

**Public Perception on Land Policy Challenges and Land Conflicts: A case of  
Dodoma Makulu ward, Dodoma Municipality**

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**ABSTRACT**

*This study was conducted in Dodoma-Makulu ward in Dodoma Urban District in 2011. The general objective was to relate the execution of Land Policy; that is management, governance and leadership of urban lands to land conflicts in Dodoma Municipality. The survey was done to relatively aged heads of households (n = 110) who have been residing in Dodoma for not less than five years. Key Informants were obtained from the institutes which are engaged with land administration and governance, such as the Capital Development Authority, the Land Tribunals and various Non-Government Organizations. Both qualitative and quantitative methods were employed in data collection. The Statistical Package for Social Scientists (SPSS 16.0) was software used to analyze data collected. While majority of the public (96 %) has been able to identify types of conflicts prevailing in Dodoma Municipality, 82 % had the opinion that the problem does not lie with land policy, but rather the processes while executing land policy (institutional weaknesses). The public, while declaring the usefulness of the land policy, has the perception that involved authorities do not have the capacity to manage land matters effectively in Dodoma Municipality. As the study is based on the public perception, the critical institutional study is required to be done to come out with recommendations necessary for the Capital Development Authority and various stakeholders to re-strategize and therefore, meeting the public expectation.*

**Keywords:** Public Perception, Land Management, Land Governance, Land Conflicts

## 1.0 INTRODUCTION

Land, the human habitat on planet earth is a resource that cannot be expanded as human population, and therefore is increasingly becoming a source of conflicts in developed and developing countries where land access has traditionally been characterized as relatively egalitarian (Peter, 2004). Fernandez *et al.* (2007) reported the wave of urban land disputes to be influenced by poor land governance in China and India, while privatization of land had been the source of such conflicts in Vietnam, Georgia and Mongolia being the result of globalization (Whiting, 2011; Kim 2008; Marring, 2008; Baatar, 2007; Bokeria, 2006 ;Sturgeon and Sikor, 2004;Tenev, 2003). Dissatisfaction on such allocations of land has resulted into land conflicts with varied degree of reaction associated with violence (Mentrup, 2004).

Africa like other continents in the world , has a history of land conflict and contestation which have resulted in various types of inequalities and a skewed distribution of land resources which has been subjected to conflict, conquest, expropriation and exploitation thus resulting in the many discrepancies that exist today (Mukandala,2008; Nshala,2008). Involved Institutions are not well coordinated and organized in dealing with land matters and therefore has greatly influenced the socio-economic and political positions of different groups of people to become poor in achievement and operations (World Bank, 2010; Kironde, 2009). Poor land governance in many of land institutions has resulted in numerous land conflicts which remain unresolved (Mwamlangala, 2013; UNDP, 2008; FAO, 2007).

Efforts carried out by various African countries such as Burundi, Kenya, Mozambique, Rwanda and Tanzania on embarking on changing their land policies as well as land legislation, and land reforms of various natures are, greatly encouraged, and are often heavily subsidized, by the international donor community and international financial institutions (Rwechungura,2009; Kombe, 2005). Tanzania is faced by a challenge to register all land parcels in the country. Limited human and financial capacity, a centralized state-centered approach which sidelines communities, landowners and the private sector; inappropriate standards, regulations and procedures for land use planning, regularization and surveying, politicization of land delivery outputs and lack of a long-term well-resourced plan to register land parcels in the country has being a setback to achieve registration of all land parcels in Tanzania (Kironde 2006).

The 1995 Land Policy of Tanzania highlights well 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 of 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 planning (Land Use Planning Act, 2007; Urban Planning Act, 2007). Lack of awareness of the community and ineffectiveness on land management, governance and leadership in land use and planning always causes land conflict in the country (Kaijage, 2005). Low community awareness and participation on land matters have been vivid in Tanzania. Management, governance and leadership on land have been a challenge in implementation of land policy in Tanzania (Mtatifikolo, 2006; Mukandala, 2008; Mwamlangala, 2013).

