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Lusugga Kironde

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THE EVOLUTION OF THE LAND USE STRUCTURE OF DAR ES SALAAM

1890-1990: A STUDY IN THE EFFECTS OF LAND POLICY

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By

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MSc (Urban Studies) (Salford)

VOL. 1

A thesis submitted in part fulfillment of the requirements of the degree of Doctor of Philosophy of the University of Nairobi.

Department of Land Development,

Faculty of Architecture, Design and Development,

April, 1994.

DEDICATION

This work is dedicated to my Grandparents: patriach Thomas Lusugga Kyaruzi Kironde, (1899 - 1980), and matriach Maria Ndibalema Nnamisango, (1900 - 1985).

Are you there?

Somewhere?

DECLARATION

I, J.M. Lusugga Kironde do hereby declare that this thesis is my original work and has not been presented for a degree in any University.

.....
Signature of the Candidate

This thesis has been submitted for examination with our approval as Supervisors

.....
Professor George K. King'oriah

.....
Professor Saad S. Yahya

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ABSTRACT

Theoretically, land policy is presented as a necessary intervention by governments in order to iron out the inefficiencies inherent in land markets. The result would be a smooth working urban land market, yielding an equitable and efficient land use structure. In practice though, land policy is part and parcel, and, indeed, a paradigm of the wiser issues of governance. Historically, land policy has been used to serve colonial interests; to achieve segregation between social groups in society; to justify and concretise exploitation and social inequalities; and to allocate wealth, power, and privilege. Laws can be passed, or inappropriate laws upheld by those who control land policy to help them benefit from this policy rather than meet the perceived ends of society.

This study surveys the impacts of various tools of land policy on the land use structure of Dar es Salaam, over a period spanning a century from the 1890s. At no time has land policy been found to have aimed at smoothening the workings of the urban land market. Throughout, land policy has been found to have been geared to serving colonial interests, and the interests of government officials and politicians. The result has been an inefficient and inequitable land use structure for Dar es Salaam characterized by social segregation, land grabbing and hoarding, urban sprawl, poor land servicing, prevalent squatting, unequal access to planned and serviced land, violation of land use regulations, disregard of public interests in land use (e.g. diminution of public open spaces and hazard lands).

Government intervention in land markets through land policy is seen as necessary, but past policies are seen as having been inappropriate since they are shown to have been geared towards perpetuating inequality and privilege. A new approach to land policy has been therefore called for. Recommendations put forward for this new land policy include:

The retuning of land policy so that in principle and practice land policy addresses and caters for the interests of the majority of the urban population by, for example, working with, and supporting the actions of the majority of urbanites, and thus stopping conceiving land use schemes in terms of benefitting those who are socially powerful to the complete disregard of those who are socially weak; and here, policies like land poling and adjustment can prove to be very useful;

- . Transparency and social accountability in the delivery of land policy;
- . The reviewing of major tools of land policy such as the *Land Ordinance*, the *Town and Country Planning Ordinance*, the *Land Acquisition Act*, and the various land use and building regulations so that they protect and enhance the interests of the majority;
- . The generation of more revenue from the current planned land schemes so as to enable the authorities to adopt a more dynamic land policy as a way of reaching more people, removing inequity, and enhancing positive externalities as well as minimising harmful ones;
- . Effective devolvement of land delivery powers to local and neighbourhood authorities and maximisation of public participation;
- . Removing unnecessary bureaucracy in land delivery; and
- . generally, smoothening the working of the urban land market in both the informal and formal sectors.

The basic principle guiding land policy must be the interests of the majority of the urban population. This way, both efficiency and equity in the delivery of land policy can be realistic goals.

THE THEORETICAL FRAMEWORK

1.1 Introduction

Urban areas are not points in space. Instead they cover several hundreds, sometimes thousands, of square kilometres of land, on which various economic, cultural and recreational activities of local, national and international dimensions are carried out. Most urban areas reveal some kind of activity concentration patterns either in zones, sectors, clusters, or ribbons. How do those patterns come about? Is urban land use haphazard, or is there some rational explanation for it? How does the "sorting and sifting" of various land uses in an urban area occur? Land economists have generally sought to answer these questions concerning location, by studying land market forces. Bertaud, for example, points out that a well functioning land market is essential in shaping the city and in the allocation of land among various urban activities in an efficient manner¹. Decisions on location by various economic actors have serious economic implications for the budgets and utility functions of firms and households (e.g. in terms of rents, transport costs, satisfaction, economies of scale, etc.), and have important consequences for society as a whole (e.g. in terms of social costs and benefits, externalities, use of scarce resources, provision of service infrastructure, etc.). The way in which land is used, i.e. the location and the relative concentration of households and firms, will largely determine the efficiency of the networks upon which all urban activities rely².

Land economists however, realise that the land market is imperfect and justify government intervention in this market to remove or minimise the imperfections inherent in

¹ A. Bertaud, "The Impact of Land use Regulations on Land Supply, Consumption and Price", *Regional Development Dialogue*, Vol. 13, No. 1, 1992, pp 35-40.

² *ibid*, p. 35.

land markets³. Therefore, the urban land use mosaic is considered to be the result of the operation of market forces on urban land as moderated by government intervention through regulation. Any urban land policy is the blueprint for such regulations and has important spatial implications for urban activities over time.

Under conditions obtaining in African cities, the effectiveness of such policy over the land allocation mechanism may be limited. Colonial legacies, characterised by policies conceived in the interests of colonial states that served to marginalise the interests of the colonised majority, have distorted the operation of market forces over land use. As a consequence, the existing land use mosaic of many African cities may not be a result of organic growth, as influenced by decisions of thousands of individuals and firms operating in the urban space. Also such a land use mosaic may not be consistent with the principles of rational land use ordering. This may lead to structural inefficiency, and operational ineffectiveness of urban activities. It is thus deemed important to understand all the various forces that determine land use location decisions over the urban space.

One way of doing this is to study the evolution of the land use structure of any urban area by isolating the effects of government policy, and seeking to account for those land uses that may develop outside or contrary to the aims of such land policy. Thereafter, the economic, and even social forces that have shaped these land uses could be sought.

1.2 Factors Influencing Urban Land Use Structure

1.2.1 Introduction

For the purposes of this study, three main forces influencing land use in urban areas are isolated. These are: historic/ethnic interactions over time, government land policy, and, economic forces. Each of these does not work in isolation of all others at any time. They all work simultaneously, influencing each other. Some factors may have greater impacts on urban land uses than others during certain periods. Historical epochs of social interaction determine national economic settings, which in turn determine the kinds of dominant

³ C.M.E. Whitehead, "The rationale for Government Intervention," in H.B. Dunkerley (Ed.), *Urban Land Policy, Issues and Opportunities*, Oxford University Press, Washington, 1983, pp. 108-131.

economic systems and the kinds of land and other policies adopted for running national and urban communities. The policies themselves provide the constraints in which economic forces operate. However, such policies are also a results of economic and social systems. Collectively, these may in the long run affect historical processes.

Rapid urbanisation itself is a historical process. This has determined the treatment of land as an economic commodity. Unfavourable results of the operation of the land markets have led to government land regulation policies designed to ameliorate the adverse effects of market forces. Such government policies have traditionally included public health measures, town planning, housing policies, provision of infrastructure, etc.

1.2.2 The Economic Theory of Land Use

Economic theories of land use are concerned with explaining the patterns of urban land uses. The complexity of such urban land uses has always been simplified by means of models. Land use models assume an economy in which the allocation of resources is basically decided by costs, prices and profits. It is assumed that individuals and firms have preferences for settling in particular urban locations and that these preferences are reflected in the amount of money they are prepared to pay for the use of land at these locations. It is also assumed that the owners of land and buildings will let or sell these to the highest bidder in order to maximise profits. Thus, a pattern of land use, and of land and building prices, is established, by which land and buildings are used for those purposes giving the highest returns⁴. A classical approach to understanding land use location is the rent bid functions model.

