



Access to land by the urban poor in Tanzania: some findings from Dar es Salaam

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SUMMARY: *This paper considers how low-income households and communities in Dar es Salaam have obtained access to land. The paper begins with an analysis of urban land policy in Tanzania, drawing the distinction between planned and unplanned areas. After a consideration of poverty in Tanzania and a brief historical review of urban land allocation, the paper reports on a study carried out in Dar es Salaam in 1993 to better understand the relationship between poverty, housing and access to land.*

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I. INTRODUCTION

THERE HAS BEEN considerable interest in the subject of poverty in the Third World in the past two or so decades. This does not mean that poverty is a newly discovered public problem. The English Poor Rate Act of 1601 (the Elizabethan Statute) - generally accepted as the precursor of modern property rating practice - was enacted to allow the levying of local property taxes (rates) to help the poor in society attain a basic level of welfare. The concerns of welfare economic theory in the 1930s and 1940s were aimed at alleviating the poverty which afflicted the less fortunate members of society. It is, however, true that the current explicit poverty paradigm in public policy and research is quite recent: considered as a problem of shelter in the 1960s, of employment in the 1970s, but enunciated as a problem in its own right in the 1980s. Most commentators consider the current global concern with poverty as a reaction to the adverse effects brought about by structural adjustment programmes that have been imposed on many Third World governments by the IMF and other Bretton Woods institutions. Within the general paradigm of poverty, concern with urban poverty is even more novel as, until very recently, poverty was considered a rural phenomenon and urban areas were islands of wealth, demonstrated in no small way by the cities' attraction to rural populations in search of "bright lights". It is, however, now ac-

cepted that, while poverty can be more devastating in rural areas, there is significant urban poverty and the urban poor face a set of problems different from those faced by the rural poor. Urban poverty is much more conspicuous than rural poverty and is increasing in tandem with the current rapid rate of urbanization taking place in many developing countries.

This paper is a result of this recent concern with urban poverty and presents some findings of a study carried out in Dar es Salaam in 1993. The study sought to address certain aspects of access to land by the urban poor. Before presenting the findings, the paper outlines the land delivery system in Tanzania. It then goes on to discuss the concept of poverty in general and of poverty research in Tanzania, before highlighting certain policy approaches to urban poverty from a historical perspective. Throughout the paper, examples are cited liberally from Dar es Salaam. Reference to Tanzania excludes Zanzibar. Towards the end of 1993, the exchange rate was TSh 500 to US\$ 1.

II. THE URBAN LAND DELIVERY SYSTEM IN TANZANIA

a. Introduction

IT HAS BEEN observed that in many Third World cities, urban land can either be obtained formally or informally, and that the informal sector provides much more land to land seekers (including the majority of the poor) than the formal sector. Yet, the workings of the informal land sector are usually ignored, and are hardly understood or documented.⁽¹⁾ Figures quoted by Kombe⁽²⁾ indicate that between 1978-79 and 1991-92, the Dar es Salaam City Council received 261,668 applications for plots but was able to provide and allocate only 17,751. In other words, only 6.8 per cent of the applicants got an allocation, the rest had to look elsewhere for their land needs. Furthermore, it is now generally accepted that over 70 per cent of Dar es Salaam's population live in unplanned areas where, invariably, land is obtained through informal means. These findings suggest that the official system of land allocation has been outstripped by the acquisition of land through informal means.

Land tenure in Tanzania is governed by the Land Ordinance of 1923, under which all land in the country is publicly owned and is vested in the President. Access to land is by way of a "right of occupancy" granted by the government. Moreover, the Ordinance recognizes land occupied by native communities under customary tenure to have a deemed granted right of occupancy. Although the legal position of customary land tenure, especially at the fringes of urban areas, has been the subject of considerable controversy, a recent court ruling (Nyirabu vs Nyagwasa, 1985) established that the rights of customary tenure landholders are not extinguished merely upon the declaration of an area as a planning area. Several legal procedures (including the payment of compensation) have to be put in place to extinguish the rights of these landholders. Legally, therefore,

1. Mabogunje, Akin L. (1990), *Perspective on Urban Land and Urban Management Policies in Sub-Saharan Africa*, World Bank Technical Paper No.196, The World Bank, Washington DC, page 33.

2. Kombe, Jackson W.M. (1994), "The demise of public urban land management and the emergence of the informal land markets in Tanzania: a case of Dar es Salaam city", *Habitat International* Vol.18, No.1, pages 23-43.

squatting in urban Tanzania is restricted only to those occupying government land without permission (and these would be few since government land in urban areas had all but been exhausted by the time of independence). The term "squatter area" is, however, used prodigiously to refer to areas where land is acquired and developed outside the official planning schemes. Where the term "squatting" is used in this study, it is not intended to denote a certain legal status.

Urban land can be described as being planned or unplanned. Access to land can be through formal or informal means. In the formal land delivery system, the allocation and transference of land is via procedures laid down by the government. Such land will, in the first place, be in the ownership or control of the government. In urban areas, such land is usually planned and its legal status is expressly recognized by the government. In the informal land delivery system, the allocation or transference of land is outside the ambit of the procedures laid down by the government. Such land will usually be privately "owned", by which we mean that the land in question is in the control of people who, by virtue of, for example, earlier occupation or acquisition, or by virtue of customary tenure, command recognized authority over this land (irrespective of laws that may declare all land to be publicly owned). In urban areas, such land is usually unplanned. The informal land delivery system would also include access to planned land otherwise than through procedures laid down by the government, for example where government officials sell, or sanction the sale of, planned land in private dealings. It would also include "squatting", i.e. the occupation of land without the owner's permission.

