

## PROJECT DOCUMENT

### LAND MANAGEMENT SYSTEM, URBAN GOVERNANCE AND LEADERSHIP: THE FUTURE OF URBAN TANZANIA

#### 1. Background and project focus

In Tanzania, like in many other African countries, urbanization is a burning issue not only because of its social, political, cultural and economic significance but also because of the challenges of achieving sustainable development. The issue of sustainable urban development in Tanzania is of central importance since it is essential for economic growth, with the associated forward and backward linkages, and for meeting both the present and future needs of the increasingly urban society.

This is a change in thinking from the old attitude of minimal emphasis on urbanization. The implications arising from the old attitude to urban communities were clearly noted by Ngware and Kironde (2000) and included: first, urban communities were considered to be evil and urbanization was to be resisted in the light of the high rates of migration from rural to urban areas; and second, governments conceived policies that were anti-urbanization, such as those aimed at repatriating people back to, or at least preventing them from leaving, rural areas combined with doing little or nothing about the development of urban areas.

The promotion of sustainable urban development is thus necessary today in Tanzania and as UN-Habitat has highlighted, the process is highly dependent upon efficient land management. The United Nations Centre for Human Settlements (UNCHS) stresses the need for member states including Tanzania to adopt effective land strategies because they are the basis of all human activities, a source of livelihoods and the engine for attaining sustainable urban development.

Three key concepts are central to the establishment of effective urban land strategies: land management, governance and leadership. First, the land management system operating in the country determines the issues of land provision, accessibility, and demand and use of land by urban residents for their activities. Second, governance is important because of the complex set of vertical and horizontal relations among different actors in the urbanization process and its management, particularly the role of community based organizations. As land in Tanzania is an asset owned collectively, good governance in the administration of land as a collective asset is central. Third, the concept of leadership is an essential aspect of land management and governance in urban areas. Effective leadership of the land management system and of actors engaged in urban governance should result in an efficient land supply, distribution and utilization which in turn will lead to sustainable urban development.

This important interrelationship of the three concepts has been incorporated into a number of legislations and policies put in place by the local and central governments in Tanzania that guide the management of urban development in general and land development in particular. The Land Policy is one such policy passed in 1995 which highlights the interrelated form of urban governance, leadership and land management. The National Human Settlements Development Policy of 2000 clearly emphasizes the issue of governance and leadership to be considered in planning, development and

management of human settlements in urban and rural areas. The legislations that guide land use and tenure also take into account governance and leadership issues. The Land Act 1999, for example, demands that the principle of participation of various actors and ethics of leadership have to be followed in its implementation to ensure progressive land tenure and land use. Furthermore, recent legislation espousing community participation in land use and planning include the Land Use Planning Act 2007 and the Urban Planning Act 2007 (Rwechungura, 2009).

As Tanzania is urbanizing at a rapid rate (the urban population increased at a rate of 10% per annum from 1980 to 1997), the country's urban areas are facing enormous challenges. This is despite the existence of reforms of urban development which recognize the link between land management, governance and leadership. What is disturbing is that the difficulties faced by the large urban centres seem to be being replicated in the emerging urban centres of the country despite the latter being blessed with the opportunity to do things differently. This phenomenon prompts the proposed research project with the overall objectives of:

1. Finding out why and to what extent the interlinkages between the dynamics of the land management system, urban governance and leadership are failing to meet the present needs of urban Tanzania.
2. Developing mechanisms/ways to mitigate the challenges faced by the land management system, urban governance and leadership to meet the needs of the present and future urban Tanzania.

The research project has the following specific objectives of:

1. Examining the existing urban land management system of Tanzania in order to identify its strengths and limitations in the process of land delivery.
2. Providing knowledge on theories and concepts as well as flexible, affordable and sustainable methods of land management which can be used to deliver land in the present and future cities and in the anticipated satellite towns.
3. Finding out the existing approaches to and practices of urban governance in Tanzania.
4. Exploring the opportunities for established urban centres and fast growing townships to learn from each other.
5. Finding out how local leaders perceive and understand the concepts of leadership and governance in urban Tanzania.
6. Examining the implications of different conceptions of leadership on urban governance and land management in Tanzania.