The Rent Bid Functions Model

Early theoretical formulations of location and rent theories dealt with agricultural land. The beginning of the classical rent theory is usually associated with the writings of a group of European economists at the conclusion of the Napoleonic Wars when there was widespread political concern over land use allocation for crop production. Thomas R. Malthus, David Ricardo, Robert Torrens and James West, published important pamphlets on land rent

⁴ G. Hallet, *Urban Land Economics: Principles and Policy*, Macmillan Press, London, 1979.

between 1815 and 1824⁵. Two writers of this Napoleonic period: David Ricardo, and J.H. von Thunen, made significant contributions to the present economic rent and land use theory.

Ricardo began by defining Economic Rent as being that part of rent which is paid for the use of land as such, and which has nothing to do with costs, but is determined solely by scarcity. Economic rent is therefore a residual payment, after paying the costs of production. The difference between (normal) costs (including normal profit), and receipts, represents the amount the farmer can afford to pay as economic rent. If the landowner is anxious to obtain the maximum rent, this will be the rent that will be charged.

Having explained the residual basis of the pricing of particular pieces of land, Ricardo went on to introduce the concept of a range of fertility. As land that is put to farming becomes less and less fertile, its economic rent falls to a point where it would be zero. This point represents the "extensive" margin beyond which cultivation will not take place in the long run, although changes in the prices of agricultural produce in relation to costs will shift the extensive margin and alter the total value of economic rent. Naturally, land will be allocated to the most competitive bidder, the bid being the value of the economic rent, which in turn is related to the productivity of the land⁶.

It has been argued that the Ricardian model as such, as distinct from the basic concept of economic rent, has only a limited applicability to urban land. This is because, in urban areas, the location of activities is determined by other factors than fertility⁷. The distance of any site from the hub of urban activity, determines its economic utility to the owner. Urban models based on the influence of transport costs on the economic returns of owning land, are essentially an application of the agricultural model, put forward in the 19th century by J. H. von Thunen, to urban situations.

⁵ R. Barlowe, *Land Resources Economics: The Economics of Real Estate*, Prentice-Hall, Englewood Cliffs, NJ, 1986.

⁶ D. Ricardo, *Principles of Political Economy and Taxation*, (Ed. Piero Strafa), London, 1956.

⁷ Hallet, *Urban Land Economics*, p.47.

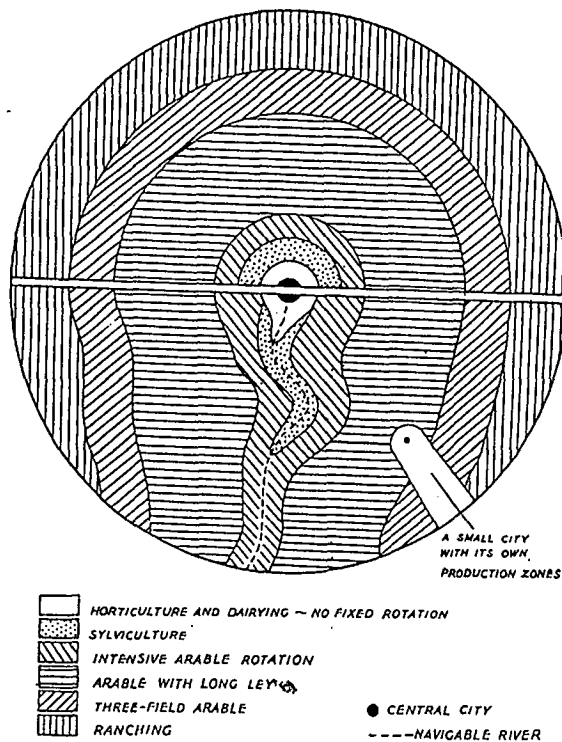
In contrast to the Ricardian emphasis on differences in land quality as a basis of land rents, von Thunen, working independently in 1826, stressed that land rent arises because of differences in location⁸. He observed that when crops produced for a central city market are grown on lands of like fertility on a featureless isolated plain with ubiquitous and uniform, equally costly, transportation schedules, the lands located nearest the city enjoy a definite advantage over those located at greater distances. Producers on distantly located land would have to pay for transport to bring their products to the market. In view of the fact that transportation costs would differ with the type of produce (due to differences in bulk and perishability), commercial production of some crops would be limited to certain locations only. The central market would, therefore, be surrounded by a series of concentric land uses each being the most competitive at its location; and reflecting the use's need to be as near the market as possible. The low level of transportation technology during von Thunen's time suggested a land use structure as shown in Figure 1.1. When transportation facilities are improved, like when the ideal plain is traversed by a navigable river, the land use pattern becomes elongated along transportation routes. If another market centre is introduced in the plain, then it too generates its own production zones. The resulting land use mosaic would be a result of competitiveness among the users, each occupying a location at which costs are minimised and returns maximised. The boundaries of each use will be at the interaction of these land uses' rent bid functions, the steeper ones occupying those locations nearest to the market.

Von Thunen's model can be applied to urban land use. Let it be assumed that there are only two land uses in a town, residential and commercial, and that both uses prefer to be near the centre of town because that is where transportation costs are least. Around the town, land would be in agricultural use. In view of their need to locate near customers in the city centre, it can be assumed that commercial uses can outbid residential uses near the centre, but that the land rent which commercial uses are prepared to pay will fall sharply with distance from the centre. The rent offered by residential users will also fall with distance from the centre, although less sharply so, whereas agricultural rent is constant. The rent bid gradients for the various uses, representing the rent the users are willing to pay at various

⁸ M. Chisolm, *Rural Settlement and Land Use*, Hutchinson, London, 1962.

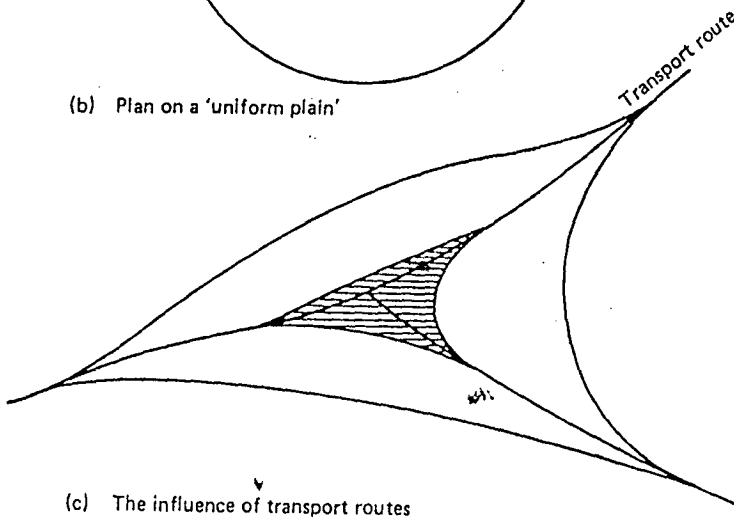
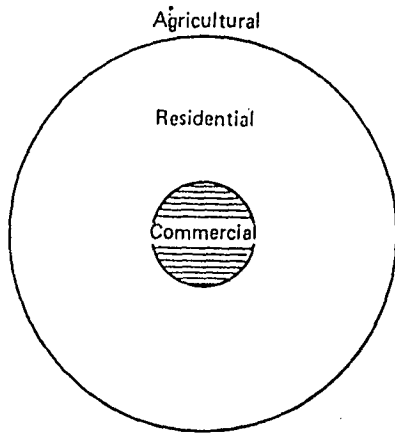
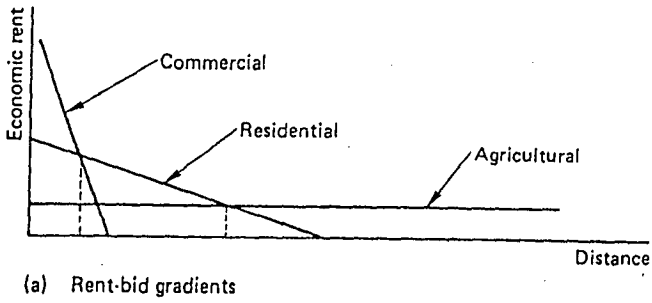
locations will be as shown in Figure 1.2(a), bringing about a concentric circles land use pattern as shown in Figure 1.2(b). If there are the equivalents of von Thunen's "navigable river", which reduce transportation costs or time in certain directions, (for example, railway lines or roads), the concentric circle pattern will become star shaped as shown in Figure 1.2(c).

Figure 1.1 von Thunen's System of Land Use



Source: M. Chisolm, *Rural Settlement and Land Use*, Hutchinson, London, 1962, p. 27.

