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COMPARATIVE PUBLIC ADMINISTRATION: AN EXPLORATION OF POLITICAL AND ADMINISTRATIVE SYSTEM OF KENYA AND TANZANIA

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Abstract

There has been the increase in the demands for effective and efficient administrative system as well as the need for cross-cultural understanding of different government operational system around the World particularly in the developing nations like Kenya and Tanzania. That make the study of comparative public administration to keep revolving for many decades. It remained one of the best way to understand many different factors that influence growth and also those that impended development in different countries. The paper aimed to carry out comparative analysis of political and administrative system of Kenya and Tanzania. The work utilized reliable secondary data generated from internet, books and official documents. Base on the analysis of data generated, the study find out that the two countries are operating in unitary system with presidential system of government but differ slightly in the compositions, structure and settings of their arms of government; bureaucracies of two countries were offshoot from colonial administration with much legacies of British service; the size of the civil service and number of the civil servants had grown beyond sustaining level that led to the introduction of reform measures to downsize the workforce to manageable level. It is therefore recommended that developing countries when taking decision should have a plan for future sustainability.

Keywords: Public Administration; Comparative Public Administration; Politics of Kenya and Tanzania; Bureaucracies of Kenya and Tanzania.

1.0 Introduction

The demands for effective and efficient administrative system as well as the need for cross-cultural understanding of different government operational system around the World particularly in the developing nations like Kenya and Tanzania make the study of comparative public administration to keep revolving for many decades. It remained one of the best way to understand many different factors that influence growth and also those that impended development in different countries. This is in line with the view of Robert Dahl as highlighted in

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Dahiya and Singh (2012) comparative study is a prerequisite for the development of science of public administration.

Kenya and Tanzania are two countries located in the eastern part of Africa and they were formerly British colonies that attained political independence in early 1960s. Their politics take place within the framework of unitary and presidential system of government.

Their bureaucracies that are known as machineries for implementing all government policies and programmes were dominated by non-African expatriates at the era of independence. Although the lower ranks of the service gradually occupied by citizens, the top levels were retained by Europeans. In subsequent years, and in response to the slow job creation in the rest of the modern sector, there was a dramatic expansion in the size of the civil service. An acute lack of space and facilities in government offices followed, while duties were often duplicated. By the late 1980s it had become clear that the government could no longer sustain such high levels of civil service employment. That led to the introduction of series of reforms that reduced the reduced the number of public employees to manageable levels, increase wages and other conditions of service for those remaining in the system, and generally raise morale.

This work attempted carryout comparative study of public administration in Kenya and Tanzania with focus on political institutions and civil service to provide understanding of the field and make availability of African indigenous literature by analyzing the administrative systems of the two countries that share similar and dissimilar features.

2.0 Literature Review

2.1 Conceptual Exploration

Public administration has various definitions by various scholars base on their understanding. According to White (1955), public administration consists of all those operations having for their purposes the fulfillment or enforcement of public policy. Along similar line, Hodgson (1969) observed that public administration comprises all activities of persons or groups in governments or their agencies to pulfill the purposes of these governments or agencies. Victor (2011) viewed public administration as the nonpolitical machinery of government carrying out its work for the welfare of people according to the law setup by the state. It is concern with both formulation and implementation of public policies. Since public administration is nonpolitical and permanent machinery of government, its activities are carried out by bureaucrats or civil servants.

Comparative public administration is the study of government and administrative systems in a comparative fashion or the study of public administration in other countries. It looks to test the

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effectiveness of the Classical Theorists' (Fayol, Taylor, Webber, etc.) Principles of Administration effectiveness on a universal level (different political and administrative setups in developing and developed countries and their ecology) as well as develop a comparative theory of Public Administration. It is a very significant area of study in Public Administration as it helps in understanding Administrative setups and their functioning in various settings and societies/countries and what works and why it works. Also, it helps improvise administrative systems making them more efficient together with helping in adding and improvising the already existing literature/theories of Public Administration thus leading to a strong and practical theory of the subject with the help of practical experiments and analysis. The study contributes to a greater understanding of characteristics of administrative systems functioning in different nations and then we can endeavour to adopt those practices which can fit in our own nations and systems. In addition, comparative studies also help in explaining factors responsible for cross-national and cross-cultural similarities as well as difference in the administrative systems. Thus, comparative public administration is a comparative study of diverse administrative systems, on whose conclusions most scientific efforts are made in public administration (Biswas, 2020).