## **2. Literature Review and Conceptual Framework**

### **2.1. Introduction**

The literature is reviewed in order to present the situation in Tanzania and the conceptual framework. It is worth noting that the land management system with its core principles of urban governance and leadership is characterized by a wide range of dynamics. These dynamics are presented here and the extent to which land is able to meet, or fails to meet, the urban needs of various categories of stakeholders is indicated.

## **2.1 Urban Land Markets and Management**

The proportion of land that is urban in Tanzania varies from one region to another. This variation is due to the differential growth rates of urban areas in the country. While some towns and cities experience high growth rates others have low growth rates. Dar es Salaam city, for example, is currently growing at a rate of approximately 4.4% per annum (Ngware, 2006). By 2004 it covered an area of 135,000 hectares (Rwechungura, 2009) which is much greater than any of the other urban centres in Tanzania.

Land in Tanzania is “public land” vested in the President of the United Republic of Tanzania as Trustee for the peoples of Tanzania. Though the objective of putting land under public ownership is to promote equitable distribution of and access to the resource by all citizens, this has yet to be attained by the present land management system in many urban areas of Tanzania due to poor application of the principle of the market in supplying and accessing land. There is much evidence that women and people with low incomes, who are the majority, do not fully benefit from the existing management system as they are inadequately allocated land for undertaking their activities. In most urban areas many activities are undertaken on unplanned land.

Two types of land markets, namely the official/formal and unofficial/informal, exist in urban Tanzania. In the formal market the government convert rural land through the policy of spatial expansion of the city boundaries or develops the informal settlements within the city. However, poor land valuation practices have lead to many complaints of inadequate compensation for the expropriation of land by the government. The emergence and development of the informal land market in urban Tanzania is due to the ineffectiveness of the government to provide urban households with land. The informal land market is larger than the formal market. For example, in Dar es Salaam by 2004 81.2% of the total land available in the city was informal (Rwechungura, 2009). In many Tanzanian towns and cities, informal settlements are growing at a rapid rate. While in the 1980s in Dar es Salaam the number of informal settlements was 15, by 2003 the number increased to 105 (Keyssi et al., 2006). Among the methods used to increase the land supply in the informal market is the invasion of open spaces.

The leading economic activities on informal land are informal housing construction, small-scale urban agriculture and informal trading activities. On formal land, the economic activities practiced include industrial, transport, trading, communication, construction, quarrying and real estate including residential estates, offices, industrial properties, conference facilities, hotels and the leisure industry. The land management system in Tanzania operates poorly leading to inadequate use of land for undertaking economic activities. In Dar es Salaam, for example, the city does not to have an up-to-date Master Plan that is responsible for guiding the growth and development of the city (Daily News, Tanzania News paper of November 16, 2009).

In the two types of land markets there are various key actors depending on the activity being undertaken. Though the government is one of the major actors in the formal market, land taxes and collection of charges are in disorder depriving the government of the ability to mobilize enough resources to develop more land and build an effective system of land registration to ensure land tenure security. Land speculators collaborate with government officials to hold land in order to speculate it for profit maximization and wealth creation. Double land allocations and land disputes in the formal market are so rampant that the land court is facing difficulties settling them. In the

informal land market the main actors are land owners, intermediaries and local leaders. Although land is not a commodity according to the law, in the two markets there is a high level of informal transaction of the resource, resulting in the government being deprived of revenues realized through land transactions.

Davies et al (2001) quoted in Nicky Nzioki (2006) define land administration as the framework (regulatory, spatial, institutional, stakeholders, systems and processes) that encompass the determination, allocation, administration and access to information concerning land use, rights, interest, title creation and restrictions. There are two important aspects of this definition. One is the whole process of securing land tenure (land regularization). Security of tenure is one of the key incentives for the recipient to invest, promotes social harmony and protects the environment (UN-Gigiri, Nairobi, Kenya 2008) through a proper land-use plan. The second aspect is land registration which is the process of recording rights in land either in the form of registration of deeds or the registration of title to land.

Though security of tenure in the form of title deed has to be granted legally to the land possessor, in practice this has not happened to the majority of land recipients. Findings indicate that only 11% of the land properties in the country are legally registered. The provision of land tenure is highly complex in urban areas of Tanzania because of a number of factors. These include: overlapping legal systems; long registration; ineffective institutional framework; and the existence of regulatory intervention to dispossess vulnerable groups of their land. One of the consequences of the complexity of land tenure provision is the inability of many land possessors to use their property as collateral for loans from banks. Furthermore, it discourages the development of satellite towns/cities to Dar es Salaam which should act as spillover or dormitory towns.