Figure 1.2 von Thunen's Rings



Source: G. Hallet, *Urban Land Economics: Principles and Policy*, Macmillan Press, London, 1979, p. 48.

Von Thunen's model therefore, attempted to obtain a theoretical explanation of land use patterns. Although modified by von Thunen himself and by other workers in the field, his fundamental distance-cost relationship in land use location has continued to form the basis of land use location studies to date. "Classical" models of urban spatial structure, like the Burgess's concentric zone model, Hoyt's sectoral model and Harris and Ullmann's Multi-nuclei model can be seen within the context of the von Thunen model⁹. Subsequent statements and formulations by economist like Hurd, Haig and Ratcliffe, as well as Alonso's trade off model (below) have all been based on the rent bid function concept. Each kind of land use has a given rent-bid curve. When the various rent-bid curves are superimposed on each other, they result into a certain interlocking or concentric land use pattern focused on, and related to, the city centre¹⁰.

Since the early 1960s, economists have attempted to formulate a general equilibrium of city form based on the concept of the rent-bid functions. Assumptions have been that employment is concentrated at a single point, and people decide where to live and locate their activities solely on the basis of transport costs and land prices¹¹. Alonso, in his famous "trade off model" introduced the effects of consumer preferences regarding space, combined with differences in income¹². If people are prepared to pay for more space and lower density, an observation considered valid as people's incomes rise, then those who can afford to do so (i.e. those in high income brackets), will move to lower priced land at the periphery, and consume more of it. Those with lower incomes will be unable to afford the commuting costs, and so, would be forced to remain in the expensive central area consuming small quantities of land.

⁹ L.S. Bourne, "Urban Structure and Urban Land Use Decisions", *Annals, American Association of Geographers*, Vol. 66, 1976, pp. 531-547.

¹⁰ A.S. Mather, *Land Use*, Longmans, London, 1986.

¹¹ L.S. Bourne, "Housing Supply and Housing Market Behaviour in Residential Development", in, D.T. Hebert and R.J. Johnston, *Social Areas in Cities*, London, Wiley, 1979, pp. 111-158.

¹² W. Alonso, *Location and Land Use*, Harvard University Press, Cambridge, Mass., 1964.

Criticisms of Rent-bid Models

Like all models the rent-bid concept simplifies reality. It is however, internally consistent. Restrictive assumptions, like centralised employment, can be relaxed, and different types of households, can be introduced, to enhance the explanation power of the model. However, the concept has been found wanting because it ignores the influence of established physical structures and social patterns¹³. Moreover, rent bid function models have been criticised for emphasizing space and accessibility at the expense of a more complex situation; for failing to predict whether households in any income bracket will continue to occupy their respective areas; and for failing to highlight the many imperfections in the land market as well as the institutional factors and the power structures they represent, all of which exercise significant influences on urban land use patterns¹⁴. It has also been pointed out that when applied to African cities, these models have failed to explain the observed situation where the majority of the poor live at the periphery¹⁵. Besides, it has been pointed out that economic theory relies on the dual concept of efficiency and equity, concepts which are not adequately defined without recourse to non-economic dimensions and resources redistribution among the population¹⁶. In view of these observations, some commentators have been agnostic, arguing that it was all very complicated and that each city was different and one could not, therefore, generalise¹⁷. However, since cities have as many similarities as they have differences, it has been argued that the rent-bid model should be seen as a partial model, which does indicate the direction in which the city is likely to move. It should be used as a kit of tools to be applied when appropriate, and can at least indicate some general patterns

¹³ Hallett, *Urban Land Economics*, p. 117.

¹⁴ See for example: A.W. Evans, *Urban Economics*, Basil Blackwell, Oxford, 1985; H. Carter, *The Study of Urban Geography*, Edward Arnold, London, 1976; L.J. King, and R.G. Gollidge, *Cities, Space, and Behaviour: The Elements of Urban Geography*, Prentice-Hall, Englewood Cliffs, N.J., 1978.

¹⁵ A. Mabogunje, "Urban Planning and the Post Colonial State", *African Studies Review*, Vol. 33, No 2, 1990, pp. 121-203.

¹⁶ C. Rakodi, "A Comment" on Bertaud, "The Impact of Land Use Regulations", p.41.

¹⁷ R. Turvey, *The Economics of Real Property*, London, 1957

and causal relationships that contribute to an understanding of the urban mosaic¹⁸.

The Theory of Urban Land Use in African Cities

For historical reasons, the theory of urban land use location was developed and refined mostly in the West. However, most African cities were either created, or greatly modified, during the colonial and post-colonial eras. Consequently, most of these cities were incorporated in the wider capitalist world economy, where capitalist norms of commoditizing land became generalized. Economic theory of urban land use is therefore limited by the fact that most African cities were created specifically to serve colonial interests of domination and exploitation. The kinds of land market operations implied by economic theory were highly restricted by the impress of colonial governments' dictates. Besides, capitalism did not aim at completely proletarianising the colonised peoples of Africa so, that what has been termed "the economy of affection"¹⁹, characterised by informal employment, subsistence economy, and customary land tenure holdings, still operate. Thus, there is still a lot of attachment to land which is completely non-market.

If rent-bid models must be seen as partial representations of reality when applied to the cities of the Western world, they must be seen as being even more so when applied to African cities. It is for this reason that a recent workshop on the nature of trends in land prices in the cities of developing countries concluded that a broad theoretical and methodological approach to the analysis of land markets was needed; incorporating analyses of land market operations in terms of prices and land supply; analyses of land development processes in terms of actors and institutions; and analyses of the role of government; and of cultural factors in shaping property relations²⁰. Therefore, a more sophisticated approach to urban land markets is needed, spanning the political and social theory, as well as the traditional neo-classical

¹⁸ Hallet, *Urban Land Economics*, p. 118; Mather, *Land Use*, pp. 125-130.

¹⁹ G. Hyden, *No Shortcut to Progress: African Development in perspective*, Berkeley and Los Angeles, University of California Press, 1983.

²⁰ Fitzwilliam Memorandum, "Land value changes and the impact of Urban Policy upon Land valorisation processes in Developing Countries" (Conclusions of an International Research Workshop, Fitzwilliam College, Cambridge, 14-19 July 1991), *International Journal of Urban and Regional Research*, Vol. 15, No.4, 1991, pp. 623-628.

economic analysis. It must be capable of understanding the segmented nature of land delivery systems and property relations²¹. And in African cities, the role of the colonial and post colonial land policy is as important in shaping land use structures, as are non-market social relations.

1.2.3 Approaches Towards Understanding Urban Land Uses in African Cities

In studying land uses in African cities, one approach has been to apply Western delivered models to local scenes. For example, attempts have been made to identify concentric zones in Nairobi and in Dar es Salaam²². Ngau²³ has tried to apply Social Area Analysis to Nairobi, while Mabogunje attempted to apply Proudfoot's retail structure to Ibadan²⁴. These attempts have perhaps yielded predictable results since they were aimed at identifying whether traces of such western derived models could be identified. de Blij, for example, identifies all the three popular land structure models (concentric, sectoral, and, multinuclei) in Dar es Salaam, depending on the observer's orientation. This deductive approach does not offer a theoretical underpinning which can be utilised to understand the land use structure of these urban areas.

Other studies of land uses have tended to emphasize colonial and post colonial policy, identifying the colonial or "modern" city from the "traditional", "native", or, "spontaneous", city. Kingoriah²⁵ concludes that it is the colonial government's land policy, not market forces, which has led and guided Nairobi's development. Kiamba and Emig and Islam argue that the structure and development of Nairobi is a reflection of the class and social power

²¹ Rakodi, "A Comment", p. 42.

²² D. Halliman, and W.T.W. Morgan, "The City of Nairobi", in, W.T.W. Morgan, (Ed), *Nairobi, City and Region*, Oxford University Press, Nairobi, 1969, pp.105-112; H.Y. de Blij, *Dar es Salaam: A study in Urban Geography*, Northwestern Press, Evanston, 1963.

²³ R.M. Ngau, The internal structure of residential areas in Nairobi, MA Thesis, University of Nairobi, 1979.