For sometimes, Makulu Ward, which is in Dodoma Municipality has been challenged by land conflicts. In 2011 there has been a land conflict in which 119 houses were demolished under security provided by the police force. Residents in Njedengwa Mtaa in Makulu ward who established their residence and being enjoying public services such as electricity and water, were not legally recognized by the Land Governing Institute, The Capital Development Authority (CDA). It has been a mystery to learn that communities invaded and established themselves in the land which has been legally owned by other entities such as investors. Such demolitions have always been the drawback to the related institutes, investment community and the socio economic progress of the related communities. Analysis of the public perception towards land use challenges and how they are related to land conflicts may provide an entry point towards seeking solution to end up land conflicts.

## **2.0 METHODOLOGY**

A cross-sectional survey research design was used in this study. The purpose of using survey design in this research was to explain the relationship between variables that is public perception on land policy challenges and land conflicts in Dodoma Municipality. This study involved random sampling or chance sampling,

in which individual units were picked from the whole group by a random sampling. Key informants under this study were mainly head of departments in Capital Development Authority (CDA), Dodoma Municipal Land Tribunal Court, Dodoma Municipal Land Officer, Ward Executive Officer and the Village Executive Officer. The study population was the heads of households who have stayed for more than five years in Makulu Ward. The study involved 110 household heads and seven key informants.

Data were collected through Observation, Interview Schedules, and Documentary Review. The qualitative data were organized into themes and concepts and thereafter coded and analyzed. On the other hand, quantitative information were analyzed for descriptive statistics. The Statistical Package for Social Science (SPSS 16.0) was software used to analyze the data.

### **3.0 RESULTS AND DISCUSSION**

#### **3.1 Demographic Characteristics of Respondents**

Demographic characteristics of respondents are presented in Table 1. While 21.8 % of respondents have been living in the Municipality for the period between 5 and 10 years, 50.9 % of respondents have been living in Dodoma Municipal for the period between 10 to 15 years (Table 1). Most likely, the proportion 27.3 % of the respondents who have been staying in Dodoma for more than 15 years represents natives of Dodoma Municipality, the Gogo tribesmen. This implied that majority have stayed for more than five years in the area, hence have clear understanding on matters related to land in the area, and therefore, enhanced validity and reliability of data.

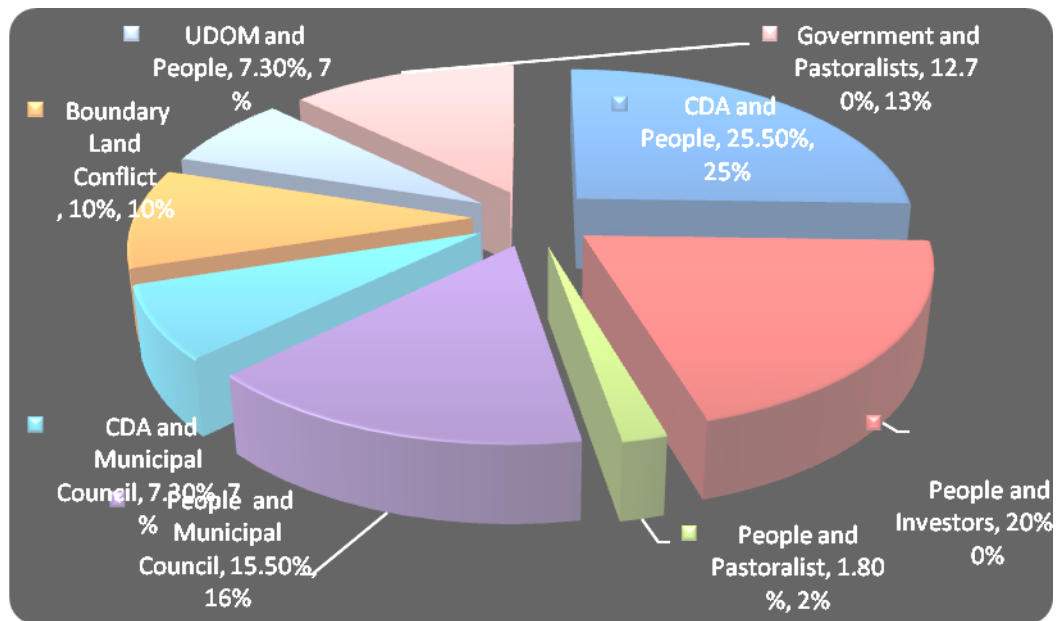
**Table 1: Demographic characteristics of respondents (n = 110)**