Political System

Political systems are established to ensure the government is running smoothly and effectively. Jasper and Muscator (2022) defined political system as a set of different institutions established politically, to ensure the free and fair distribution of resources within a given society. It involves political organization that can be recognized, observed or otherwise declared by a state. Political system defines the process for making official government decisions. Most common systems within which many countries operate are unitary and federal states with presidential or parliamentary systems. As in the case of Kenya and Tanzania, they are operating within the framework of unitary and presidential system.

2.2 Politics of Kenya and Tanzania

The politics Kenya and Tanzania take place within the framework of unitary and presidential system of government. Kenya is a country located in the eastern part of Africa with its capital city Nairobi and was formerly a British colony for over 150 years and attained political independence in December 1963. The first constitution adopted by the country at independence was a Westminster model that was written in London (Sheriff 1985). In 1963, the first autonomous general election was conducted when Jomo Kenyatta of KANU became the first black Prime Minister of Kenya and the Queen of England (Queen Elizabeth II) remained the Head of State. KANU-led government changed the constitution of the Westminster model to a

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presidential system and the country remained under a presidential system until 2007 when a crisis broke out following a disputed general election (Hodder-Williams 1980, Malhotra 1990, Muigai 2004, and Francois et al, 2015).

The present day Republic of Kenya is a unitary State with presidential system and the country is divided into 47 counties. Constitution in the fourth schedule clearly outlines National and County government functions. The national government is composed of three arms of government - the executive, legislature and judiciary. The executive arm comprises the President of the Republic of Kenya, the Deputy-President and the Cabinet Secretaries. The President shall nominate and, with the approval of the National Assembly, appoint Cabinet Secretaries. A Cabinet Secretary shall not be a Member of Parliament. The President is elected directly for a 5-year term.

The Legislative arm (Parliament) of Kenya is a bicameral house consisting of the National Assembly and the Senate. The National Assembly has a total of 349 members plus the Speaker who is an ex officio member. The Senate consists of 67 members plus the Speaker, who is an ex-officio member. The members of the National Assembly are referred to as Members of Parliament (MP) while the members of the Senate are referred to as Senators. Both Members of Parliament and Senators serve a five year term (Articles 95 and 98 of Kenya Constitution).

The judiciary in Kenya is divided into Superior Courts and Subordinate Courts. Superior Courts consist of: a chief justice, deputy chief justice (who are members of the Supreme Court), Supreme Court judges, High Court judges, and judges of Kenya's Court of Appeal (no associate judges) appointed by an independent Judicial Service Commission. The Chief Justice and his or her deputy are nominated by the President from names selected by the Judicial Service Commission and voted by the National Assembly. Subordinates Courts are Magistrates Courts, Kadhi Courts and Courts Martial (Article 162, 166 and 169 of Kenya's Constitution, 2010).

Republic of Tanzania of today is the amalgamation of two different nations, Tanganyika and Zanzibar that gained their political independence in 1961 and 1963 respectively. Tanganyika was conquered by Imperial Germany in the late nineteenth century from 1891 to 1919 and later transferred to Imperial Britain under the League of Nations' Mandate System and United Nations' Trusteeship Council after World War I and World War II when Germany was defeated. The country became a republic in 1962 and Nyerere was elected the first President with his Arusha Declaration that codified a commitment to African brand of socialism and democracy called UJAMAA (Tordoff, 1967; Nyerere, 1968; Freidland, 1969; Loxley and Saul, 1975;

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Raikes, 1975; Msekwa, 1977; Freyhold, 1979; Illife, 1979 Bolton, 1985; Ibhawoh and Dibua, 2003).