## **2.2 Urban Governance**

Hyden's (1992) conceptualization of governance fits well with the growing concern amongst urban planning practitioners and researchers who call for an understanding of urban planning not as a monopoly of government institutions but as a shared responsibility among a multitude of actors including the different levels of government and civil society. In this understanding of urban planning, the role of planning has to be widened to include not only developing ideas on what should be done to facilitate urban development but also how it should be done and within what form of institutional framework. Planning has to contribute towards charting an institutional framework which provides citizens with the powers to ensure that their interests, needs and rights are respected and taken into account in the process of managing urban development.

The National Human Settlement Development Report criticizes local government reformers in Tanzania for their narrow understanding of the concept of governance. The Report argues:

*Most of the proposals that have been advocated for improvement in local governance have conceived governance in the sense of "good government". There has been an undue tendency to concentrate on state organs as opposed to the relationship between ruler and ruled, and the various actors that shape local governance. The idea of governance however transcends good government and involves all the various actors (the civil society) on the local scene. Government policy towards recognizing and incorporating*

*the activities of the civil society (e.g. through NGOs) is still weak. One area of improvement could be to extend the definition of governance. [URT, 1996:38].*

In the strategic plan for restructuring Dar es Salaam City Council into three municipalities, the term governance has been extended to mean:

*The totality of how government is done and what it achieves. Good governance is government carried out by elected persons regularly called to account by elections... which involves participation by institutions of civil society in the process of governing and which aims to maximize the welfare and potential of all the people [URT, 1997:132]*

The above conceptualization of governance relates closely to the classic liberal democratic model which emphasises the nature of the state, particularly how to put state institutions in place and how to make them accountable to the citizens through periodic and democratic elections. Putting good governance in place and making it accountable thus becomes the responsibility of civil society. At a more general level, the wider conceptualization of urban governance provided by Hyden (1992) is the management of relationships linking different actors in urban development. While emphasizing the interrelationships, this conceptualization of governance pushes the debate closer to the fluid associations across public-private community divides and voluntary associations within civil society. If this approach to governance is followed, the actual management of local government services, infrastructure and urban development should be decentralized.

According to Halfani (1997), the main idea in the governance paradigm is the recognition that urban development is the result of complex interactions between public institutions, civil societies and the private sector. For instance, the creation and management of urban space, which is one of the concerns of urban planning, is the result of individual or groups as well as of government policies and actions. The essence is the redistribution and sharing of powers, not only between the central and local government levels but also, and more importantly, between the different tiers of government and the steadily emerging civil society. The new locus of power as a result of the sharing of power and responsibilities named above hinges upon a multitude of dynamic players and actors such as CBOs, NGOs, squatters, various vendor groups, professional organizations, etc.

### **2.3 Leadership**

Effective leadership is essential to good governance and the well functioning of a land management system. One of the central elements of leadership is ethics which is defined as a set of principles, rights, obligations and responsibilities that ought to govern human relations in the spheres of production and distribution.

As highlighted above, both the local and central governments play a major role in managing the official land market in Tanzania. Studies show that norms of good governance and ethics of leadership are often violated in the process of obtaining land in the official market in many urban areas. Many land allocation committees, one of the implementers of urban planning, do not hold meetings regarding land allocation for applicants. The situation is partly the result of narrow and differential ways of understanding the concept of governance.

There are many actors involved in land management and urban governance in Tanzania and their roles are changing over time. Effective leadership of these various actors is essential so that their needs can be heard. Research has shown how pressures generated by the increased demand for land have resulted in changes in traditional institutions. As areas are consolidated and the density of development increases, informal social rules used to regulate transactions and resolve disputes are becoming increasingly constrained (Kombe, 2005) enhancing the need for effective leadership.

#### **2.4 Linking land management, governance and leadership**

The conclusion which can be made from the literature reviewed is that the operating land management system, linked with urban governance and leadership, is unable to cope with the changing environment and is afflicted with many problems. It is thus essential to provide land as an input to cater for the present and future urban Tanzania if a sustainable land management system integrated with urban governance and leadership is to be achieved.