b. Formal Land Delivery

Until 1974, urban land could be obtained formally from the government, either by direct allocation or by way of premium tendering. Either way, the government publicized that it had land to dispose of and was inviting interested parties to apply. In 1974, the system of premium tendering was discontinued. Today, land is administratively allocated: application is made to the district land officer who submits all applications to an allocation committee which makes the final decision. In view of the numerous conflicts over land allocation powers, the Ministry of Lands issued a directive in 1988 whereby urban councils were empowered to allocate only high density residential plots (and even then, to the exclusion of "projects" plots such as the externally financed sites and services plots). Industrial, commercial, institutional and medium and low density residential land is allocated either by the Ministry of Lands, or by regional authorities. The 1988 directive required that land available for allocation should be publicly advertised and that the allocation of available land should be made by authorized committees, after applications had been made to land officers. In practice, this system does not work, mainly because the demand for plots far outstrips the supply. Plot allocation is done *in camera* and on an *ad hoc* basis by various officials in the Ministry of Lands

and in the urban councils, and also increasingly by politicians. Control of the powers to allocate land is an area of major contention among various authorities in the country.

If an individual's quest for land is successful, the applicant is issued with a letter of offer outlining the conditions (including land rent, various fees, building covenants, allowed uses, timescale for development, etc.) under which land is being allocated. If these are accepted, the applicant must meet the preliminary conditions (such as paying land rent) and then becomes the legal possessor of the title to land. Long-term rights of occupancy are granted for periods of 33, 66 or 99 years, while short-term rights are for five years or less. A certificate of title may be issued later. Typical costs to be met on land allocation include fees for the certificate of occupancy, registration fees, survey fees, fees for deed plans, stamp duty, and one year's land rent. In 1993 in Dar es Salaam, these amounted to TSh 2,375 for a high density plot (288-400m²); TSh 3,904 for a medium density plot (500-800m²); and TSh 5,015 for a low density plot (750m² and above). It can be argued that these charges are very low and bear no relation to the cost that the government incurs in preparing the land, nor are the costs related to the value of the land. The rationale behind such a cheap land policy has always been that land is national property to which anybody, particularly low-income households, is entitled and that putting a high cost on land would prevent its acquisition by the urban poor.

In fact, this policy, inherited from the colonial era, has only served to allow the socially powerful members of society to get access to planned land cheaply. Moreover, since the supply of land has been restricted, the open land allocation system has been replaced by "informal" allocations, usually depending on the economic power or the social influence of the would-be grantee - qualities which the urban poor do not possess. They, therefore, hardly stand a chance of being allocated planned land.

c. Informal Land Delivery

Besides allocation by public authorities, land can be obtained informally by way of occupation without permit, allocation by local leaders or land owners, inheritance, and purchase. While spectacular land invasions such as those experienced in Latin America have not taken place in urban Tanzania, there are indications that slow land invasion does take place, particularly on marginal land. No systematic study of this process has been made but typical methods of invasion include the use of land for cultivation for several seasons before finally deciding to build; erecting makeshift structures before eventually deciding to make permanent ones; and invitation by an early settler to create solidarity groups.

Land can be obtained from acknowledged owners. In some cases, particularly in the case of village owned peripheral land, the 10-cell leader (*balози*) or the local elders can allocate land to a newcomer for a token fee. The 10-cell is the lowest level of organization in the country and originally the leader looked after 10 houses; today he looks after many more. Several 10-cells

3. Kironde, J.M. Lusugga (1994), "The evolution of the land use structure of Dar es Salaam 1890-1990", Mimeo, Ardh Institute, Dar es Salaam.

4. See reference 3.

make up a neighbourhood (*mtaa*), several neighbourhoods make up a ward (*kata*), several wards make up a division (*tarafa*), and several divisions make up a district.

Inheritance is also a major way of obtaining land, especially in the older areas, either planned or unplanned. A study carried out recently of a sample of landowners in the inner-city Kariakoo area of Dar es Salaam found that 55 per cent of those who owned land had got it by way of inheritance, while this proportion dropped to nil in the new Mbezi area.⁽³⁾

More often, land is obtained by way of purchase from recognized owners in unplanned areas, who sub-divide and sell it either as building plots or as agricultural land (*shamba*). The majority of landowners in unplanned areas obtain land in this way and, since the majority of urbanites in Tanzania live in such unplanned areas, it can be implied that this is the largest single strategy for urban dwellers to obtain land. A study carried out in the Mabibo and Manzese unplanned areas of Dar es Salaam indicated that 75 per cent and 79 per cent of landowners in the respective areas obtained land through purchase.⁽⁴⁾ Typically, the land sellers and the land buyers are brought together through an agent and, should a deal be struck, the parties will register the transaction with a 10-cell leader or a local branch of a political party, in front of witnesses, some of whom are usually neighbours or relatives. Again, no systematic study has been made of this process but enquiries made in 1993 showed that high to medium density plots in unplanned areas of Dar es Salaam could be obtained for between TSh 200,000 and 600,000, depending on the location.