In the case of Zanzibar, it was formerly invaded and conquered by Arab that began centuries before Tanganyika's and later Europeans. In 1891, the British conquered and establish a protectorate over Zanzibar years after abolishing slave trading in 1873 (Karume, 2004; Dagne, 2011). As stated in Musoke (1992), following the election of 1961, the British government granted independence to Zanzibar on December 10, 1963 and handed power over to a party which was supported by the Sultan. That decision angered the majority African population that led to the overthrown of Sultan on January 12, 1964 and subsequently Republic of Tanganyika and the People's Republic of Zanzibar entered into Union Agreement to form a new sovereign state of the United Republic of Tanzania. (Lofchie, 1963; Shivji, 1990).

The agreement for the unification of the two states was signed by the first President of Tanganyika, the late Mwalimu Julius Kambaraga Nyerere and the first Zanzibar President, the late Sheikh Abeid Amani Karume on April 22, 1964 in Zanzibar. The Articles of the Union was ratified by Tanganyika's parliament and the Zanzibar Revolutionary Council on April 26, 1964. On April 27, 1964, the leaders of the two countries exchanged legal documents of the Union at the Karinjee Hall in Dar es Salaam. On October 28, 1964, the Republic of Tanganyika and Zanzibar was renamed United Republic of Tanzania through the United Republic (Declaration of Name) Act, No. 61 of 1964 (Baregu, 1999; Okoth-Ogendo, 1991).

Tanzania thus is a unitary state comprising the union of a two-tier system of government - the Government of the United Republic of Tanzania which sovereignty is to deal with all Union matters and non-Union matters in mainland Tanzania as stipulated or provided in the Constitution of the United Republic of Tanzania of 1977 (as amended); and the Revolutionary Government of Zanzibar which deals with non-Union matters in Zanzibar. The Island Republic of Zanzibar is semi-autonomous with its own president and parliament. The state is operating presidential system with three arms of government – legislature, executive and judiciary (Othman, Bavu and Okema, 1990; Akluwalia, 2001; Karume, 2004; Shayo, 2005; Dagne, 2011).

The Executive of the United Republic of Tanzania comprises the President, the Vice President, the President of Zanzibar, the Prime Minister and the cabinet ministers. The president appoints his cabinet from the parliament and the constitution also empowers him to nominate ten non-elected members of the parliament who are eligible to become cabinet members. The Prime Minister who is appointed by the president, is the leader of Government Business in the National Assembly and has authority over the control, supervision and execution of the day-to-day

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functions and affairs of the Government of the United Republic of Tanzania (Nyerere, 1966; Bolton, 1985; Shivji, 1990; Musoke, 1992; Ibhawoh and Dibua, 2003).

Tanzanian legislative organ is unicameral known as National Assembly of Tanzania or Bunge that has 324 seats in which 236 seats are elected concurrently by popular vote, 75 allocated to women chosen by their parties in proportion to their share of the electoral vote, ten nominated by the president and five members chosen by the Zanzibar House of Representatives. The National Assembly is headed by the Speaker who is assisted by the Deputy Speaker and the Clerk as Head of the Secretariat. All members of the National Assembly serve for five year term. Zanzibar has its own House of Representatives that makes laws applying only to Islands of Zanzibar (Meena, 2003).

The Judicial arm in Tanzania has a five-level judiciary combining the jurisdiction of tribal, Islamic and British common law. In mainland Tanzania, appeal is from the Primary Courts through the District Courts and Resident Magistrate Courts to the High Courts, ending in the Courts of Appeal of the Union. The Zanzibari court system parallels the legal system of mainland Tanzania, and all cases tried in Zanzibari courts, except for those involving constitutional issues and Islamic law, can be appealed to the Court of Appeal of the Union. The Judges of the Court of Appeal and the High Court are appointed by the president, while the Judges of junior courts are appointed by the Chief Justice. A commercial court was established in September 1999 as a division of the High Court.

2.3 Bureaucracies of Kenya and Tanzania

2.3.1 Bureaucracy of Kenya

The main features of the public service in Kenya were laid out quite early in the colonial period, with provincial administrations consisting of sub-commissioners, district police and a hierarchy of chiefs, sub-chiefs and headmen. In the 1950s, twelve fully-fledged ministries for public service provision were formed. There was also a parallel expansion in the apparatus of provincial administration aimed at bringing administrative services closer to the people. District officers were posted to every administrative division in the country, accompanied by professional and technical staff. Other important developments included the setting up of a public service commission as well as a police service commission. The two were meant to facilitate the recruitment of personnel and the preservation of regulations and standards in two of the most important sectors of the public service.