²⁴ A.L. Mabogunje, "Evolution of Retail Structures of Lagos", *Economic Geography*, Vol. 40, 1964, pp. 304-323; M.J. Proudfoot, "City Retail Structure", *Geography*, Vol. 13, 1937.

²⁵ G.K. Kingoriah, Policy Impacts on the Urban Land Use Patterns in Nairobi, Kenya, 1899-1979, Ph.D. Thesis, Indiana University, 1980.

structure in the service of capitalism both at the local and the international scenes²⁶. With respect to Lusaka, both Collins and Rakodi emphasize the effects of white colonial policies, and in Nigeria, Home concludes that Town planning was limited to the needs of the colonial power, and that "native" towns were kept physically separate from colonial urban development²⁷. Kanyeihamba²⁸ extends his analysis to the post-colonial era by pointing out that much of the post-independence planning law is in fact borrowed from the former colonising powers, while King²⁹ highlights the impact of "exported" planning (e.g. through education, expatriates, aid, etc.) on ex-colonial cities. The perpetuation of colonial concepts in urban Tanzania, particularly residential segregation, is decried by Banyikwa and by both Alexander and Armstrong who, moreover, criticise the use of European ideology in urban masterplanning³⁰.

All of the works cited above have one factor in common: the generalisation into limited abstractions of a very complicated situation (e.g. in terms of coloniser against colonised; government policy against the market; international capital against local interests; ruling classes, against the ruled; whites against blacks, etc.). The basis of this dichotomy would appear to be the reliance on the underdevelopment theory.

²⁶ C.M. Kiamba, *The Role of the State in the Control of Urban Development: Urban Land Policy for Nairobi*, Phd Thesis, University of Cambridge, 1986; S. Emig and Z. Islam, *Notes on the Urban Planning of Nairobi*, Diploma Thesis, 1980.

²⁷ J. Collins, "Lusaka: Urban Planning in a British Colony, 1931-1964", in G.E. Cherry, (ed), *Shaping an Urban World*, Mansell, London, 1980, pp. 227-241; C. Rakodi, "Colonial Urban Policy and Planning in Northern Rhodesia and its Legacy", *Third World Planning Review*, Vol. 8, No. 3, 1986, pp. 153-217; R.K. Home, "Town Planning Segregation and Indirect Rule in Colonial Nigeria", *Third World Planning Review*, Vol. 5, No. 2, 1983, pp. 165-175.

²⁸ G.W. Kanyeihamba, "The Impact of the Received Laws on Planning and Development in Anglophonic Africa", *International Journal of Urban and Regional Research*, Vol. 4, 1980, pp. 239-266.

²⁹ A.D. King, "Exporting Planning: the Colonial and Neocolonial Experience", in, Cherry, *Shaping an Urban World*, pp. 203-226.

³⁰ W.F. Banyikwa, "Recent changes in urban residential land use Policies in Tanzania and their spatial repercussions", *Journal of the Geographical Association of Tanzania*, No. 16, 1978, pp. 38-66; B. Alexander, "European Planning Ideology in Tanzania", *Habitat International*, Vol. 7, Nos. 1/2, 1983, pp. 17-36; A.M. Armstrong, "Masterplans for Dar es Salaam, Tanzania", *Habitat International*, Vol. 11, No. 2, 1988, pp. 75-96.

In a critique of the underdevelopment theory, Phillips³¹ has pointed out that it has tended to see capital as being rational and omnipotent, and the colonial and post colonial state as intervening on behalf of international capital, whereby the colonial state is presented as a simple agent of capital, and capital as having a logic which dictates determinant forms of either development, or underdevelopment, and in the case of urban areas, access to, and the use and development of land. Thus at a time when Marxism had largely retreated from a crude identity of the state and capital in its analysis of advanced countries³², discussion of colonialism using the underdevelopment theory accepted the version of the state as a mouthpiece of capital. The intricacies of modern state theory bypassed the analysts of colonialism who argued that the colonial state was imposed externally at the instigation of European capitalists, and was relieved of the burden of universal franchise. On such tenuous grounds, it appears, critics of colonialism, have presumed a state which could serve unconditionally the interests of capital. Yet, as Lonsdale and Berman have argued in their analysis of Kenya, "the state cannot be the obedient servant of capital", a claim which is true of the colonial state, as of its progenitor in Europe³³.

In Africa, the colonial state was faced with many constraints. Unlike in Britain, where compulsion to labour was constructed over centuries until needs were defined through commodities, with wages as the only access, violence was required to carry through any transformation in Africa. There was no generalised natural necessity to force labour to work. Needs were still expressed in terms of use values, and dependence on money limited. Free access to land meant subsistence was assured. Wage labour could only be imposed through direct coercion. Yet, as Phillips³⁴ observes, the state which inherited this task was incomplete and undeveloped: a political power which was in many ways a mere facsimile of the state. Colonial rule could only be sustained through a complex of shifting of alliances with local rulers and select social groups, and colonial officials were acutely aware of the limitation

³¹ A. Phillips, *The Enigma of Colonialism: British Policy in West Africa*, James Currey, London, 1989.

³² J. Holloway and S. Picciotto, (Eds), *State and Capital: A Marxist Debate*, Edward Arnold, London, 1978.

³³ J. Lonsdale and B. Berman, "Coping with the contradictions: the development of the Colonial State in Kenya, 1895-1914", *Journal of African History*, Vol. 20, 1979, pp. 487-505.

³⁴ Phillips, *The Enigma of Colonialism*.

of their control both at the local scene, and at the "home" scene. Colonialism was therefore necessarily makeshift³⁵, an adventure into the idealised but unknown. Its history was one of adjustment to conditions it could not dictate, and the abruptness of decolonisation gave open expression to a lack of control which had existed all along. Colonial policies were formed against this background. The anti capitalism which apparently characterised so much of colonial thinking (e.g. policies upholding customary land tenure; the upholding of subsistence agriculture; the support of casual circular labour, when capital was advocating complete proletarianisation; racial segregation; cheap land policy for colonial officials, etc.,) arose out of the constraints of local conditions. It was determined neither by the demands for capital accumulation, nor by the peculiarities of colonial recruitment. Rather, it was forged out of experience of colonial administration and emerged as an uneasy resolution to the often conflicting requirements of colonial rule. In particular, the political and economic weakness of the colonial state, limited its capacity for undertaking direct coercion, leading to its sour relationships with private capital, particularly with relations to the proletarianisation of labour. The state was forced into an alliance with local chiefs as the only reliable guarantors of labour. This in turn dictated the terms on which colonialism operated. Free access to land precluded the formation of a landless proletariat, and was ensured by relations to communal land tenure over which chiefs were installed as agents of political order. The coercive powers of these chiefs, provided the colonial state with the means to recruit labour, but to sustain these powers, the right to alienate land (to private capital) had to be curtailed. This importance of local constraints accounts for much of the discontinuity in colonial policies, from favouring private land ownership and wage labour before 1914, to promoting the peasant road to development based on communal land ownership and very limited capital during the interwar period. Yet during this second phase, adhoc adjustment and compromise to changes which threatened political order had to be made, as favouring peasant production deprived both capital and the state of control over colonial production, and efforts to force peasants to act as their masters desired, were generally unsuccessful. In the end, by the time the second World War came, the defeat of colonialism was apparent. Decolonisation was as much a recognition of the failure of colonialism as it was a response to the powers of

³⁵ *ibid*, p. 11.

nationalism³⁶. The Independence movements that took over Africa did not inherit a stable polity, but one which was already coming apart at the seams. The resultant chaos on the one part, and continuity on the other, was only to be expected, since these movements took up colonialism's unfinished role and gave capitalism a chance to try again³⁷.

Whatever policies were ultimately attempted during colonial administration, there were usually major disagreements, tensions and conflicts during their formulation, between officials, and between officials and capital in the colonies, between various levels of government, and between the colonial governments and the colonial office. In colonial practice, it was impossible to find a consistent expression of the supposed objectives of colonial rule³⁸.