<b>Variable</b>	<b>Categories</b>	<b>Percent</b>
Period stay in Dodoma Municipality	5 – 9 years	21.8
	10 – 15 years	50.9
	15 +	27.3
Gender	Males	73.6
	Females	26.4
Marital Status	Not married	14.5
	Married	69.1
	Divorced	3.6
	Separated	9.1
	Widows	3.6
Age	25-29	12.7
	30-44	27.3
	45-59	40.0
	60 and above	20.0
Education level	Up to Standard 4	10.9
	Standard 4 – 7	28.2
	Ordinary Secondary Level	34.6
	Advanced Secondary Level	10.9
	College	15.5

Majority (73.6 %) of respondents were males (73.6%) and were married (69%). The married residents are usually compelled to possess permanent settlement, as compared to bachelors and immigrants (Mwamlangala, 2013). Only 12.7 % of the respondents were relatively younger. This explains that the majorities are relatively more aged and are the group more pressed with the need to own land for residence purposes and are keen to follow land ownership processes. Furthermore, most of the respondents (60.9 %) were educated beyond primary school and hence more likely to be aware of land issues including land policy.

### 3.2 Knowledge on Types of Land Conflict

The majority (96 %) of respondent declared to know the types of land conflict they are facing. The respondents declared to obtain knowledge on type of land conflict through learning on frequent incidences of land conflict. In Fig. 1, 25.5 % respondents reported to be aware of the conflict existed between the government through its Authority, The Capital Development Authority and people who resides in the respective settlement. The 20 % of respondents admitted that there were crisis between people who resides in the respective settlement and investors. The public claimed to get support from village administration. The current findings gather trending support from Kombe (2001) who claimed that CDA and Local institution in Dodoma region are in conflict with indigenous, citing cases in 1970 where people from central and other area in Dodoma migrated to Chang'ombe. Having the majority aware of types of conflicts in Dodoma Municipality assured the ability of the respective respondents to link them with land management, governance and leadership.



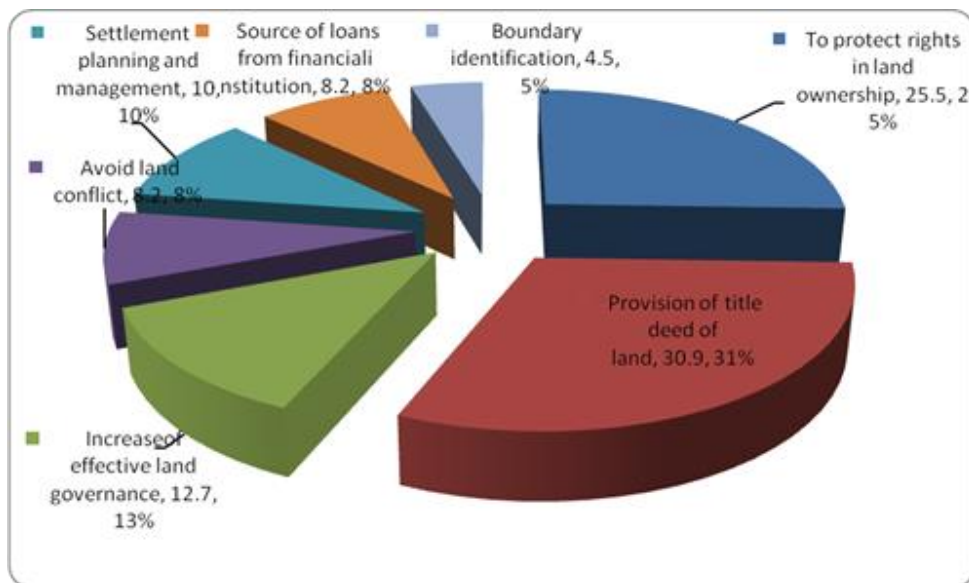
**Figure1. Types of the land conflict in Dodoma Makulu ward**