At independence in 1963, the Kenyan civil service was as in other African countries direct upshot from colonial administration with so much legacies of British service and was dominated

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by non-African expatriates. Although the policy of Kenyanization saw the lower ranks of the service gradually occupied by African Kenyans, the top levels were retained by Europeans. However, the need to attract high caliber employees in the service necessitated a high degree of wage differentiation, which became the distinguishing feature of the Kenyan civil service for many years. The Kenyans that eventually took over from the expatriates in the first decade of independence came to enjoy high emoluments, self-identity of being the *"msomi" (learned)*/elite and pride because most of them had seen colonial civil servants whom they viewed as efficient in the colonial model.

In subsequent years, there was slow job creation in the rest of the modern sector, therefore government expanded the size of the civil service to accommodate more graduates. The dramatic expansion made the Kenyan civil service one of the largest, well paid and most efficient in sub-Saharan Africa between 1960s and 1970s and government was able to attract qualified staff. (Republic of Kenya, 1966). That led to acute lack of space and facilities in government offices and duties were often duplicated.

It should be noted that, as contained in the document of the Republic of Kenya, (1995a), public service commission which was first established in 1954, later consisted of a chairman and five members all appointed by the president. It is not independent from the appointing authority and political pressure brought from time to time. The commission has power to appoint, promote and transfer civil servant as well as retire any employee who has reached retirement age or on grounds of ill health or indiscipline.

On the issue of condition of service, there was government legislation that covered such issues as social security, health care provision, minimum wage laws, and fringe benefits including paid vacations, severance pay, housing allowances and statutory holidays. In addition, following recommendations from a commission of inquiry during 1970/71, civil servants were permitted to own and run private businesses to supplement their rapidly declining real wages so long as they were publicly declared (Republic of Kenya 1966).

O'Brien and Ryan (2000) pointed out that real wages in the public sector fell by 65 percent between 1970 and 1994 which was a direct market response to the rapid growth of public sector employment. Throughout the 1970s and 1980s public employment grew much faster than the economy and the budget itself. For instance, civil service employment grew by 7.4 per cent per year, rising from 160,000 in 1979 to 277,600 in 1989 although the economy itself grew by 4.4 per cent per year during the period.

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The rapid growth of the public sector has had a number of negative implications including to rapid growth in government expenditure, low pay and poor supervision.

With the onset of economic crisis in the 1980s, it became clear that the size of the Kenyan civil service was not sustainable. The government therefore initiated reform to put measures in place to reduce its unhealthy wage bill. Among the measures introduced are laid off a large number of casual workers in early 1992; rescinding employment guarantees to graduates from universities; constraining the growth of employment to only 2 percent and 5 percent per annum for central government and Teachers Service Commission respectively; abolition of the hiring of temporary staff; and reduction of retirement age from 60 to 55 years. (Ikiara, 1992; Ikiara and Ndung'u, 1987).

2.3.2 Bureaucracy in Tanzania

The evolution of the Tanzanian civil service (bureaucracy) shows patterns which have both differences and similarities when compared to those of other African states. For ease of understanding, this evolution can be divided into five overlapping phases as discussed in Morgan and Baser (2007).

- The *colonial phase* lasting up to Independence in 1961 produced a bureaucratic structure that was and still is smaller and less complex than those in neighbouring Kenya or Uganda because Great Britain had invested less in Tanzania than it did in colonies of greater political or commercial interest.
- The *phase of growth and politicisation* began in the late 1960s and saw the public service subordinated to the dominant single political party. This phase led to the strengthening of the centralised Tanzanian state and the rapid expansion of the bureaucracy to implement ambitious development plans. This phase was characterized with the abolishing Local government system in 1972, rise in the size of the public service by about 350% with the number of employees reaching a total of 295,000 in 1980 and perpetuation of colonial through the arrangement of foreign studies programme, establishment of administrative training institutions, employment of foreign experts and adaptation of bureaucratic reforms based on western model (Didace, 2020).
- A *period of public service stagnation and decline* began in the early 1980s characterised by declining levels of service and a collapse in discipline, training, salaries and other incentives. Corruption not surprisingly grew as a response.
- The *phase of retrenchment* beginning in the early 1990s was based on a conventional cost containment and downsizing strategy. In pursuit of these goals, many public