Most of the nationalist historiographers, and other analysts of the colonial and post colonial scene, as well as the entire underdevelopment school, have, as a general observation, not highlighted the powers and interests of the local caucuses, and their limiting, and, sometimes debilitating effects, on colonial and post colonial policy in its ordained role of serving capitalism. This is the case whether discussing general development, or urban policy. On the other hand, the antidependency school sees the indigenous capitalist class as using state power to enhance its interests over the national economy.³⁹ Thus, both the dependency and the antidependency schools see the state as an instrument of factional interests: either, of international capital, or, of the rising indigenous capital. Jessop, however, argues that the state is not a neutral instrument serving the interests of capital (international or local), but that it offers institutional and organisational resistance to manipulation. Such an approach can at least offer some insights into the understanding of both the partial, incoherent, and provisional nature of state activity, and the complex forms of institutional and organisational set ups

³⁶ *ibid.*, p. 13

³⁷ *ibid.*, p. 163.

³⁸ *ibid.*, p 13.

³⁹ C. Leys, "Accummulation, Class Formation and Dependency: Kenya", in, M. Fransaman, (ed.), *Industry and Accumulation in Africa*, Heinemann, London, 1982.

involved in policy formulation and mediation.⁴⁰ Kiamba concludes that the relationship between the state and the dominant and dominated classes is very complex. The state should be seen in relational terms as an unstable equilibrium of compromises between classes and other social forces, rather than according to the instrumentalist perspective, as being passive, neutral and totally manipulable by one group, or, as a subject having absolute autonomy and functioning in its own right outside society.⁴¹

In view of the above arguments this study aims at highlighting the various interest groups in the development of Dar es Salaam rather than concentrate on the role of colonialism and capitalism alone. Indeed, colonial and post colonial officials used, and still use, land policy to serve as much their own interests, as the interests of capital.

In going through the existing literature on Dar es Salaam, one finds that some tools of land policy are hinted upon. Urban planning and land law and tenure during the German, British and post colonial periods at a general level, are discussed e.g. by de Boer, Gillman, Sutton, Mascarenhas, Armstrong and Fimbo⁴². There has, however, not been any deep study of the impact of the various factors of land policy that may have influenced the overall evolution of the city's land use structure, and it is the purpose of this study to fill in this gap in knowledge.

1.2.4 Land Policy and Land Use Structure

Concepts of Land Policy

In presenting models for understanding land use location, economic theory recognises that the land market is imperfect as a result of various non-optimising factors. Government intervention in land markets through land policy has the function to correct the forces that

⁴⁰ B. Jessop, *The Capitalist State: Marxist Theories and Methods*, Martin Roberts, Oxford, 1982.

⁴¹ Kiamba, *The Role of the State in Urban Development*, p. 9.

⁴² W. de Boer, *Urban Renewal and Rehabilitation in Kariakoo*, Ardhi Institute, Dar es Salaam, Mimeo, 1984; C.C. Gillman, "Dar es Salaam 1860-1940: A Story of Growth and Change", *Tanganyika Notes and Records* 20, 1945, pp. 1-23; J.E.G. Sutton, *Dar es Salaam City Port and Region*, 71, 1970; A.C. Mascarenhas, *Urban Development in Dar es Salaam*, M.A. Thesis, University of Los Angeles, 1966; Armstrong, "Masterplans for Dar es Salaam", G.M. Fimbo, *Law and Urban Planning: A Study of State intervention in Urban Planning in Tanzania*, Phd Thesis, University of Dar es Salaam, 1988.

cause imperfections and irrationality inherent in urban land markets to bring about efficiency and equity.

Darin-Drabkin would like to see as a basic goal of public land policy, the definition of the role of public authorities in providing the land needed at the right time, location and price⁴³. Lichfield points out that the term "land policy" has a variety of meanings. For some, it is used indistinguishably from "land use policy"; for others, it is associated with land reform; and yet for others, it is the policy of government in relation to the land which it owns. It is at its widest sense where, under urban land policy, the minimal scope includes government intervention in regulating urban land resources under the headings: land tenure, public land management, land title registration, land laws and courts, property taxation, property valuation, public goods, public utilities, public transport highways and government property management. The scope goes beyond minimal when government is more actively engaged in owning, using and developing land resources, and, seven additional components can be added: urban government structure, urban government finance, urban (local) and central government relations, central government fiscal and monetary policies, housing policies, regional development policies and urban planning control⁴⁴.

Such a wide ranging treatment, some of which covers policies which go beyond the focus of land, and which embrace all government policies having anything to do with land, calls for a working definition. In this study, land policy is to be considered with respect to the planning and development of human settlements, or any of its more restricted forerunners i.e. town planning, land use planning, etc.⁴⁵, though it is realised that land policy (e.g. land reform) need not be related to land use planning⁴⁶, and also that other general socio-economic

⁴³ H. Darin-Drabkin, *Land Policy and Urban Growth*, Pergamon Press, Oxford, 1977.

⁴⁴ N. Lichfield, "Towards a Comprehension of Land Policy", in, O.H. Koeningsberger and S. Groak, *A Review of Land Policies*, Pergamon Press, Oxford, 1980, pp. 379-395.

⁴⁵ *ibid.*

⁴⁶ D.R. Denman, *The Place of Property*, Geographical Publications, Berkhamstead, 1978; E.H. Jacoby, *Man and Land: The Essential Revolution*, Alfred A. Knop, New York, 1971.

development policies have some effects on land uses. Land policy will therefore be taken to mean those promulgations or undertakings by public authorities, aimed at affecting the pattern of land holding within a society, and aimed at directing the development and use of land in a certain predetermined way by, or for, certain uses or segments of society.

Land policy is an instrument of state power, and as hinted to above, this power can be manipulated to serve a variety of interests. Institutional implementation of land policy is within the realms of both central and local governments. It has been observed however, that in most African countries, local authorities are very weak. They are denied a lot of economic, and managerial freedom of action by central government, and this is a reflection of the wider problem of power consolidation in society. Central government control of local authorities is more stringent in key urban areas like the largest or capital cities (of which Dar es Salaam is an example), particularly with relation to land policy. In this study, the difference in the impact of central and local government on land policy is not highlighted, as indeed it is minimal, save for the struggle to control the land delivery process, discussed in Chapter Eight.

The Rationale for Land Policy

Economists regard urban land policy as the intervention by public authorities into the working of the private land market which, according to Lichfield⁴⁷, built cities and regions, and operated urban and regional economies, before planning became effective this century. Land, being locational specific, and highly heterogenous, is considered to have more imperfect markets than the markets in other commodities. This provides a moral *prima facie* case for government intervention⁴⁸. Not all agree that intervention is necessary⁴⁹. Some people are skeptical about the government's ability to achieve, results which are better than those of the market through regulation of land use⁵⁰. But perhaps a stronger body of scholarship

⁴⁷ N. Lichfield, "Planning and the Land Market", in D.R. Denman, (Ed.), *Contemporary Problems of Land Ownership*, University of Cambridge, Cambridge, 1964.

⁴⁸ K.W. Kapp, *The Social Costs of Private Enterprise*, Harvard University Press, Cambridge, Mass, 1950.

⁴⁹ See for example, S.N.S. Cheung, *The Myth of Social Cost*, Institute of Economic Affairs, London, 1978.

⁵⁰ F. Hayek, *The Political Order of a Free People*, Routledge Kegan Paul, London, 1979.

is that which believes in the strength of the market and argues for its extension in certain areas⁵¹.

Whitehead⁵² identifies eight categories of reasons justifying government intervention in land markets. These are: to produce goods and services with "public good" characteristics; to prevent or regulate the production of harmful externalities; to correct the imperfections in the land market resulting from poor information; to counter the unequal and usually monopolistic market power among agents related to land; to counter inter-temporal distortions in the land market resulting from private investors' lower valuation of future costs or benefits; to counter the individuals' aversion to risk in large scale projects or untried technology; to produce merit goods for which there is joint consumption by the whole society; and, to effect income redistribution. The following is a brief explanation of her reasons supporting government intervention in land use market allocation mechanisms:

(i) Provision of Public Goods and Services

Certain goods and services related to land markets have "public good" characteristics⁵³. They are non-rival and non-excludable (i.e. one person's consumption does not diminish the supply for another, and, once produced, it is difficult to prevent the consumption of such goods or services by any person). Such goods do not render themselves easily to production by the market, although the desirability to produce them is there since conceived benefits are higher than costs. While pure "public goods" are few, - a classical example being national defence-, many that are partially so include local administration, street lighting, uncongested roads, open space, police services, utility services, sewers and drains, etc. Such goods can only be provided by the government because they cannot be feasibly controlled by individuals. Therefore, governments need to intervene and provide them on behalf of the whole society. The unregulated development of unplanned areas in Third World Cities, at extremely high densities without any land for roads and public uses is an example of market failure in this

⁵¹ E.J. Mishan, *The Cost of Economic Growth*, Staples Press, London, 1967; D.E. Dowall, "The Benefits of Minimal Land Development Regulations", *Habitat International*, Vol. 16, No. 4, 1992, pp. 15-26.