Quite often, government (planned) land is allocated informally through private dealings which involve the exchange of money. Three ways can be identified:

- Land officials "selling" unallocated or abandoned land, or land where earlier allocations may have been revoked; or new plots (locally known as "creations") added to an already approved land use scheme. Such dealings cannot be quantified with certainty but unsystematic inquiries in Dar es Salaam revealed that "prices" for such land in 1993 ranged from TSh 90,000 for a high density plot in a new neighbourhood, to TSh 6,000,000 for a low density plot by the ocean.
- Plot allottees selling their undeveloped plots. This is illegal but such transfers are allowed if made "for love and affection" and this loophole could be invoked to sell land to third parties. The range of "prices" is as stated above.
- Plot allottees selling developments on their land. This is legal but, in most instances, the true transfer price is never officially disclosed to avoid it being known that the price far exceeded the value of the developments and also to avoid capital gains tax.
- A survey of a sample of landowners in two planned areas of Dar es Salaam revealed that 12 per cent of the landowners in Kijitonyama and 45 per cent in Mbezi had bought empty plots from the "owners"; and 15 per cent and 2 per cent respectively had been sold government plots. In the case of Kijitonyama, a further 44 per cent had bought a house or a foundation.⁽⁵⁾

5. See reference 3.

III. CONCEPTS OF POVERTY AND POVERTY RESEARCH IN TANZANIA

a. Approaches to Defining Poverty

VARIOUS APPROACHES HAVE been suggested to try and define the poor. All have their strengths and weaknesses. As a broad generalization, the urban poor have been associated with living in "grossly sub-standard, overcrowded conditions without the resources for decent shelter", particularly in unplanned (commonly referred to as "squatter") areas which have been growing rapidly in Africa's urban areas. Secondly, the poor have been associated with the so-called informal sector activities: "...the majority of the urban poor are employed in a diverse set of informal sector activities, generally the least remunerative among them".⁽⁶⁾ The poor, too, have been associated with bad health, malnutrition, and living in a degraded environment. Outright overt manifestations of urban poverty have, besides the above factors, included such phenomena as begging, street-living, prostitution and delinquency.

Any definition of poverty rests upon some prior conception of welfare. The selection of a "poverty line" separates those who have an adequate level of welfare from those who do not. Among the numerous approaches used to define poverty, have been various indicators of welfare, such as per capita income, overall household or per capita consumption, per capita food consumption, food ratio, calorie intake, medical data, basic needs, and access to public goods (such as health and educational facilities).⁽⁷⁾

Poverty is a state of deprivation which has many facets. Because of this, there are many distinct definitions of poverty.⁽⁸⁾ In a cogent study of data from Cote d'Ivoire, it was shown that the different definitions of poverty do not identify the same people as poor. This means that the approach adopted to define poverty must be related to the policy measures contemplated.⁽⁹⁾ For example, if the public concern is to reduce malnutrition, medical indicators of malnutrition are likely to be the appropriate tools in identifying the target population. This latter may include people who, using a different definition, may not be considered poor. If, on the other hand, what is at issue is a general anti-poverty drive aimed at raising the incomes or overall command over resources of the poor, then general definitions of poverty, such as per capita consumption levels, would be most appropriate.

b. Aspects of Poverty Research in Tanzania

Tanzania is rated as the second poorest country in the world⁽¹⁰⁾ and a large proportion of the country's citizens are thought to live in absolute poverty. Although Tanzanian policy makers have been concerned with poverty and its eradication for many years, remarkably little is known about the nature, causes, incidence and trajectory of poverty in the country. Much of the poverty literature consists of policy oriented reviews and summaries of

6. Kiamba, C. Makau (1991), "Urban poverty and governance in Kenya: removing the shadows", paper presented at the Workshop on Planning for Research into Urban Poverty and Governance in Eastern and Southern Africa, UNCHS (Habitat), Nairobi (Kenya), 15-16 October.

7. Glewwe, P. and J. van der Gaag (1990), "Identifying the poor in developing countries: do different definitions matter?", *World Development* Vol.18, No.6, pages 803-814.

8. Ravillion, Martin and Benu Bidani (1994), "How robust is a poverty profile?", *World Bank Economic Review* Vol.8, No.1, pages 75-102.

9. See reference 7, page 812.

10. World Bank (1993), *World Development Report 1993*, Oxford University Press, Washington D.C.

11. Cooksey, Brian (1994), "State of the art paper on poverty research in Tanzania", paper presented at a Workshop for Research on Poverty Alleviation in Tanzania, Dar es Salaam (Tanzania), 11-12 January.

12. World Bank (1985), *Tanzania: a Poverty Profile*, Report No.12298-TA, Washington DC.

previous research. There is far too little empirical (especially micro level) studies.⁽¹¹⁾ Within the limited research on aspects of poverty, there has been little attempt to locate the poor geographically. The exception is a recent study to construct a poverty profile for Tanzania commissioned by the World Bank.⁽¹²⁾ Although the reliability of this data has been questioned, findings from this survey form the basis of some of the following discussion.

The study comes to a general conclusion that there is more rural than urban poverty, and that within urban areas, Dar es Salaam shows the least incidence of poverty despite the fact that the poverty line in this city is much higher than elsewhere. Different poverty lines are defined to reflect price levels, consumption patterns and different necessities of life (e.g. housing and transport). Table 1 compares the income required to purchase a minimum food (and other basic essentials) basket in the different localities in Tanzania. This translates into the ability to secure an adequate calorific intake and minimum standard of living. The table gives a range of minimum daily (adult equivalent) calorific requirements.

Table 1: Calorifically Defined Poverty Lines for Tanzania (Mainland) (TSh/Capita), 1991

Daily energy requirements	Income (TSh) required to purchase calories and percentage of households falling below the defined poverty level			
	All	Rural	Urban non - Dar es Salaam	Dar es Salaam
1900 Calories		25613	28969	50866
% of households	50.5	55.6	28.9	23.0
% of population	43.6	50.1	21.2	16.2
2000 Calories		27721	33186	54950
% of households	54.4	59.3	34.6	26.5
% of population	47.6	54.1	26.4	18.3
2100 Calories		29831	37777	59138
% of households	58.1	63.2	37.1	29.7
% of population	51.4	58.2	29.2	20.4

SOURCE: Cooksey, Brian (1994), "State of the Art Papers on Poverty Research in Tanzania", Paper Presented at a Workshop for Research on Poverty Alleviation in Tanzania, Dar es Salaam (Tanzania), 11-12 January.