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organisations were either privatised or turned into executive agencies. Total staff numbers fell from 355,000 in 1992 to about 270,000 in early 2000 - a shrinkage of about 35 %. The number of 'grades' within the public sector fell from 196 to 45.The payroll system was simplified from 36 different allowances to seven. Structures at the senior management level were simplified, as were those in the regions. Efforts were made to improve public service training.

- The *current phase of reform* began in 2000 with the PSRP focusing on *building capacity and performance*. The previous emphasis on retrenchment had been effective in terms of rebalancing costs and scope. But it had not contributed enough in terms of improved service delivery, a pattern that was common across most African states. The current phase was designed to focus on improving performance.

Just like in Kenya, since independence there has been a steady rise in the size of civil service of Tanzania because of Africanization between 1961 and 1970 that saw an increase in the number of Tanzanians holding senior and middle level positions from 12% to 90% of the public workforce. By 1988 it was estimated by the Tanzania Bureau of Statistics that the government payroll was growing at an average of 5% per annum. By 1984, 72% of formal sector employment was in the public sector, while only 23% was in the private sector.

The commission chaired by Dr Amon J. Nsekela which reported to the government in 1987 found that the civil service was oversized, underpaid, short of skilled people and demoralized. Only 33% of civil servants in 1988 had post-primary education qualifications, and only 5.57% of them had a post secondary qualification (Mukama, 1995). Most civil servants worked in the lower cadres.

The bureaucracy or the civil service of Tanzania as highlighted by Egboh and Aniche (2015) include the ministries, departments and agencies (MDAs) which carries out the day-to-day or routine administration and implementation of government's policy. In January 2000, the then Civil Service Department (CSD) commenced the implementation of the new phase of the Public Service Reform Programme (PSRP). The PSRP (2000-2011) was meant to build on the cost containment structural and institutional reforms which were successfully implemented under the Civil Service Reform Programme (CSRP) in the period, 1993-1999. The President's Office Public Service Management (previously CSD) is in charge of installing human resource and other management systems in government ministries, departments and agencies (MDAs) throughout Tanzania. It also implements the Public Service Reform programme (PSRP). PO-

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PSM's role is to assist the Head of the Public Service (the Chief Secretary) in matters of personnel and administration pertaining to Public Service in the entire government system. According to the Presidential Order of 1993 on Ministerial Responsibilities, the specific functions of PO-PSM embrace: a) Administrative & Personnel Policy b) Administration of Public Service c) Co-ordination of Training and Recruitment d) Improvement of efficiency and effectiveness of delivery of public service. e) Human Capital

Women constitute only 35 percent of the present workforce of Tanzania's public service with gender inequalities being especially notable at higher levels. However, the Public Service Reform Programme (PSRP) aimed to have a public service that is gender sensitive and which adheres to the principles and practices of equality of opportunities in recruitment, promotion, training, career development and other conditions of employment.

The recruitment into public service is based on merit which is conducted by the Public Service Commission.

The Tanzania Public Service College (TPSC) which was established in August 2000 is responsible for the training of public servants through in-service training and development. TPSC is intended to satisfy the training needs of all levels of the public service such as the managerial, leadership and administrative needs. The prime goal of TPSC is to contribute to good governance and professional practice in the public service.

3.0 Summery of Findings

This section attempted to carry out comparison of two countries with a view to find out the similar and dissimilar features of government and administration of two countries.

Kenya and Tanzania are two countries located in Eastern part of Africa. The countries were the colonies of British although Tangayika of Tanzania was earlier ruled by Germany. The political heritages of both countries are largely British especially at early era of independence.