⁵² Whitehead, "The Rationale for Government Intervention".

⁵³ R.A. Musgrave, and P. Musgrave, *Public Finance in Theory and in Practice*, McGraw Hill, New York, 1980.

respect.

(ii) Externalities and Spillover Effects

Many land uses have externalities or spillover effects and these could be harmful or beneficial. Externalities can be defined as side effects of an activity which are not accounted for in the budget or utility functions of their producers or generators, or their beneficiaries or sufferers⁵⁴. Thus, a factory which discharges large quantities of fumes to the atmosphere, is reducing its own cost of production, and presumably the price of its product to its customers, at the expense of the health and welfare of others. In this situation, the costs of pollution are not borne by those responsible for causing it. A house owner who improves the environment of his property may enhance the value of neighbouring property as well but is not compensated by these other property owners. Welfare is therefore not properly evaluated when spillover costs or benefits are not taken into account. While the market can partially respond to this phenomenon, coordination is difficult and relevant information is not readily available. Solutions would depend on private contracts which may be difficult to enforce⁵⁵. In some cases, while the benefits or costs of an externality are realised by the affected community, no one takes ameliorative action, as all stand to gain from underspending should somebody else pay for the bringing about or the removal of the externality. This is the so called "freerider" problem⁵⁶. Thus, public authorities have to intervene, to "internalise" these externalities and regulate the activities of the market to abate pollution, congestion, overcrowding, noise, smell, etc.; to prevent the growth of unsuitable urban forms in the interest of sanitation, etc; or to bring about desirable infrastructure and services or suitable urban forms. Tools of intervention to deal with externalities include zoning regulations to separate incompatible uses (e.g. industry from residences), anti-pollution laws, etc.

(iii) Poor Information

Many times, information with regard to land transactions is imperfect and expensive to

⁵⁴ J. Rothenberg, *Economic Evaluation of Urban Renewal*, Brookings Institution, Washington DC, 1967.

⁵⁵ W.S. Baumol, and W.F. Oates, *The Theory of Environmental Policy*, Prentice-Hall, Englewood Cliffs, N.J., 1979.

⁵⁶ Rothenberg, *Economic Evaluation of Urban Renewal*.

assemble through the market, particularly in view of the fact that land is location specific⁵⁷. Thus decisions likely to have long term effects, which may affect society at large, can be made based on poor information. Governments are likely to have the correct information concerning land transactions, or to be able to collect it cheaply, or to modify it by releasing their intentions on planning, or on forecasts. Policies to improve information, and to reduce transaction costs, are usually applied nationally, e.g. the improvement of the legal framework related to land markets, the clarification of tenure and ownership rights, the development of new markets, etc. Many of these supersede the market mechanism.

Poor information e.g. the clouded land titles in many African cities, has been found to be a major cause of inefficiency in land uses. Transactions in land may not take place because for example the landowners cannot be identified with certainty, leading to the underutilisation of land, or to lengthy disputes. Poor information also encourages corruption and speculation, and can lead to high land prices.

(iv) Monopolistic Market Power

There is usually an unequal division of market power among economic agents related to land, and this can lead to their significant control over the land delivery process, or of the output of land in the market. For example, land ownership can be concentrated into a few hands, while the development, construction and finance markets are often oligopolistic, and the supply of many urban services cannot be increased quick enough to meet increased demand. This could be a result of historical factors, and, in the absence of government intervention, such a situation may perpetrate itself, though it may be desirable for society as a whole, that access to land is opened up to many people. At the same time, monopolistic market power over land could lead to its underutilisation, to high land prices, and to inequitable windfall gains to those in control of land. Thus the need for government intervention.

(v) Inter-temporal Distortions in the Land Market

There are inter-temporal distortions in the land market resulting from private investors'

⁵⁷ H. Demsetz, "Information and Efficiency: Another view point", *Journal of Law and Economics*, Vol. 12, No. 1, 1969.

lower valuation of future costs or benefits⁵⁸. There can therefore be underinvestment where benefits are mainly expected in the future, or overconsumption, at present, of non-renewable resources. Governments then have to intervene, e.g. by subsidising or controlling the rate of investment, or by increasing the cost of non-renewable resources, or by taking over the processes directly.

Examples could include the occupation of hazard land to meet immediate need, which could cost society dearly in the future, e.g. through environmental degradation. The diminution of earth cover, to meet current land and energy needs is another example.

(vi) Private Individuals' Aversion to Risk

Private individuals may be more risk averse than the community as a whole, and this may lead to the underinvestment in large scale projects and untried technology, like sewers and sewage treatment plants, and new cheap building materials. This again calls for government intervention⁵⁹.

(vii) Merit Goods

It is also argued that the community benefits from the individuals' consumption of merit goods⁶⁰. An example often cited is that society as a whole may suffer if sections of it lived in substandard housing, and would gain if all enjoyed a certain minimum housing standard. The poor may not want to pay for such high standards, but society as a whole may derive satisfaction from everyone living at, or above a certain level i.e., there is joint consumption of these minimum standards by individuals and society. Such merit goods call for government intervention e.g. by providing subsidised public housing, public transport, and low income land development schemes, as well as job creation schemes in low income areas:

⁵⁸ P.S. Dasgupta, "Fairness Between Generations and the Social Discount Rate", *Resources and Policy*, Vol. 4, No. 3, 1978.

⁵⁹ K.J. Arrow, and R.C. Lind, "Uncertainty and the Evaluation of Public Expenditure Devices", *American Economic Review*, Vol 60, No. 3, 1970, pp. 364-368.

⁶⁰ Musgrave and Musgrave, *Public Finance*.

(viii) Income Redistribution

Finally, intervention is usually justified to effect income redistribution, horizontally between people of the same level and vertically between the rich and the poor. Most of the examples cited above have some income redistributive effects. Other examples include low income area redevelopment schemes, direct low cost housing strategies, etc.

Intervention is therefore accepted even by those who advocate freedom from government interference⁶¹. The array of intervention possibilities ranges from adjusting and working with the market, to overthrowing the capitalist system altogether⁶². In this study it is the former possibility that is discussed.

Tools of Land Policy

Within the narrow definition of urban land policy given above, the tools used by governments include: Policy related to land tenure, registration and transfer⁶³; land taxation, especially to recover infrastructure costs and betterment value⁶⁴; urban land use regulations which include zoning, regulations on land subdivisions, building regulations, issuance of approval of land development schemes by public agencies, and urban planning⁶⁵; and, direct intervention by public authorities, which in turn includes infrastructure provision, land acquisition, direct land development, provision of financing facilities, cooperating with the private sector in land development, surgical action (e.g. squatter area upgrading), and national and local investment decisions with local land use effects⁶⁶.

⁶¹ E.g. Hayek, *The Political Order of a Free People*.

⁶² D. Harvey, *Social Justice and the City*, Edward Arnold, London, 1973.

⁶³ H.B. Dunkerley, "Introduction and Overview", in, H.B. Dunkerley (Ed), *Urban Land Policy*, pp. 3-39; W.A. Doebele, "Concepts of Urban Land Tenure", in, Dunkerley, *Urban Land Policy*, pp. 63-107.

⁶⁴ D.C. Shoup, "Intervention through Property Taxation and Public Ownership", in, Dunkerley, *Urban Land Policy*, pp. 132-152.

⁶⁵ J.M. Courtney, "Intervention through Land Use Regulations", in, Dunkerley, *Urban Land Policy*, pp. 153-170.

⁶⁶ M.D. Rivkin, "Intervention through direct participation", in, Dunkerley, *Urban Land Policy*, pp. 171-198.