It shows the proportion of poor households or of poor people who fall below the income level required to meet different daily levels of calorific intake in urban and rural areas. The differences between "household" and "population" poverty figures reflect differences in household size and dependency ratios between different income groups. If 2,000 calories per day is taken as the minimum requirement, well over half the rural population, a third of the population in urban areas apart from Dar es

13. Collier, Paul, Samir Radran and Samuel Wangwe, with A. Wagner (1986), *Labour and Poverty in Rural Tanzania*, Clarendon, ILO.

14. Sarris, Alexander and Rogier van den Brink (1983), *Economic Policy and Household Welfare during Crisis and Adjustment in Tanzania*, New York University Press, New York.

15. Wagao, Jumanne and M.A. Kigoda (1993), *Poverty Alleviation in Tanzania*, UNDP Dar es Salaam.

16. Bamwebuga, Henry R. (1990), "Survey of socio-economic conditions of low-income households in urban areas of Tanzania", mimeo, East African Statistical Centre, Dar es Salaam.

Salaam and a quarter of the population in Dar es Salaam fall below the poverty line.

The poverty profile for Tanzania found that nationally, income inequalities were extremely large, greater in rural than in urban areas, especially Dar es Salaam. The top 5 per cent of the rural population consumed 17 times as much as the bottom 5 per cent. In Dar es Salaam, it was 11 times as much. This challenges the idea generally held in Tanzania that poverty was quite evenly spread. Moreover, contrary to earlier findings,⁽¹³⁾ this study found that inequality was primarily inter, rather than intra, regional.

There is no agreement among researchers on Tanzania on whether structural adjustment has increased the incidence of poverty. Some claim that the poor in both rural and urban areas did not suffer.⁽¹⁴⁾ A contradicting school of thought finds significant declines in income for the majority of the population during the "crisis" period of 1978/79-1983/84 with adjustment bringing significant income gains in recent years.⁽¹⁵⁾ The explanation of the various conflicting views possibly lies in the theories, research methodologies, data collection techniques, and analytical approaches which are implicit or explicit in the different studies.

The latest census in Tanzania was carried out in 1988. It contains data which throw light on some aspects of poverty in both rural and urban areas. In Dar es Salaam for example, census figures show that 22 per cent of the population did not have access to a piped water supply at all, and only 30.5 per cent had a water supply on their plots. By far the majority relied on pit latrines for excreta disposal, and 65.7 per cent were not connected to the city's electricity network.

Studies specifically focused on the urban poor have established that it is poor households who suffer most from lack of access to the above public goods, as well as from poor housing conditions and malnutrition.⁽¹⁶⁾

While causes of poverty are multiple and highly complex in their interrelationships, most studies in Tanzania have mainly described, rather than explained, the incidence or the trajectory of poverty in the country. Besides, there is the lack of a proper definition of poverty. An approach to research in poverty which is sensitive to the influence of ecological and environmental, social, cultural and economic forces, and to their interrelationships is definitely called for.

IV. APPROACHES TO DEALING WITH URBAN POVERTY AND ACCESS BY THE POOR TO LAND IN TANZANIA: SOME HISTORICAL PERSPECTIVES

IN THE EARLY days of colonialism, the poor coincided with the bulk of the African population (then referred to as "natives"), although later on they (the poor) were fine tuned to be the unemployed, the destitute and those considered to be anti-social. Up to the mid-1940s and as a broad generalization, the colonial

governments in Africa believed that Africans in general should stay out of urban areas or, if need be, stay in urban areas for short periods only but should in any case live separately from the more affluent urban populations (i.e. Indians and Europeans). The absolute poor were to be kept out of urban areas altogether. Various laws were passed to empower the colonial governments to remove people from urban areas (particularly the larger ones) and to repatriate them to rural areas and also to institute racially segregated urban residential land use structures.

Colonial governments believed that there were far too many natives in urban areas, and that the natives' proper home was in the rural areas. Labour policy assumed that Africans would only be temporarily employed in urban areas. They would then go back to their rural areas where gainful economic activity in agriculture was always presumed to exist. Only a limited number were considered necessary for the labour requirements of the urban areas; and even with regard to this, labour policy ensured that Africans came single to urban areas, lived a miserable life (e.g. on very low wages and in poor accommodation), and returned to their areas of origin.⁽¹⁷⁾

Access by natives to urban land was at the whim of the colonial governments' land tenure, land acquisition and land development laws. Township ordinances were usually invoked to deprive natives of urban land (with minimal or no compensation). In most instances, areas zoned for native occupation were distantly located vis à vis centres of economic activity. In other cases, the boundaries around urban areas were kept artificially small so that native settlements remained outside urban areas (and, therefore, to deny them any services). In this set up, areas set aside for, or areas spontaneously occupied by, poor African urbanites, were deliberately denied basic service infrastructure. Access to urban land was also through customary types of tenure which governed local settlements. Such native settlements were tolerated by the colonial governments as long as they did not come into conflict with colonial interests. Otherwise, they were razed.

