tracing their trajectories from an early period of regime consolidation through subsequent episodes of socio-economic and institutional change.

In brief, I argue that variation in legislative institutionalization is a function of the institutional strength and cohesion of ruling parties. The institutional make-up of these parties varies, in turn, depending on the early strategies of politicized accumulation deployed by authoritarian leaders, and subsequent patterns of economic change. The legislature remains more marginal and subservient where authoritarian leaders work to centralise wealth accumulation, control patronage distribution and build up party institutions to channel and constrain elite contestation. By contrast, parliaments assert themselves where more diffuse patterns of accumulation fuel patron-client factionalism, undermine party cohesion and turn the legislature into an arena for intra-elite bargaining.

Where elite level tensions spill over into parliament, MPs and parliamentary leaders have an incentive to invest in legislative strengthening; they arm themselves with the formal institutional resources to better mobilise and pursue their own political interests from within the legislature. This explanation of legislative strength, in turn, helps clarify its significance, notably as regards distributive outcomes, that is, "who gets what, when and how". Once we appreciate the role of *elite contestation* in driving legislative activity, it should come as no surprise that parliamentary interventions tend to *serve elite interests*, reinforcing an existing wealth inequality.

There are exceptions to this trend, but they tend to come when *extra-parliamentary groups*—notably unions, faith groups, professional associations, and other advocacy organisations—mobilise to channel elite contestation towards more progressive, redistributive ends.

To demonstrate this argument, I use a combination of within- and cross-case analysis, drawing primarily on the Tanzanian and Ugandan cases with some further reference to Kenya and Rwanda. I thus trace how, in Tanzania, the post-Independence leaders first worked to centralise wealth accumulation, which then reinforced their efforts to channel patronage through a relatively robust party-administrative apparatus and to ensure the political marginalisation of parliament. Starting in the 1980s, economic decline and liberalising reforms upset this balance, leading to more diffuse accumulation, more patron-client factions, the gradual erosion of the ruling party's institutional strength and cohesion and, ultimately, a more assertive legislature. Even with these changes in Tanzania's political economy, though, the institutional legacies of a strong and cohesive ruling party did help delay and, to some extent, limit the process of institutional decline. These legacies may also heighten the potential for reversals, allowing for an at least partial restoration of the ruling party's past strength and cohesion. President John Pombe Magufuli, elected in 2015, is currently trying to achieve just such a reversal.[1200]

Uganda's institutional trajectory is, by contrast, a more straightforward one. After seizing power in 1986, the leaders of the National Resistance Movement allowed for a more diffuse pattern of accumulation to emerge, which fuelled factional tensions and helped animate legislative challenges to the executive. Even when NRM leaders made a belated effort to strengthen the ruling party and discipline its parliamentary majority, they discovered their ability to achieve this goal was seriously constrained. Absent some concerted—and likely highly destabilising—effort to centralise wealth accumulation and limit the extent of patron-client factionalism, the NRM's institutional coherence will remain weak and the discipline of its members uncertain.

[1200] Magufuli's presidency falls outside the scope of this thesis, but his ongoing attempts to transform Tanzania's political landscape bear mentioning. He is effectively trying to turn back the clock, working to restore a divide between the sphere of politics and business, limit the influence of private political finance, discipline rival patron-client factions, and reinvest in the institutional strength of the ruling party. His strategy—to the extent that it is successful—arguably further underscores both the significance of CCM's institutional legacies and the need for a complimentary politico-economic strategy that can help reinforce direct party strengthening efforts.
For further discussion, see: Michaela Collord, "Where President Magufuli's political and economic strategy meet", *Presidential Power*, 17 November 2017.

7.1 The theoretical contribution

This thesis—through its theoretical and empirical exploration—speaks to a wide range of specifically Africanist as well as broader comparative politics literatures. Among other interventions, it critically engages with the question of how we understand and study institutions, particularly authoritarian institutions. Rather than align with the dominant rational choice school, which sees political institutions as neutral coordinating mechanisms, I draw inspiration from critical political economy and historical institutionalist traditions.[1201] These literatures flip the causal story on its head; instead of presenting institutions as equilibria-maintaining, as defining a particular pattern of politics, they see them as *emerging out of* and reflecting their political and socio-economic context. Institutions are not mere epiphenomena, though. Rather, they can, once formed, undergo a process of "lock in", helping to ensure their own reproduction and leading them, in turn, to influence the political context from which they arose. This is notably because institutions have distributional effects of their own; as in, they not only reflect but, with time, can also help *preserve and amplify* a particular power distribution.