(i) Land Tenure, Registration and Transfer

Land tenure denotes a framework whereby land seekers can get access to land, and denotes as well the terms and conditions governing the enjoyment of rights in this land. While forms of tenure can be broadly divided into a dichotomy of public versus private land, Doebele⁶⁷ argues that the situation is more complex. He identifies seven proprietary categories of tenure, that is: non-formal de facto; private freehold; private leasehold; public freehold; public leasehold; communal ownership (tribal); and communal ownership (neighbourhood). The inter-relation between these forms of tenure is complex especially in the urban areas of Third World countries where various forms of tenure are conflated in a dynamic system of rapid change. Virtually nowhere is there a single unified system of land tenure.⁶⁸

Forms of tenure (which are usually products of land policy) have profound effects on physical urban patterns and affect the flexibility of adapting to pressures of rapid growth. Governments, for example, may deny certain sections of their populations, access to some kinds of tenure rights. On the other hand, security of tenure is of crucial importance in property investment and land management, and, systems of tenure affect the ease of land registration and land transfer.

Land registration has been defined as the overall process of recording details about land parcels for the purpose of land ownership and tenure⁶⁹. An efficient land registration system (a) leads of certainty about ownership, (b) enhances security of tenure, (c) reduces land disputes, (d) reduces the costs of, and delays in, property conveyancing, (e) helps in the monitoring and control of land markets, (f) provides security for credit, (g) improves the operation and efficiency of the land markets, (h) facilitates land reform, (i) helps the management of state lands, (j) supports local taxation, (k) improves physical planning, (l)

⁶⁷ W.A. Doebele, "Concepts of Urban Tenure", in, Dunkerley, *Urban Land Policy*, pp. 63-107.

⁶⁸ D. Simon, "Colonial Cities, post-colonial Africa, and the World Economy: A Reinterpretation", *International Journal of Urban and Regional research*, Vol. 14, No.1, 1987, pp. 68-91.

⁶⁹ UNCHS, *Guidelines for the improvement of land Registration and Land Information Systems in Developing Countries*, Nairobi, 1990, p. 3.

records land resource information, and, (m) can support environmental management⁷⁰.

In many developing countries, colonial land tenure systems treated land as an estate to be owned in freehold or leasehold, thus many traditional rights in land were ignored, or were lumped together in an amorphous concept termed "customary tenure". Throughout the colonial period, relatively little was done to ensure the protection or even the identification of customary interests. In many developing countries, those introducing registration of title have tended to ignore the subtleties of customary tenure, giving rise to informal dealings in land taking place outside the register⁷¹

In East Africa, as a broad generalisation, colonial governments nationalised all land, distinguishing between what they defined as unowned land, which therefore became crown land, and unowned land, where limited rights of societies occupying it were recognised. For Africans in general, it was held that land was owned under customary tenure. The transfer of land from Africans to non Africans was highly restricted. In most cases, land registration was limited to non-native owned land. Major tools of land policy under this category in Tanzania were: the *1895 German Decree; The Land Ordinance of 1923, and, the Land Registry Ordinance of 1954.*

(ii) Land Taxation

Land ownership is not only a major form of wealth, it is also a kind of wealth that can benefit from the surplus value created by society as a whole (e.g. through general urban growth), or by site specific public undertakings (e.g. the planning of, or, the provision of infrastructure to, an area). It is argued that governments are duty bound to tax this surplus value in the name of equity. Revenue yielded by such taxation can enable public authorities to provide serviced land, which could be earmarked to low income households. Some countries have specific land taxes, e.g. to stimulate land development (for example taxes against vacant land), or to curb speculation. Shoup⁷² proposes that land taxes can be

⁷⁰ I.P. Williamson, "Cadastral and Land Information Systems in Developing Countries", *The Australian Surveyor*, Vol. 33, No. 1, 1986, pp. 27-43.

⁷¹ UNCHS, *Guidelines*, p. 3.

⁷² Shoup, "Intervention through Property Taxation".

classified depending on the taxation base: i.e total property value, site value, and betterment. Theoretically, site value is a better form of taxation since it excludes the landholder's input. Empirical evidence, however, has tended to support taxation based on property value⁷³. Betterment taxes can be site specific i.e. related to a public investment project, or can be determined when there is a transfer. Alternatively, a gain can be enjoyed when there is change of use. Various studies suggest that betterment taxes related to a public investment project achieve better results than mere general land taxes, and can therefore be effective in promoting land uses⁷⁴.

A corollary of betterment is worsenment, whereby the activities of the public authorities can lead to the suffering of individuals. Taxation can be imposed to abate the nuisance or to compensate the sufferers. Where existing infrastructure is likely to be made less efficient by new development, the institution of development impact exactions has been suggested⁷⁵.

Land Taxation tools in Tanzania include the *Land Ordinance* which provides for the charging of land rent and premia; and the *Urban Authorities (Rating) Act* of 1983. The latter provides for the charging by local authorities, of a general rate based on improved site value, and of a special rate, based on the cost of the improvements carried out in area by expending public funds. Capital gains tax is also payable when a property is sold.

(iii) Urban Land Use Regulation

Urban Land Use Regulations provide a framework within which activities affecting land must take place. Courtney⁷⁶

itemises the most common of these as: Zoning; control of subdivisions; building regulations; issuance of approval of a development scheme by public agencies; and urban planning.

⁷³ O.F. Grimes, *Urban Land and Public Policy: Social Appropriation of Betterment*, World Bank Staff Paper No. 179, Washington DC, 1974.

⁷⁴ *ibid*; Doebele, "Concepts of Urban Land Tenure".

⁷⁵ T. Johnson, "Development Impact Exactions: an Alternative Method of Financing Urban Development in Less Developed Countries", *Third World Planning Review*, Vol. 12, No. 2, 1990, pp. 131-145.

⁷⁶ Courtney, "Intervention through Land Use Regulations".

Zoning is the demarcation of a city by ordinances and the establishment of regulations to govern the use of land in the specified zones. It attempts to organise and systematize the growth of urban areas, by setting up categories, classes or districts of land, prescribing uses to which buildings and land may be put and applying uniform restrictions on the shape and placement of buildings. It includes general rules concerning location, bulk, height, and therefore plot ratios, shape, use and coverage of structures within each zone. The main objectives of zoning are to improve efficiency; promote agglomeration economies and minimise spillover effects; specify health and safety requirements; and, to achieve distributional effects e.g. by protecting the rights of existing owners or by releasing land for low income households.

Subdivision regulations govern the development of raw land for residential, or other purposes, and describe standards for plot sizes and layout, street improvements, and procedures for dedicating private land to public purposes. Subdivision of land before development determines the pattern of a neighbourhood.

Building regulations, one of the oldest and most common method of controlling land development, were originally meant for fire protection, structural safety and sanitation. Today building regulations cover a wider range of aims including aesthetic considerations, and the prevention of the deterioration of the housing stock. Regulations limit/define the way new structures are to be built and with what materials.

Approval by a Public agency is the main way in which controls over development rights, subdivisions and building regulations are enforced. Building permits are required in order to ensure compliance with local bylaws and city plans. Public agencies have powers to refuse to grant permits, to demolish structures not complying to requirements and to fine non-conforming users.

Urban Planning is the process of making decisions about the physical environment and evaluating how changes in this environment affect people and the economy in relation to some specified objective. A city plan is put into operation using regulatory instruments described above, and the most commonly used planning processes are: Comprehensive

general planning, master planning, strategic planning and structure planning. Comprehensive general planning and master planning assume a static and slow growing urban situation, quite manageable in terms of investment decisions, and the long range planning of major infrastructure projects. In developing countries, rapid urban growth, major backlogs of infrastructure investment, and heavy competition for the limited financial resources make masterplanning unsuitable.

Strategic or structural planning highlights the critical issues, identifies priority investment for infrastructure, and therefore identifies areas in which growth and change should take place, guides key investment decisions, and involves local decision making and participation. In particular a structure plan indicates action areas and the nature of their treatment. These are priority areas for intensive action and for which action plans can be prepared. Despite its problems, structural planning and action planning are seen as being more appropriate to developing countries than masterplanning. Courtney⁷⁷ laments the fact that in many parts of the developing world, urban planning is of an essentially static nature, lacking both investment priorities, and effective land use control policies. Only limited attention is paid to ensuring feasible means of implementation; to anticipating the reaction of market forces; and to assessing the cost of various government agencies and the economic effects on different income groups.