### 3.3 Public Awareness on Institutions that Governs and Manages Land Matters in Dodoma Municipality

The study revealed that the majority (82%) acknowledged that CDA dominantly administers land matters in Dodoma Municipal Council. The current findings has been contrary to both the CDA officials, Dodoma Municipal Land Officer and Land Tribunal Officer who claimed that unawareness among public members of which institute that have power and mandate in controlling and governing land property has been the major cause to land conflicts in Dodoma Municipality. The findings showed that frequent incidences of land conflicts in Makulu Ward is not caused by unawareness of the public on which institute is responsible for land administration. The findings show that whilst the public is aware of the institute administering on land matters in Dodoma Municipalities, the problem might lie with the execution of Land Policy.

### 3.4 Functions of the Land policy

One of the objectives of the study was to assess if the respondents were aware of a critical issue included in the land policy. The results in Fig. 2 showed that 31 % of all respondents admitted that the Land Policy allows the provision of land certificate for registration. In the decreasing order, protection of land rights, effective land governance, settlement planning and management, avoiding land conflicts, sourcing loans and boundaries identification.



**Figure 2: Respondents' awareness towards functions of land policy**

Studies by Kim (2012) and Rwechungura (2009) asserted that the functions of Land Use Policy as an international and interdisciplinary instrument concerned with the social, economic, political, legal, physical and planning aspects of urban and rural land use. Land Use Policy aims to provide guidance to governments and planners and it is also a valuable teaching resource and provides right in occupying and managing land legally according to the abiding laws of specific country. The findings revealed that the public knows the general function of the land policy and hence can relate its execution to prevailing land conflicts in Dodoma Municipality.

### **3.5 Institutional Capacity on Land Governance and Management in Dodoma Municipal Council**

The study also wanted to know if the institution has good capacity of managing land use matters during its operations. Interview with respondents revealed majority of them (82 %) perceived the Authority do not have the capacity to manage land matters in Dodoma Municipality and they declared that CDA had been inefficient on matters of land governance in Dodoma Municipality. The public have been relating increasing incidences of land conflicts and the use of law enforcement units such as the police force during operations to poor management on land matters. However, an interview with some Key Informants technically declared CDA not to be a source of Land conflict as it uses Land Policy in planning and managing Land, but rather Land Officers who violate Land Policy Procedures which direct the administration to perform activities and hence making the public turn bitter to CDA. Lack of collaboration of institutions during planning and management and missing community participation can cause land conflicts (Kombe 2001; Mudenda 2006).

### **3.6 Land Policy and Investment**

The study went an extra mile with an intention to understand if the Land Policy is effective in managing investments and hence avoiding land conflicts. It has been revealed that the majority, (63%) of the respondents, had the opinion that Land policy is not effective in managing investments. However, the opinion was built on the fact that there has been an increase of frequencies of Land conflict between Investors and communities. The ability of communities to invade and be able to obtain public services in land illegally owned shows that the involving institutes are poorly coordinated hence requires a common framework to be used during



operations. Simwanza and Nsemiwe (2006) in the Zambian study focused investors as interested to make profits which are later externalized, and was of opinion that investors had a room to invest in bare lands hence avoiding such conflicts. The current findings as related to prevailing literatures show similar outcomes that land policies are yet to be ineffective in managing investment hence results in land conflict.

### 3.7 Land Registration and Occupancy

Despite, the majority understanding CDA as the authority for land administration in Njedengwa, Makulu Ward, the study revealed that the community had various reasons of not having certificate of owning the land legally. As presented in Table 2, 60.9 % of respondents declared that the area was not yet having a land certificate, the reason similar to 8.2 % who claimed that the area was not yet surveyed. About 7 % complained that the Authority has not been doing enough to educate them on matters related to land ownership and hence to own land certificates.