The 1940s saw some changes in colonial policy with regard to the sojourn of Africans in urban areas. It was accepted that those who were employed would be permanent urban residents. However, those who were very poor or who were unemployed continued to be subject to repatriation policies. Wages too continued to be kept low so that a Report of Inquiry into the Wages and Cost of Living of Low Grade African Government Employees of 1942 found that 87 per cent of the government employees in Dar es Salaam received a wage on which they could not subsist.⁽¹⁸⁾ There was no more denying a wage labour problem. Taking advantage of Colonial Development and Welfare Funds in British colonies and of the Fund for Economic and Social Development (FIDES) in French colonies, colonial governments started building government "quarters" for Africans. At the same time, thousands of (poorly serviced) urban plots were planned and allocated to Africans to allow constructions of any material. In Dar es Salaam this resulted in the construction of govern-

17. See, for example, Mbilinyi, Marjorie (1990), "This is an unforgettable business': colonial state intervention in urban Tanzania", in Parport, Jane L., (editor), *Women and the State in Africa*, Westview Press, Boulder (CO), USA, Lynn Rienner, pages 111-129.

18. Tanzania National Archives File No.30598, "African living conditions in Dar es Salaam".

ment quarters and in the provision of over 7,000 sites and services plots in the areas of Magomeni, Ilala, Kigamboni and Temeke in the 1950s. The problem of low-income households' access to land was however much bigger so that unplanned settlements began, or continued to grow, in areas such as Keko, Kigogo, Chang'ombe, Msasani and elsewhere in Dar es Salaam.

Continued urban growth which engulfed peri-urban villages, and continued access to urban land through informal means, forced the colonial government in Tanganyika to address the issue of customary land tenure in urban areas. In 1954, it was proposed that customary land tenure be extinguished once an area was declared to be urban.⁽¹⁹⁾ This proposal, however, was never turned into law so that access to land by sections of the poor continued to be through customary tenure. This type of access was only tolerated but was not incorporated into the main stream of the land delivery processes in urban areas. In any case, the colonial government practised the belief that once an area was declared a planning area, customary tenure ceased to exist.

The period soon after independence saw many African governments becoming concerned with the image that their urban areas were projecting to the outside world. In this respect, certain colonial policies against the urban poor were introduced including rounding up and repatriating the poor, such as street traders and beggars, to rural areas. Early such practices were undertaken in Dar es Salaam soon after independence in 1962 and 1964.

Repatriation policies continued much into the second and third decades of independence in the form of "operations" against the poor. Renowned operations include Operation Rwegasira in 1975 and Operation Nguvu Kazi in 1983. The latter was carried out under the Human Deployment Act of 1983.⁽²⁰⁾ It was generally believed that confining the unemployed to rural areas would obviate the problem of poverty and unemployment in urban areas. Despite such negative steps, poverty continued to manifest itself in urban areas. A new operation known as Ondoa Ombaomba Dar es Salaam has just been launched (December 1994) aimed at repatriating all beggars from the city. It has a budget of TSh 4 million, and a staff of 40 policemen and 15 social workers.⁽²¹⁾

Since poverty was related to shelter, the independence government in Tanzania adopted policies which were, in principle, aimed at improving the quality of existing low-income households' housing, or at providing new low-cost housing. This approach was enshrined in the creation of the National Housing Corporation in 1962. The Corporation carried out extensive slum clearance and redevelopment schemes as well as building low-cost houses in Dar es Salaam, although its output remained low compared to the whole problem of access to land and shelter in the city. At the same time, the government adopted a soft attitude towards the unplanned areas that were growing fast in and around urban areas. But, like the colonial government, the independence government did nothing to help unplanned areas overcome their problems.

19. Fimbo, Gamaliel Mgongo (1992), *Essays in Land Law in Tanzania*, University of Dar es Salaam.

20. Shaidi, L. (1984), "Tanzania: human resources deployment Act 1983: a desperate measure to contain a desperate situation", *Review of African Political Economy* Vol.31, pages 82-87.

21. See the daily newspaper *Uhuru*, 16 December 1994.

22. Halfani, Mohamed Shabaan (1986), "Urban management and the implementation of an externally financed project in Dar es Salaam", PhD Thesis, University of Toronto.

23. Minutes of the Dar es Salaam City Council, 1964.

24. Unlike in Kenya where informal sector activities are known by a single name *Jua Kali* (hot sun), various names are used in Tanzania. For example street and itinerant traders are known as *machingas*, after an area in southern Tanzania where the majority are said to have originated. Informal or open air eating places are known as *mama ntille*.

25. For a discussion on Cameroon, see Njoh, Ambe (1992), "Residential impediments to private residential development in Cameroon", *Third World Planning Review* Vol.14, No.1, pages 21-37.

26. See for example, Tanzania, (1992), *Report of the Presidential Commission of Inquiry into Land Matters (Shivji Report)*, Dar es Salaam.

There was a change in policy in the late 1960s. Partly in response to pressure and financing opportunities from the World Bank, the Tanzanian government adopted sites and services and squatter upgrading projects. These were, in principle, aimed at reaching low-income households. Evaluations of these schemes, however, have found that most ended up in the hands of the rich. In the case of Dar es Salaam, it has been argued that sites and services schemes were deliberately planned to favour the socially powerful classes, although they were paraded as being aimed at low-income households.⁽²²⁾

As in other African countries, the authorities in Tanzania were not well disposed towards the proliferation of informal sector activities in urban areas. Such activities existed during the colonial era and were as much attacked then as they were by the independence governments. For example, the Municipal Council of Dar es Salaam resolved in May 1961 that the Town Clerk be directed to seek police assistance to clear all unauthorized street traders in the town.⁽²³⁾ This policy against informal sector activities is still active today as evidenced by the current civil war between street vendors and the Dar es Salaam City Council which, in September 1993, resulted in serious street riots.⁽²⁴⁾ The reasons given against such informal sector activities include: public health hazards; illegality; immorality; public blight (eyesore); anti-social behaviour; and theft. Besides bias, it is alleged that in some cases, public authorities fight informal sector activities in order to protect business interests from competition. Like colonial authorities, most urban authorities' preference is that such manifestations of poverty should be tucked out of sight, preferably in the rural areas.