### **3. Research Methodology**

#### **3.1 Selection of Study Areas**

The fieldwork for this research will be conducted in the capital city of Dar es Salaam and in six additional fast growing and emerging towns on the Tanzanian Mainland. Dar es Salaam is experiencing rapid urban growth with associated challenges from being poorly managed. In the emerging urban areas the project will explore the opportunities and the extent of replication of this poor urban management and the reasons for this situation. The fast growing and emerging towns selected for conducting the study will be:

1. Moshi (Kilimanjaro Region)
2. Dodoma (Dodoma Region)-official seat of government which is managed by the Capital Development Authority.
3. Kibaha and Chalinze (Coast Region).
4. Karatu (Arusha Region).
5. Himo (Kilimanjaro region)
6. Babati (Manyara region)

#### **3.2 Research Methods**

The research will collect both qualitative and quantitative data from a range of areas with different situations (challenges and/or risks). In order to collect reliable, representative and valid data, the research will employ a combination of research methods including:

##### **3.2.1 Documentary Analysis**

This will involve an in-depth critical analysis of available documents/records both official and non-official related to the study. The analysis will produce useful descriptive and exploratory information about urban management embodying the dynamics of land management system linked with urban governance and leadership. A critical analysis of the documents will be done with the aim of relating theories and practice.

### **3.2.2 Interviews**

Interviews will be held with various categories of respondents who directly or indirectly are players in the land sector in the city of Dar es Salaam and in the fast growing and emerging towns selected. The interviews will be conducted using a semi-structured questionnaire. The respondents will include officials of various institutions who directly or indirectly play a role in land development and management. Interviews will also be held in selected settlements within the study cities and towns in order to discover the experiences and opinions of local people and their leaders regarding urban land management. A pilot study will be done to test the research tools/instruments and identify problematic areas in data collection in order to refine them.

### **3.2.3 Focus Group Discussions**

Focus group discussions will be held with the stakeholders in urban land management and planning including relevant Ministries, Departments, Agencies (MDAs), Local Government Authorities (LGAs), Non-Governmental Organizations (NGOs), the private sector and the media, as well as with local inhabitants and leaders, to identify areas of collaboration, gaps and overlaps in land delivery systems.

### **3.2.4 Developing a prototype “Governance Linked with Leadership Based” Land Management System using GIS**

A prototype “Governance Linked with Leadership Based” land management system (GLLB) will be developed which will be information based and demand driven. The Geographical Information Systems (GIS) will be used to develop the system that will be able to perform secure registration of land, proper land allocation and allocate value to land. The data to be used include land registration forms in the formal land allocation areas from the Ministry of Land. Remote sensed data and field surveys will be used to locate informal areas which need to be regularized and those meeting the criteria of regularization. To put value on land, indicators that give land value or detract from the value of the land will be identified using transect walks and key informants. To enable good governance and the ethics of leadership to be attained in valuing and allocating the land, all stakeholders from the grassroots to national levels will be involved in identifying the criteria for valuing the land. These indicators will be mapped and a multi-criteria analysis performed using GIS to establish the value and suitability of land use according to stakeholders’ needs.

### **3.2.5 Up-scaling of the GLLB Land Management System**

Up-scaling the GLLB land management system will be performed through on-job training to personnel involved in land management in the study city and towns. Workshops will be held with stakeholders and scholarly training conducted at Masters and PhD levels at the University of Dar Es Salaam, Department of International Development Studies, in collaboration with the University of Copenhagen, Department of Geography and Geology. Scholarly training will involve trainers and trainee exchange visits to Tanzania and Denmark to acquire new skills in developing the GLLB land management system and to explore new areas of research and teaching. To enable scholarly training to be performed in Tanzania, the hardware and software involved in developing the GLLB land management system will be purchased. The practical training

will go hand in hand with providing knowledge on theories and concepts in relation to the GLLB land management system which can be used to deliver land in the present and future urban Tanzania.

### **3.3 Data Analysis**

The data collected will be analyzed with the application of various methods such as textual method, remote sensing, GIS and statistics.

### **4. Collaborating Institutions and Project Structure**

The project has two principle collaborating institutions, one each from Tanzania and Denmark. Academic staff, technical experts and masters students from both institutions will participate in the project.

The Institute of Development Studies (IDS), University of Dar es Salaam, is a teaching and research institute. In addition, IDS executes consultancy assignments and provides services to the general public. IDS has highly qualified staff with the required competencies to execute its activities. The Institute often engages in partnerships with local and international institutions. The vision of IDS is to develop capacities (skills, knowledge, expertise etc.) that can contribute effectively to scientific enquiry into the nature, causes and impact of global social, economic, political, cultural and technological changes in Third World Development.