**Table 2: Reasons for not possessing certificate for land ownership (n = 110)**

S/No	Reason	Proportion of Response
1	Dodoma- Makulu Area has no land certificate as registration.	60.9 %
2	Our village Chairperson sold the certificate of ownership of Makulu village	11.8%
3	CDA have not surveyed Mapinduzi West in Dodoma Makulu	8.2 %
4	CDA have not provided education on the role of land certificate of occupancy	7.3 %
5	Bad administration and management in CDA and Ministry of Land and Human Settlement	5.5 %
6	The land certificate is very expensive	4.5 %
7	The land is owned to us as inherited from fore fathers	1.8 %

The study findings concurs with the report from key informants, both admitting that Njedengwa- Makulu is among of the village which do not have title deed, with peoples settlement not being surveyed, hence characterized as informal settlements. The settlements not being formalized makes the public suggest that

the authority has been challenged in the administration of land matters. There is much more to be done to enable relative institute be able to execute land policy efficiently; that is management, governance and leadership.

### **3.8 Strategies to be Taken in Order to Avoid Land Conflict in Dodoma Municipality**

As presented in Table 3, 31% of respondents reported that education on land laws should be provided to citizens of Tanzania, while 22% claimed that there should be more involvement of communities and their Municipal leadership during operations to assure good land governance and management. Education on land laws has been suggested as important to make the public aware with laws of land occupancy and ownership. Such awareness will result on following of legal procedure in land ownership hence avoiding land conflicts in the future.

**Table 3: Strategies recommended by the community to reduce land conflicts in future**

<b>S/No</b>	<b>Recommended Strategy</b>	<b>Proportion on response</b>
1	Education of land laws should be provided to citizens of Tanzania.	30.9 %
2	More engagement of the Municipal / communities during operations	27.9 %
3	Provision of land certificate of ownership.	12.7 %
4	CDA should be restructured	10.9 %
5	To avoid income stratification in land distribution	7.3 %
6	The government should make clear amendment of land laws in Tanzania.	6.4 %
7	Settlement areas should be timely surveyed	2.7 %
8	Land laws should operate effectively in order to avoid conflict	0.9 %

As mentioned before, the opinion raised by the public has been left as they are, in a layman case, to enable involved institutes aware of what the public is feeling and perceive as the sources of land conflicts despite good land policy in the country. The public has been viewing that ineffectiveness of implementing the

processes underlined in the land policy to be the major challenge leading to conflicts in Dodoma Municipal. The recommended strategies are potential to ensure that there is no more land conflicts in Dodoma Municipality in future.

## **4.0 CONCLUSIONS AND RECOMMENDATIONS**

### **4.1 Conclusion**

The public, while declaring the usefulness of the land policy, has perceived that involved authority has no capacity to manage land matters effectively in Dodoma Municipality. The study revealed that the public is well aware of the authority administering managing lands in Dodoma Municipal. The public has been able to identify two types of conflicts prevailing in Dodoma Municipality those being between themselves and the authority and the investors. While the public throws most of their blame to governing land authority, they also blame the local leadership being the cause of land conflicts. The public has been of the opinion that the governing land authority has to strategize well to be able to avoid land conflicts in future. The current study have revealed that people have the opinion that the problem does not lie with land policy, but rather the processes while executing land policy.

### **4.2 Recommendations**

The current study has revealed that there have been some institutional weaknesses while executing the land policy. The Capital Development Authority is advised to re-strategize to able to meet the expectation of the public. However, as the study is based on the public perception, the critical institutional study is required to be done to come up with recommendations necessary for the Capital Development Authority to re strategize and therefore, meeting the public expectation. The opinions in the current study may also be taken on board as background issues during the preparation of the Strategic Plan for the Authority to further enable it achieve its goals.