Despite such negative attitudes, certain phenomena usually related to poverty, for example unplanned settlements and informal sector activities, have continued to grow. Indeed, it is becoming increasingly difficult to restrict these two phenomena to the urban poor. Many well-to-do households in many urban areas in Africa find themselves in unplanned settlements, and many are engaged in various informal sector activities, a development which may make the position of the very poor worse.

With specific reference to land, it has been observed that for most African countries, the policies adopted by the post-independence governments aimed at getting the socially powerful classes access to valuable land cheaply.⁽²⁵⁾ Such policies have hinged upon adherence to unfair land tenure, acquisition, and planning laws which have generally marginalized the poor. In most countries, including Tanzania, a policy of displacing the poor from their land (with little or no compensation), relocating the poor (usually to distant locations) and the allocation of land so cleared to other people, has been taking place.⁽²⁶⁾ The procedures adopted to get access to planned land, and the low allocation of such land lots ensures that the poor are shut off from it. This is one of the factors leading to the prodigious growth of unplanned areas.

Since the 1980s, governments have been under some considerable pressure to review their land policies so as to be able to address the issues of haphazard urban development, lack of

infrastructure and urban poverty. Inherited policies, which have hardly changed despite several years of independence do not address the situation prevailing in African urban areas where, typically, the majority of the population live in poverty in unplanned areas, with hardly any infrastructure or authenticated titles to land, and where most people obtain land through informal means which are not appreciated by governments.

There is pressure on African governments to move towards policies that can incorporate and regularize unplanned areas, instead of thinking in terms of their eradication; there is a drive towards revising regulations related to land development and registration so as to make them more relevant to the situation they are supposed to address and, therefore, reach more of the urban poor; and there is a campaign for involving the public at large in issues of land use planning and development instead of public authorities acting in isolation. There are proposals to popularize approaches such as land-pooling and readjustment which do not displace households found on areas declared as planning areas. There is, however, some resistance to these proposals among policy makers because the old order has advantages and endows privileges to those few who control land.⁽²⁷⁾

Nevertheless, countries such as Tanzania have initiated processes to evaluate existing land policies with a view to coming up with new, appropriate approaches. However, there is a dearth of information on the urban poor and their access to land, and on the whole issue of urban land markets. The findings presented below clarify certain aspects of access by the poor to urban land, in Dar es Salaam.

27. Farvacque, Catherine and Patrick McAuslan (1991), *Reforming Land Policies and Institutions in Developing Countries*, World Bank, Washington D.C.

V. RESEARCH METHODOLOGY

THIS RESEARCH WAS conducted in Dar es Salaam, the largest urban area in Tanzania. It is also the *de facto* seat of the Tanzanian government. According to the latest population census (1988) the city had a population of nearly 1,400,000 people in 1988, representing an annual growth rate of 4.8 per cent since 1978. This rate is much lower than the annual 9.9 per cent experienced in the inter-census period 1967 to 1978, indicating some slowing down in the growth of the city, a factor that has been observed in primate cities elsewhere in Africa. Dar es Salaam is a city region which covers an area of 1,400 square kilometres and is administratively divided into the three districts of Kinondoni, Ilala and Temeke. These districts are further sub-divided into 52 wards.

Within Dar es Salaam, the sample population was selected from each of the city's three districts. In view of the difficulty of formulating a clear definition of the poor, it was decided to base the study sample on two indicators of poverty: the quality of housing occupied and the type of economic activity undertaken by the respondent heads of households. It was accepted that living in rundown property, particularly in unplanned areas, was a possible indicator of poverty. Three unplanned areas, i.e. Kawe in Kinondoni District, Vingunguti in Ilala District and

Tandika in Temeke District (see Figure 1) were selected from a list of select unplanned areas in each district. The select unplanned areas were those abutting or contiguous with developing areas (planned or unplanned). This criterion was adopted because it was thought that the urban poor would normally engage in urban agriculture or work as casual labour on construction sites. In each of the selected areas, houses in visually bad repair were identified. A number of these were subsequently selected at random and all heads of households residing in each house were interviewed. A figure of 100 respondents in each area was aimed at.

Besides the respondents selected on the basis of the poor type of housing occupied, others were selected on the basis of their undertaking poorly paid activities as their main income-earning occupation. These included small-scale farmers and building site guards found in areas adjacent to those selected for interviewing heads of households occupying poor quality housing. They also included handcart operators and barmaids, all selected at random from each of Dar es Salaam's districts. The aim was to interview 20 heads of household in each category, i.e. 80 people from each district. These people were found "on site" but were interviewed only if they said they were heads of household.

In all, 276 people were interviewed on the basis of poor housing and 186 on the basis of the kind of economic occupation undertaken, a total of 462. It was assumed that all these could be said to be poor. Information from the respondents was obtained entirely by way of a questionnaire. Some 46 questions with precoded answers were administered during working hours. These covered various aspects relating to the characteristics of the respondents and their relation to access to land. Figures analyzed from this study are presented below in the form of tables and simple percentages.

VI. MAJOR FINDINGS

a. General Characteristics of the Respondents

OF THE 462 respondents, 59 per cent were men, and 41 per cent women. The majority (82 per cent) were in the 19-50 age group; 56 per cent were married, 11 per cent were divorced and 5 per cent widowed. Only 28 per cent were single. Over 73 per cent had two or more dependants, and only 17 per cent had no dependants. These latter two facts are a little unusual since, given the economic status of the households described later on, one would have expected the respondents to reject the responsibilities of marriage and dependants. The majority (68 per cent) were tenants.