This thesis translates these general intuitions into a specific argument about authoritarian parties and parliaments, in the process demonstrating the value of combining a political economy and historical institutionalist analyses. As briefly summarised above, in defining power and its distribution, I emphasise the significance of patterns of accumulation and patronage structures, showing how variation in these structures can, in turn, either support or undermine efforts to form strong ruling party institutions. Contra much of the authoritarian institutions literature,[1202] I thereby indicate the *primary* importance of leaders' strategies of "politicised accumulation" and patronage politics; their preferred strategy then determines, in a second instance, what institutional options are available to them, namely whether they can successfully invest in party strengthening. Beyond examining the origins of party institutions, though, I also show how, once formed, they can endure even where the underlying distribution of power no longer favours their reproduction. This *is not* because political actors choose to respect existing party institutions as neutral coordinating mechanisms, as per a rational choice analysis. Rather, it is because these institutions become a source of political power in their own right; they can be used by one set of actors to undercut their otherwise better endowed rivals. For instance, despite a general erosion in CCM's institutional strength after the 1980s, a wealthy and ambitious patron like Edward Lowassa still had to painstakingly build his network through the party structures.[1203] Moreover,

[1201] See Chapter 2 for a full discussion.
[1202] See especially, Reuter and Remington, 2009; Boix and Svolik, 2013; Reuter, 2017.
[1203] See Chapter 4.

when push came to shove, he saw his presidential aspirations thwarted by President Kikwete, who lacked a similarly powerful patron-client network but could nevertheless use party procedure as an alternative source of power against Lowassa. President Magufuli's recent efforts, meanwhile, represent a far more systematic effort to draw on CCM's institutional legacy to reorder the balance of power in Tanzania.

The legislature, like a ruling party, both reflects and reinforces a particular distribution of power, although the power balance conducive to legislative strengthening contrasts markedly with the balance needed to support an institutionally robust party. Again, as summarised at the start of this conclusion, it is where accumulation becomes more diffuse and patronage networks more fractious that parliament is most likely to assert itself. In Uganda since the 1990s and Tanzania since the mid-2000s, political elites have sought to entrench their bargaining power through legislative reforms, creating the institutional resources needed to better extract benefits from the executive. This analysis—focused as it is on the role of parliament in reproducing and amplifying political struggle—contradicts the authoritarian institutions literature, which sees the legislature as coordinating and sustaining agreed on power-sharing arrangements.[1204] My analysis also contrasts sharply with an Africanist literature on parliaments. This work presents a stark dichotomy between patronage politics and strong institutions, arguing that legislative strengthening can help overcome the corrosive effects of "neo-patrimonialism".[1205] It thus ignores how patronage politics, where more heavily contested, actually *drive* legislative strengthening.

In sum, this thesis develops an alternative analysis of where authoritarian institutions come from and how they order power. Given the focus on single and dominant party regimes, though, there are several questions germane to the overarching institutionalist focus that go largely unaddressed, and this despite them being a major preoccupation of the Africanist literature especially. These questions concern, notably, the implications of more competitive multiparty politics for legislative strengthening and, relatedly, the relationship between legislative strengthening and democratization. In the final paragraphs of this conclusion, I suggest how this thesis can still contribute to these areas of inquiry. It can draw our attention to the continued relevance of authoritarian legacies, the ongoing interplay between patronage politics and institutional change, and the need for a more circumspect assessment of "democratic" consolidation and its transformative potential.

[1204] Gandhi, 2008; Boix and Svolik, 2013.

[1205] Bratton and van de Walle, 1997; Barkan 2009 & 2013. See Cheeseman (2018) for a collection of essays probing the intersection between formal and informal institutions, including patron-client exchange.