The Department of Geography and Geology (DGG), University of Copenhagen has a permanent academic staff of over 60. The DGG staff who will be involved in the proposed project are members of two research groups. The 'Environment and Society in Developing Countries' research group researches on a range of issues in developing countries including: land use and land cover change; urbanisation, rural-urban linkages and livelihood strategies; and urban governance and environmental management. The 'Transformation of Cities and Landscapes' research group focuses on aspects of urbanisation and landscape change, strategic planning and management of the environment, as well as geographic information systems and geoinformatics. Staff members have extensive experience of using both quantitative and qualitative research methods as well as GIS. Furthermore, they have many years of experience of research partnerships with universities and research institutions in a range of countries.

The chief coordinator of the project is Dr Juma Kiduanga, IDS. He will be responsible for the coordination of the project and producing periodic reports. During a workshop to be held at IDS in the early stages of the project, all project members will come together to discuss in detail all aspects of the project including the timeplan, the division of labour amongst the participants, the methodology and dissemination strategy.

### **5. Relevance of the Project to National Policies and Priorities**

In the process of attaining the project objectives, a number of findings which will be relevant to national policies and priorities will be generated. These include the Policy of Decentralization by Devolution and the National Land Policy that demand the involvement of various stakeholders in land management and planning in a participatory way. Various stakeholders including land planners at the central and local governments will gain knowledge on flexible, affordable and sustainable methods (e.g. GIS, remote sensing, etc) which are essential tools for land planning and management. People at the

grassroots level will be responsible in the same process of managing the land in a participatory way. Furthermore, the increase in quality and quantity of land as a livelihood means for urban poor residents, who constitute the majority, conforms with the National Strategy for Growth and Poverty Reduction. The strategy aims to achieve better and more sustainable economic growth and ultimately to reduce poverty.

The project will also contribute towards the National Human Settlements Development Policy which clearly shows the intention of the government to have unplanned areas upgraded in order to improve the lives of Tanzanians through preventing the spread of further squatting. Existing squatter areas will be regularized through an integrated institutional framework that promotes a participatory approach which advocates for the involvement of different stakeholders in land management and planning.

Increasing the delivery of land in qualitative and quantitative terms and enhancing good governance and leadership in present and future Tanzania, as envisaged in the project, will not only to meet the above mentioned national policies but will also contribute towards the aspirations of Tanzania Development Vision 2025 and the Millennium Development Goals currently being implemented in Tanzania.

## **6. Elements of Innovation/Value Creation, Capacity Building and Bilateral Development Cooperation between Tanzania and Denmark Contributed by the Project**

The innovative elements of the project are reflected by the added value expected to be contributed by the project which are: (a) Creation of flexible, sustainable and affordable methods of land management systems. After their creation through training they will be known and utilized by various stakeholders for meeting the present and future needs of urban Tanzania; (b) Emergence of new and effective sustainable national policies pertaining to land delivery in the country; and (c) Attainment of some of the targets of the Millennium Development Goals (2015) and Tanzania Development Vision (2025) which among other aspects include good urban governance and efficient leadership.

Capacity building will take place as the research findings obtained will enhance knowledge through teaching issues including the land management system, urban governance and leadership to undergraduate and postgraduate students, policy makers and other stakeholders at the grassroots level.

For wider public accessibility by policy makers and other stakeholders including faculty, researchers and students, the research results will be disseminated through publication in the Journal of Development Studies at IDS and the Danish Journal of Geography at DGG. Dissemination of the research results will also be undertaken through workshops and seminars. In this way, the stakeholders will get the information for significantly improving the urban management system in Tanzania, thus avoiding replication of the problems faced by the old towns and cities in the newly emerging ones. Poverty reduction will also be achieved by increasing land delivery to poor residents and enhancing good governance and efficient leadership.

The bilateral development cooperation between Tanzania and Denmark stands as the principle of collaboration between the two countries in reducing the development challenges together. In this project, the bilateral cooperation between the countries is seen as the collaboration of researchers, students, policy makers and academics from Tanzania

and Denmark in implementing the activities of the project (conducting research, training, dissemination of research results, developing policies etc.) aimed at resolving the problem of GLLB land management system for sustainable development.

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