## REFERENCES

- Baatar, B. (2007). Land Conflicts related to Land Privatization in Mongolia. Case Study of Urban and Peri-urban areas. Unpublished Master's Thesis at the Centre of Land Management and Land Tenure, Technische Universität München.
- Bokeria, R. ( 2006 ). *Ongoing Process of Privatization in Georgia*. Transnational Crime and Corruption Center, Caucasus Office. Tbilisi 2006.
- FAO (2007). *Good Governance in Land Tenure and Administration*. FAO Land Tenure Studies 9, Rome.
- Fernandes, P.K. (2007). Constructing the 'Right to the City' in Brazil. *Social and Legal Studies*, 16.
- Kaijage, A. (2005). Legal Title to Land and Access to Formal Finance by Low income households: The Case of Sinza C and Miburani Neighborhoods in Dar es Salaam.
- Kim, A. (2008). *Learning to Be Capitalists : Entrepreneurs in Vietnam's Transition Economy*. Oxford: Oxford Univ. Press.
- Kim, A. ( 2012). *History of Korea from Land morning calm to states in conflict*. Published in Indiana press 601 North Morton street Blooming, Indiana 47404-3797 U.S.A.
- Kironde, J.M.L. (2009). Improving Land Sector Governance in Africa: The Case of Tanzania.
- Kironde J.M.L.(1995). The changing nature of the peri-urban zone in Africa: Evidence from Dare es saalam ,Tanzania.
- Kombe, W. J. (2001). Informal Land Management in Tanzania and the Misconception about its illegality. A paper presented at the ESF/N-Aerus Annual Workshop "Coping with Informality and Illegality in Human Settlements in Developing Countries" in Leuven and Brussels, May 23 – 26, 2001
- Kombe, W.J. (2005). Land Use Dynamics in Peri Urban Areas and Their Implications on the Urban Growth and Form, The Case of Dar es Salaam, Tanzania; *Habitat International*, 29:113-135.

- Maring, M. (2008). *Meitei-Naga Conflict with Special Reference to the Territorial Issue in Manipur*. In L. Jeyaseelan (ed): pp. 113-144.
- Mtatifikolo, F. P. and Lugoe, F.N. (2006). Alignment of Sector Policies/Strategies with MKUKUTA, PER/MTEF and JAS (T) and Costing of Proposed Interventions in the Lands Sector. Phase Two Report submitted to ESRF/UNDP. Dar es Salaam.
- Mukandala I.M. (2008). An Evaluation of the Effectiveness of Rural Land Title Certification Programme in Tanzania: The Case of Mbozi District, Mbeya Region, MSc (Real Estate) Dissertation, Ardhi University.
- Mwamlangala, M.C. (2013). Contribution of Land Policy in Addressing Land Conflict in Tanzania: A case of Dodoma Makulu Ward in Dodoma –Municipality, Master’s Thesis Report, School of Development Studies, St.John’s University of Tanzania: Unpublished .
- Peters, P.E. (2004). Inequality and social conflict over land in Africa. *Journal of Agrarian Change*, 4(3): 269–314.
- Rwechungura, J. K. (2009). Community Participation for Secure Land Tenure in Dar es Salaam. PhD Thesis, University of Dar es Salaam.
- Shivji, I.G. (1998). *Not yet Democracy: Reforming Land Tenure in Tanzania*. Dar es Salaam University Press, Dar es Salaam.
- Sikor, T. (2004). Conflicting Concepts: Contested Land Relations in Northwestern Vietnam, Published in Vietnam Northwestern.
- Sturgeon, J. and Sikor, T. (2004). Post-Socialist Property in Asia and Europe: Variations on “Fuzziness, *Conservation and Society*, 2(1): 1–17.
- Tenev, S. (2003). *Informality and the Playing Field in Vietnam’s Business Sector*. Published in Vietnam press.
- Whiting, S. (2011). Values in Land: Fiscal Pressures, Land Disputes, and Justice Claims in Rural and Peri-Urban China. Published in Washington, D: International Finance Corporation press.