7.2 Multiparty competition and legislative institutional change

In so far as I discuss a multiparty transition and opposition party challenge in this thesis, I restrict my analysis to a context where an incumbent, dominant party remains in control. I claim that, under such circumstances, a multiparty transition is itself far from a watershed moment; it does not impact strongly on the internal politics and make-up of either the ruling party or the legislature. Rather, it is the configuration of patron-client networks within the dominant party that are most important in determining both its cohesion as well as the extent of legislative strengthening and assertiveness. Emergent opposition parties may help galvanise legislative activity where there are tensions in the ruling party to exploit, but absent these tensions, the minority parties do not achieve much.[1206]

What the above analysis does not address is, what happens when a ruling party starts to face a more serious opposition challenge? Or indeed, what happens when dominant party politics gives way to regular alternation between different parties in government? I cannot do these questions justice now, but I will outline two ways in which the analytical framework in this thesis may inform further research.

First, regarding opposition parties themselves, there is reason to think that, as they gain more electoral appeal, their institutional strength and cohesion will depend on many of the same factors as shape authoritarian party organisation. We should look especially at how the structure of patronage networks within opposition parties affects their institutional make-up, notably whether they are more personalised and fractious entities or whether they show signs of greater institutional consolidation and unity. Probing further, the legacies of authoritarian parties themselves likely influence the conditions for opposition party development, with contrasting outcomes across countries. I am hardly the first to make this point as there is a burgeoning literature on the authoritarian roots of opposition party mobilisation.[1207] What I would again emphasise, though, is both the need to examine the *material base* of opposition party organising and the *institutional context* within which opposition parties must operate, particularly how this context is shaped by an authoritarian inheritance. Tanzania's largest opposition parties, which were gaining ground until a renewed authoritarian crackdown after the 2015 elections, have

[1206] The Tanzanian *Bunge* under Magufuli helps confirm this point. A change in the balance of power among factions within CCM has led, at least for now, to more party discipline. Meanwhile, the opposition has struggle to influence legislative politics, and this despite having more MPs than ever before. Meanwhile, in Uganda, the number of Independent MPs exceeded the number of Opposition legislators after the last elections, and yet parliament's performance has not changed markedly.

[1207] From the comparative Africanist literature, see for instance: Cheeseman and Larmer, 2015; Lebas, 2011; Riedl, 2014.

tended to build up formal institutional structures that mirror the ruling party.[1208] In Uganda, meanwhile, opposition parties have institutional structures that are less coherent and more clearly dominated by informal patronage networks, bearing some notable similarities to the NRM. As for Kenya, a shadow case in this thesis, the institutionally weak and fractious KANU fragmented after the 2002 elections, giving way to an array of personalised and often short-lived opposition parties. In all three instances, the structure and prominence of rival patronage networks—combined with institutionalised patterns of political organisation and mobilisation established under authoritarian rule—appear to exert a strong influence on opposition party development.[1209]

Beyond informing research on opposition parties, though, the analysis in this thesis can also shed light on a second point, namely how more multiparty competition may affect legislative politics. The difference between an authoritarian or dominant party parliament versus a multiparty parliament is likely one of degree rather than kind. As in, holding all else constant, the introduction of more multiparty representation in parliament will not change the fact that, one, heightened legislative activity is borne out of elite contestation and, two, the intensity of this contestation depends on the prevailing configuration of patron-client factions. The challenge is then to discern how the factional composition of individual parties affects the discipline of their parliamentary members. The strength of patronage ties *between parties*, notably when in coalition, may also prove significant. In this vein, the Kenyan parliament after the 2002 elections proved relatively assertive, and this because then President Mwai Kibaki exerted little influence over the party that sponsored him in the election. He also struggled to hold his coalition partners together, many of whom were established politicians with powerful patronage networks. In recent years, by contrast, the Kenyan Parliament has grown more subservient, and this after now President Uhuru Kenyatta worked to centralise control, albeit likely temporarily, over his Jubilee coalition—now turned party.[1210]