The majority (79 per cent) were born outside Dar es Salaam; only 19 per cent were born in the city. Less than half (47 per cent) had moved to Dar es Salaam before 1980; 52 per cent had come later. Indeed, 23 per cent had come to the city after 1985 indicating that migration is still an important element in the city's growth.

b. Economic Status of the Respondents

Over three-quarters of our respondents (77 per cent) were not employed (i.e. had no wage employment in recognized establishments in the public or private sectors). This fact would appear to vindicate the criteria used to select the sample population since not having regular wages is a major indicator of poverty. The major economic occupation of the unemployed were: casual jobs (52 per cent), small-scale trade (22 per cent) and agriculture (19 per cent).

Close to one-third (31 per cent) claimed to earn less than TSh 5,000 a month (i.e. less than the minimum wage at that time) and nearly half (45 per cent) earned less than TSh 10,000 a month. If the income of the respondents is related to what is considered to be the cost of the basic food basket (see Table 1), i.e. between TSh 5,000 and 6,000 a month, it can be seen that the majority earned barely enough to meet simply the cost of food requirements.

Various researchers have cast doubts on the use of stated incomes as representative of the true level of households' incomes, particularly since many appear to spend more than their stated income. The stated level of expenditure of the respondents revealed that 12 per cent spend less than TSh 5000 a month and a further 26 per cent spend between TSh 5,000 and 10,000 a month. Yet, at the same time, TSh 30,000 a month was considered to be the minimum required to survive.

While the majority of the respondents (76 per cent) reported incomes of less than TSh 10,000 a month, only 38 per cent reported monthly expenditures of the same level. While only 24 per cent reported earning more than TSh 10,000, 62 per cent reported spending more than this per month.

The phenomenon where households report greater expenditure over income has been observed in many studies. Because of the multiplicity of income sources, it is quite possible that many people cannot state their income with certainty. Since it is painful to spend, answers to levels of expenditure are possibly reflective of the actual situation. This observation need not mean that people deliberately understate their income, but that they spend all they earn, i.e. they live from hand to mouth. This contention is supported by the finding that 76 per cent of our respondents reported that they could not save any money. Besides, 35 per cent considered themselves to be poor, and 11 per cent to be very poor. None of our respondents considered themselves to be rich. But although the majority (54 per cent) considered themselves to be ordinary people, and if it can be accepted that ordinarily people do not want to be stigmatized as being poor, the proportion of our respondents who admitted to being poor is quite high indeed.

c. Aspects of Access to Land

Contrary to the popular belief that land was easy to obtain (since it was considered publicly owned), only 26 per cent of our respondents reported that they owned any piece of land in Dar es Salaam (Table 2).

Table 2: Landownership in Dar es Salaam (%)

	Poor housing category (N=276)	Poor economic activity category (N=186)	Total (N=462)
Own land	32	17	26
Do not own land	68	83	74

The higher proportion of those owning land in the poor housing category is possibly a reflection of the generally older age of these respondents, of their longer stay in Dar es Salaam, and of their relatively stable economic status.

When landownership was disaggregated on a gender basis no significant difference was found between men and women, i.e. the proportions of those who owned and who did not own land were more or less the same across the genders (Table 3), although the situation was slightly worse in the case of female respondents.

Table 3: Landownership: the Gender Analysis (%)

	Poor housing category (N: males = 149 female= 127)		Poor economic activity category (N: males = 131 females = 56)		Total (N: males = 280 females = 183)	
	M	F	M	F	M	F
Own land	34	30	18	14	26	25
Do not own land	66	70	82	86	74	75

Although all our respondents were deemed to be poor, they reported varying incomes. Table 4 shows that there is some relationship between landownership and income levels.

Table 4: Landownership Compared to Income Levels

Monthly income (TSh)	% of households owning land
Under 5,000 (N=189)	24
5,001-10,000 (N=248)	16
10,001-20,000 (N=93)	20
20,001-30,000 (N=32)	28
30,001-40,000 (N=7)	29
40,001-50,000 (N=8)	38

It can be seen that the proportion of households owning land increases from 16 per cent at the TSh 5,001-10,000 income

level, to 38 per cent at the TSh 40,001 - 50,000 level. The relatively large proportion of households owning land in the under TSh 5,000 a month category is possibly a reflection that land was obtained much earlier, but that the incomes of the concerned households have remained low. Landownership was also lowest (16 per cent) among those doing casual jobs and highest among the self-employed professionals (Table 5).

Table 5: Landownership and Major Economic Activity

Type of economic activity	% owning land
Small-scale trader (N=88)	36
Small-scale workshop owner (N=20)	30
Casual jobs (N=207)	16
Self-employed professional (N=4)	50
Small-scale farmer (N=76)	37

While most of our respondents were immigrants to Dar es Salaam, those born in Dar es Salaam had a major advantage in terms of landownership compared to those born outside Dar es Salaam (Table 6).

Table 6: Area of Origin and Landownership in Dar es Salaam (%)

	Own land	Do not own land
Born in Dar es Salaam (N=99)	45	44
Born in the regions (N=367)	19	81

Another finding is that the proportion of those owning land is 36 per cent among those who migrated to Dar es Salaam before 1980, and only 5 per cent among those who arrived after 1985. The implication here is that the problem of landownership is much more serious among immigrants to Dar es Salaam in general, and new migrants in particular.

The majority of the respondents who owned land (64 per cent) owned one house, 14 per cent owned a *shamba*, and 10 per cent, a building plot. Most (85 per cent) of the land owners held land that was unsurveyed; and the size of the plots was small (high density type, i.e. 288m² or less) for most (77 per cent). Most (70 per cent) had acquired land before 1980, indicating that obtaining land was becoming difficult. By far the majority (97 per cent) of our respondents said that structural adjustment had adversely affected the possibility of an ordinary person obtaining land in Dar es Salaam.