Republic of Kenya is a unitary state with presidential system of government, the country is run by the national government and forty seven county governments. The functions of each level of government is outlined in the constitution of the country, the national government is composed of three arms of executive, legislature and judiciary. Tanzania is also a unitary state with presidential system of government but unlike Kenya, Tanzania has only national government with semi-autonomous region of Zanzibar and this make some to mistakenly refer the country as a federal state. Also as in Kenya, Tanzania has three arms of executive, legislature and judiciary.

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The composition of the executive arm in two countries differ, while Kenya has President, the Deputy President and Cabinet Secretaries as the Executive, in Tanzania, this arm of government comprises the President of the Republic of Tanzania, the President of Zanzibar, the Prime Minister and Cabinet Ministers. The Secretaries in Kenya should not be the members of the parliament, but in Tanzania, the President can appoint both parliament members and non-parliament members as his ministers. Therefore one can rightly say that there is element of fusion of power in Tanzania.

The parliament of Kenya is bicameral consisting the National Assembly and the Senate, where as Tanzania has unicameral parliament known as National Assembly. However, semi-autonomous region of Zanzibar has its parliament known as House of Representatives and five members among them are elected to be members of the National Assembly.

In Kenya, Judiciary is divided into superior and subordinate courts. The superior courts consist of chief justice, deputy chief justice, Supreme Court judges, high courts judges and judges of Kenya's court of appeal. The subordinate courts are magistrate courts, khadi courts and court martial. The arrangement in Tanzania differs from what is obtainable in Kenya. In Tanzania, judicial arm has five level of judges combining the jurisdiction of tribal, Islamic law, British common law, Zanzibar court system and commercial court which was established in 1999 as a division of high court. Both countries operate the Franco-American system of Administrative law.

The bureaucracies of two countries were upshot from colonial administration with so much legacies of British service and dominated by non-African expatriates at the early era of independence. The civil service in Kenya was structured with provincial administrations consisting of sub commissioners, district police, and hierarchy of chiefs, sub chiefs and headmen before the formation of twelve ministries in 1950s. Tanzania has smaller and less complex structure of civil service that comprises twenty nine Ministries, Departments and Agencies (MDAs).

Since independence, the size of civil service in two countries had been expanding till early 1980s for some reasons peculiar to the countries. In Kenya, the policy of Kenyanization, increase in wages and effort by government to provide employment guarantee to the university graduates contributed to the expansion of the service, the situation was almost similar in Tanzania. Between 1970 to 1980, civil servants constituted 70% of employments in the formal sectors.

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The appointment, training, promotion and discipline of civil servants in two countries is conducted by Public Service Commission. There was favourable conditions of service in two countries at early 70s particularly in Kenya where civil servants were allowed to venture into businesses just to complement their earnings.

The two countries were overstaffed in early 1980s and the situation became unsustainable. That led the initiating of reforms aimed at downsize and make the service manageable.

4 Conclusion

Kenya and Tanzania have undergone a political history that have seen them transiting from decades of colonial rule to independence, from parliamentary system to presidential system and from socialist system (a unique brand of African socialism called Ujamaa) to liberal economic system. But interestingly despite these political and economic transformations, the countries unlike most Saharan Africa countries have not experienced military intervention into politics.

The political system of two countries as discussed in the work have some similar and dissimilar characteristics. They are operating on unitary system, practicing presidential system with separation of power between and among three arms of government though the compositions, structures and settings of their arms of government differ.

Just like other sub-Saharan African, the countries which had passed through colonial experience were confronted with enormous challenges in developing their public service which is prerequisite for their social and economic progress. The civil service which started with the dominance of non-African expatriates have later occupied by citizens and the size was rapidly expanded to reduce the menace of unemployment and that led the growing number of workforce beyond sustainability and further led to the introduction of series of reforms aimed at downsizing the large number of civil servants. Much improvement of the civil service is important for economic performance and its reform also crucially depends on the revival of the economy, a mutual interdependence that must be recognised by policymakers for the survival and progress of countries.

One interested lesson from the two countries is that with all crises that rose after independence, none of the countries that has military coup experience. And in Tanzania, despite the tribal and religious differences, Tangayika and Zanzibar saw the importance of unifying themselves to become Republic of Tanzania.

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