[1208] Riedl (2014) suggests that opposition parties "mirror" the incumbent party, building up their institutional strength where the ruling party is itself strong and neglecting to invest in formal structures where the ruling party is more fractious and inchoate. Although I agree with her characterisation of opposition party mirroring, I would go further in explaining why it occurs. She suggests that mirroring is the result of the strategic—and potentially fairly short-term—calculations of opposition parties. It seems likely, though, that this opposition party mirroring is more deeply rooted in established norms of political organisation and mobilisation that may exert a more long-term influence. See Chapter 4 on party institutional legacies.
On Tanzanian opposition parties specifically, see: Paget, *forthcoming*.
[1209] There are, it should be stressed, other factors influencing party organisation, perhaps most notably ethnicity. Future research could nevertheless examine possible links between patterns of patronage politics and party institutionalisation, on the one hand, and the political salience of ethnicity, on the other. The contrast between the Tanzanian and Kenyan cases, including the different political significance of ethnicity in each, suggests the link may be a strong one.
[1210] Opalo, 2014.

In sum, this thesis, although a study of authoritarian parties and legislatures, may also provide additional insights to guide an analysis of party organising and legislative politics in a more multiparty context. Certainly, the significance of patron-client factions and elite bargaining in the legislature are unlikely to be much diminished where dominant parties lose their hegemonic hold. This somewhat pessimistic assertion does, however, raise further questions about how we should understand democratization more broadly.

7.3 Democratisation in fits and starts, or going nowhere

There is a substantial literature that suggests legislative strengthening furthers democratic consolidation, particularly when accompanied by heightened multiparty competition.[1211] An assertive legislature can, it is argued, both provide a check on the executive and ensure more popular representation; it is the forum within which parties, which otherwise serve as mere electoral vehicles, can work to address the interests of their voters.[1212] My analysis—admittedly of dominant party regimes—presents a more normatively ambivalent view, emphasising how legislative institutional change is a product of elite bargaining. While a stronger parliament may entail greater political participation, seemingly a key feature of democratization,[1213] those benefiting generally belong to a fairly narrow socio-economic stratum. My approach thus diverges considerably from an analysis that ascribes a set of classic functions to the legislature and thereby draws conclusions about its democratizing potential.

There is, however, a more historically-rooted strand of the democratization literature with which this thesis has a closer analytical affinity. This work acknowledges the internal contradictions and indeterminacy of what is essentially a piecemeal process, one that we may—largely in retrospect—label "democratization".[1214] In this vein, Capoccia and Ziblatt reject the "common and misleading assumption that the contemporary functions of particular political institutions can always explain their historical emergence."[1215] Rather, referencing the study of European democracies, they argue that scholars should "[bring] in the politics of institutional change" and, in so doing, reconstruct "what actors were actually fighting about" when institutional reforms were first introduced.[1216] Similarly, referring to the more recent history of southeast Asian regimes, Rodan and Jayasuriya stress that, to truly understand an institutional reform agenda and its significance, "[I]t is paramount to understand who is actually supporting

[1211] See Chapter 2.
[1212] Fish, 2006: 12-13.
[1213] See Dahl (1971) on the importance of participation and liberalisation, or contestation, for democracy.
[1214] Capoccia and Ziblatt, 2010; Rodan and Jayasuriya, 2012.
[1215] Capoccia and Ziblatt, 2010: 939.
[1216] Ibid: 940.

particular institutional reform projects, why and what conflicts and interests might be marginalized or privileged as a result."[1217]

What then, to return to the original question, does this say about legislative change and democratization, particularly in Africa? First, drawing again on Capoccia and Ziblatt, African parliaments may be an important piece of a "collage", part of the "complex institutional configuration of democracies."[1218] They may initially strengthen because of elite contestation and serve elite interests, but perhaps in time, they could come to further a more genuinely inclusive and progressive politics. This more optimistic idea is certainly appealing, and perhaps contains some truth, but it does not appear especially useful for our understanding of politics currently. It remains highly speculative and does not clarify what further changes would be needed to transform parliament's role. I am particularly sympathetic to the notion that, for democratization to advance in development countries, further socio-economic change is needed, including the expansion of a bourgeois accumulating class to ensure a wider diffusion of power across society.[1219] As regards the two main cases in this thesis, such a change is not in the offing. Moreover, the ongoing marginalisation of the opposition, subversion of the judiciary, and militarisation of politics, among other trends, hardly suggest a progressive trajectory, however piecemeal or episodic.