Most landowners acquired land through buying. The other key channels of land acquisition were inheritance (24 per cent);

allocation by relative or friend (14 per cent); and non-permitted occupation (9 per cent) (see table 7).

Table 7: Ways of Acquiring Land (%)

Mode of acquiring land	Total (N=113)
Just occupied, no permission	9
Inherited	24
Allocated by friend or relative	14
Allocated by ten-cell leader	3
Allocated by Ministry of Lands/City Council	3
Bought vacant land	37
Bought land with a house	10
Bought land with a foundation	1

This is a major rebuttal of the long-held government stand that there was no land market in the country, and that the government was the major provider of urban land for low-income households.

The marginal role played by the public authorities in land allocation and administration is demonstrated further by the finding that 44 per cent of the landowners had no evidence whatsoever to authenticate their ownership, and 32 per cent had "informal" sale agreements. Only in 15 per cent of the cases did landowners hold the official certificate of title or a letter of offer.

The majority of our respondents (91 per cent) had themselves never sold any land. This could mean that in fact they had never owned land in the first instance. Among the few who had sold land, the main reasons were to deal with an emergency (such as disease or debt) (46 per cent), or to get money for day to day requirements. Only in 30 per cent of the cases was land sold to obtain capital. In 44 per cent of the cases of land sales the seller was left with nothing. These observations suggest that the process of becoming impoverished can afflict even those originally owning land.

While most of our respondents did not own land, the majority (89 per cent) thought it was important to do so. Yet most (79 per cent) did not have any plans to get land, and in the cases where land was being sought it appears that the respondents were seeking building plots (39 per cent), a *shamba* (29 per cent), or any type of land (31 per cent). It would be logical to conclude that most sought building land, since *shamba* land is eventually converted into building land.

Our respondents showed little confidence in the official land delivery system: 66 per cent of those looking for land said they would get it from the unsurveyed sector while only 5 per cent had filled in official land application forms. In fact only 16 per cent expected to get land free and 76 per cent said they expected to buy their land. This finding is corroborated by findings by Kombe,⁽²⁸⁾ most of whose respondents said it was foolhardy to expect to get land free.

Nevertheless, 95 per cent of our respondents rated the proc-

28. See reference 2.

ess of getting land in Dar es Salaam as difficult (38 per cent) or very difficult (57 per cent). The major problem cited (70 per cent) was the high price of land. This is not surprising given the low income of our respondents. It also underscores the general feeling that land cannot be obtained free. This is a potential that the government has not exploited but it has instead continued to believe in allocating land free. Clearly this official dogma is not in accord with current reality.

d. Policy Implications

The government has long claimed that its land policy was aimed at the poor. Our findings show that the poor are not the beneficiaries of official land allocation and administration although the poor whom we interviewed expressed a major need to own land in Dar es Salaam. Landownership is important in order to create social stability, to enhance the economic status of the poor and to ease urban management. The fact that by far the majority of the poor do not own land is undesirable. The government should therefore work towards helping the informal land delivery system to offer more land and in a more effective way than at present.

Perhaps the first step is to study the whole workings of the land market in Tanzania. Understanding how the informal sector land market works has been advocated by various commentators.⁽²⁹⁾ Since it is considered to be a stated aim of land policy to allow the poor access to land, then helping the informal land delivery sector to work more efficiently could increase the supply of land and therefore lower its cost, or at least extend the range of alternatives available to the poor. In any case this is where the poor get their land. The kind of help required includes advising landowners on how to sub-divide their land; removing the stigma of selling land so that available land is openly advertised and transferred; minimizing the problems with regard to the legality of informally obtained land; cooperating with landowners in the whole process of allocating land; and adopting policies that will ensure the naturalization, rather than the displacement of current land occupiers. It is unlikely that the poor will, at least in the foreseeable future, benefit substantially from officially planned land, yet a lot of resources are sunk into this sector by public authorities in the name of low-income households. It is thus proposed that the government should *increase* the cost of officially allocated land, which it is currently subsidizing heavily. This will untie considerable funds which should be channelled towards helping the poor get access to (serviced) land.

As it is possible that some of the poor may be unable to buy land, then the government could set up a fund which will lend money to the poor for buying land individually or in groups. Current land development finance, however inefficiently administered, is geared towards house construction. This is possibly misguided since a house can be constructed slowly in incremental stages over a period, while this is not the case when buying land, especially in accessible locations suitable to the needs of the poor.

29. See for example, Dowall, David E. (1991), *The Land Market Assessment: a New Tool in Urban Management*, World Bank, Washington DC.

By extending legality to informal land transactions, the government can help the poor to use land as a collateral to get finance, be it for purchasing land or for development. Likewise, the government could act as a guarantor of the poor in land-buying transactions. At the same time, cooperation with landowners requires that powers of land administration be decentralized to local level so that the various landowners can be incorporated in decisions related to the development of their land.

VII. CONCLUSION

THIS STUDY HAS established some facts on access to, and ownership of, land by the poor in Dar es Salaam. Currently, only a minority own land although the majority want to. The main proposal put forward is that the government must admit in unambiguous terms to the existence of informal land markets and to the fact that this is where most poor landowners get their land. It should then work with that informal sector to ensure a larger supply of land. This will no doubt benefit many of the poor.

There is no more denying the existence of the land market in urban Tanzania. The poor stand a better chance of obtaining access to urban land if the efforts of all the various operators in land delivery and, in particular, the informal land market operators, are brought together and helped to work more efficiently.