This brings me to a second point. Rather than speculate about whether and when a legislature may be part of a more elaborate democratic "collage", we would perhaps do better to focus on "what really matters to politics" now.[1220] What matters, moreover, is not necessarily which category—democratic, authoritarian or hybrid—we associate with a given regime and its particular institutional configuration. Rather, it is how those institutions actually *work*; it is—as noted earlier—the *tools* they provide to maintain, magnify or contest power, the tools to determine "whose interests are being advanced or suppressed".[1221] How those tools are used, and to what ends, is not intrinsic to the institutions themselves; rather it depends on who manages to take control of them. The relevant question then becomes, what opportunities does legislative change create for different actors to pursue their interests, and how can they take advantage of those opportunities?

As argued throughout this thesis, an answer to that question requires a careful analysis of the prevailing distribution of power, the main conclusion being that—as things currently stand—

[1217] Rodan and Jayasuriya, 2012: 187.
[1218] Capoccia and Ziblatt, 2010: 940. See also Bermeo, 2010.
[1219] Moore, 1966; Ansell and Samuels, 2014; Rodan and Jayasuriya, 2012; Khan, 2005.
[1220] Rodan and Jayasuriya, 2012: 187.
[1221] Ibid. See also Thelen, 1999.

elite actors gain most. This conclusion is not new. Popular influence has historically been weak in African regimes, including would-be democracies. Reflecting on prospects for democratization in early 1990s Nigeria, Sam Noluthshungu wrote,

> "It is difficult to see how Nigeria could be any nearer democracy without the political organisation of the vast majority of the population through structures over which they have some direct control. As in most of the continent, they are caught in a vicious circle: workers, artisans, small traders and small farmers are not politically organised because there is no democracy, but there can be no democracy because the people are not organised."

I share both Nolutshungu's emphasis on the significance of popular organization, and his pessimism. But in authoritarian regimes or emerging democracies where, by definition, political elites are dominant,[1222] we can nevertheless explore how structures of elite power may themselves create sometimes unexpected opportunities. As outlined in Chapter 6, elite tensions can leave room for popular organizations to gain some political leverage, including to advance a more progressive redistributive agenda *through the legislature*.

These reflections suggest the need for a different emphasis in studies of legislative strengthening and democratisation. Instead of focusing primarily on institutions and institutional change, more energy could be invested in understanding the intersection between these institutions and the underlying political organisation that determines in whose interests they operate. This includes examining in more depth when and how non-elite forms of organising emerge—be they unions, farmers' associations, faith groups or the like—and how these groups navigate legislative processes to influence key outcomes. As the Ugandan examples illustrate, there are numerous instances of creative organising to study and learn from.[1223] They hardly point the way towards transformative political change, or "democratization". However, to the extent that dominant- or even multi-party African legislatures yield more progressive outcomes, especially distributive outcomes, they are likely responding to the galvanizing pressure of popular organising.

[1222] Elite actors arguably also dominate in more consolidated democracies, even if the elite in question is larger and its dominance less assured. See: Winters and Page, 2009; Gilens and Page, 2014; Eggers and Hainmueller, 2009.

[1223] See Chapter 6.

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Tanzania (67)	
CCM MP	19
CHADEMA MP	8
NCCR-Mageuzi MP	4
CUF MP	3
ACT-Wazalendo MP	1
MP Assistant	1
Parliamentary Staff	9
Civil Society Campaigner	6
Party Officer/Activist	12
Journalist	2
Businessman	2
Uganda[1224] (89)	
NRM MP	20
FDC MP	9
DP MP	3
UPC MP	5
Conservative Party MP	1
Independent MP	3
Parliamentary staff	10
Civil Society Campaigner	19
Party Officer/Activist	7
Journalist	3
Businessman	3
Donors	7

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Azania Post (Tanzania)
Citizen (Tanzania)
Daily Monitor (Uganda)
Daily News (Tanzania)
East African (Kenya)
Independent (Uganda)
Indian Ocean Newsletter (France)
Majira (Tanzania)
Mawio (Tanzania)
Mtanzania (Tanzania)

[1224] For MPs who served in either the CA or in the pre-2006 Movement parliament, I list them with the party they joined after the multiparty transition.

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