Major tools used in this respect in urban Tanzania have included the various *Bauordnungs* (Chapter Three) of the German Colonial era; the *Township Ordinance* of 1920 and the *Township Rules* made under it, the *Town Development (Control) Ordinance* of 1936; the *Municipalities Ordinance* of 1946; and the *Town and Country Planning Ordinance* of 1956.

(iv) Direct Intervention by Public Authorities

Rivkin⁷⁸ points out that besides regulatory measures, public authorities do influence land use patterns by direct intervention through at least seven strategies. These are: infrastructure provision; land acquisition; direct land development; financing; cooperating

⁷⁷ *ibid*

⁷⁸ Rivkin, "Intervention through Public Participation".

with the private sector in development; and, surgical action. The seventh form of intervention emanates from unintended results of national or local investment decisions, which have an impact on the urban spatial pattern.

By infrastructure provision, the public sector provides roads, sewers and water lines and treatment facilities, electricity and other basic facilities, plus support infrastructure e.g. schools, hospitals and health centres, recreational areas, police posts, markets, etc. Historically, the provision of infrastructure in African cities has been provided on a racial basis. In urban Tanzania, the provision of infrastructure was, until the 1950s, rather limited, but generally paid for by the government, although efforts were usually made to recover some service costs through land rent and premia. Infrastructure provision in urban areas has generally been effected by the central government.

Through land acquisition, land can be expropriated for provision of public facilities, infrastructure, or other specific development purposes. This is sometimes achieved through "excess condemnation" where the public agency expands its ownership to surrounding lands to control the land uses there. There is also a system of "land banking" where a lot of land is acquired in advance of need in order to reduce costs. Sometimes, in order to facilitate land acquisition in the future the government freezes land values to current levels.

In Tanzania, land acquisition has generally been based on paying the land occupier, the value of the unexhausted improvements on the land carried out by the occupier, a colonial practice aimed at minimising the cost of land acquisition. The practice is still upheld under the *Land Acquisition Act* of 1967.

The public agency may itself be the developer, e.g. where it constructs housing or industrial property. Comprehensive land developing agencies include: new town authorities; national housing authorities; the government itself; various parastatals; etc. In urban Tanzania, the government has traditionally built for its senior officers, and lowcost African and Asian quarters were constructed during the late 1940s and the 1950s by the colonial government. After Independence, the role of direct construction of lowcost housing was taken up by the National Housing Corporation, created in 1962.

On the other hand public agencies may influence land use and development by providing finance for development e.g. in the form of credit mechanisms. Examples that are often cited are the site and services programmes. The record of land development finance in urban Tanzania is poor. An African Urban Housing Loan Scheme was set up in the 1950s. This was followed by the Roof Loan Scheme, and a Revolving Fund for Senior Civil Servants, both in the 1960s. The Permanent Housing Finance Company was established in the late 1960s to finance high cost housing, while the National Housing Corporation played a financing role in its slum clearance and rebuilding and tenant purchase schemes of the 1960s (Chapter Six). With the adoption of Sites and services schemes in the 1970s, infrastructure was provided on the basis of future cost recovery from the beneficiaries. Finally a Tanzania Housing Bank was established in 1973, with a mandate to finance mainly lowcost housing.

In a mixed public and private development the key instruments are: the control of infrastructure provision, powers to determine the nature of new buildings, and powers of condemnation. Another interesting way is through "land adjustment" where properties in an unplanned area are condemned and land replotted according to a plan which, besides land for private use (residential, commercial or other uses), includes land for public uses e.g. schools or open space. Infrastructure is then installed and property redistributed to original owners in proportion to their original holdings. A proportion of the plots are auctioned to "cost recover" the public outlay⁷⁹.

Land pooling and readjustment was attempted in East Africa during the colonial days: in Mombasa, in the 1930s, and in Dar es Salaam (Upanga) in the 1950s. Freehold holders of large pieces of land in Dar es Salaam were encouraged to subdivide their land under the guidance of planning authorities. That way, high income estates like Regent, Ursino and Ada Estates in Dar es Salaam were created. Powers allowing for public/private cooperation inland uses are provided under the *Town and Country Ordinance* of 1956.

⁷⁹ C. Farvacque, and P. McAuslan, *Reforming Land Policies and Institutions in Developing Countries*, World Bank/UNCHS/UNDP Urban Management Programme, 1991, p. 81-2; R.W. Archer, "The possible use of Urban Land Pooling/Readjustment for the planned development of Bangkok", *Third World Planning Review*, Vol. 9, No. 3, 1987, pp. 235-253; I. Masser, "Land Readjustment", *Third World Planning Review*, Vol. 9, No. 3, 1987, 205-210.

Through surgical action, the public agency bulldozes a settlement, relocates the occupiers and replans and redevelops the area. Alternatively a slum/squatter area may be upgraded or rehabilitated with minimum property destruction. Squatter or unplanned settlements have grown rapidly after independence throughout Africa. During the 1960s they were regarded as eyesores and there were regular threats of their demolition. In practice, and as a result of political expediency, only a few squatter settlements have ever been demolished in Urban Africa. Instead, governments turned a blind eye to the development of squatting although limited upgrading was undertaken in some settlements, in line with externally financed sites and service schemes of the 1970s.

Finally, Courtney⁸⁰ points to government actions on land, which have unintended, and many times, unforeseen influences on spatial development, and the use of land. For example, construction of a national highway or bridge can lead to fundamental effects on land uses and land values. With respect to Dar es Salaam, it can be pointed out that the construction of a bridge over the Msimbazi River along Morogoro Road in 1953 as part of the Tanga-Dar es Salaam Road, helped the opening up of the Magomeni area. Radial roads out of Dar es Salaam: Kilwa Road, Pugu Road, Morogoro Road, and Bagamoyo Road, have all influenced the siting of Industrial areas in the City, as did the construction of the Port Access Road in 1980, to divert heavy port and upcountry traffic from the city centre.

Results of Urban Land Policy

(i) Land Tenure, Registration and Transfer

Many studies conclude that urban land tenure systems in developing countries do not produce the most efficient patterns of land uses. They tend to reproduce the existing inequalities in wealth and opportunity, and are mechanically ill suited to the needs of rapid urbanisation in a situation of limited wherewithal, because of cumbersome methods of

⁸⁰ Courtney, "Intervention through Land Use Regulations".

access to land and land registration; clouded titles especially with regard to customary tenure; high transfer taxes; lack of adequate and workable powers of expropriation for legitimate public needs; and, outmoded institutions. In particular, Governments are loath to innovate and to help the land market work efficiently. Problems are technical, institutional and political. For example, modern land registration is highly hinged on a cadastre system. Although in many countries cadastres exist, few operate efficiently. Maps are out of date, expensive to maintain, difficult to come by, inefficient or largely ineffective in practice and are irrelevant to modern conditions and requirements. In most countries, there is little awareness of the real cost of surveys and the precision that is sufficient for the task in hand. There is much ignorance of the true needs of the users. The significance of individual cases, for example, of a boundary dispute, is often exaggerated out of all proportions and is used as justification for meticulous surveys. Checking, for instance, may take months, or years. Management skills are in short supply, and there is uncertainty about the level of responsibility of, or the quality of work undertaken by, civil servants, hence the reluctance to take risks, and the tendency, instead, to be slow, checking and counterchecking the work⁸¹.

Farvacque and McAuslan⁸² point out that many public laws relating to land are too complicated, are in a language that most people do not understand, and are usually not readily available. Adjudicative powers work very inefficiently where they work at all. Court procedures are lengthy and costly, and are regarded as being pro-administration, an attitude inherited from the colonial period. Legal aid is expensive and as a result, lawyers tend to serve the interests of landlords, landowners or government officials against the poor.

The case of Peru, by no means untypical, is illustrative. Getting government land taken 43 months and comprises 207 bureaucratic steps involving 48 different government offices⁸³. In Ghana, the tedious process of getting stool land involves 20 major steps and

⁸¹ UNCHS, *Guidelines*, p. 11.

⁸² Farvacque and McAuslan, *Reforming Land Policies*, pp. 17-19.

⁸³ H. de Soto, *The Other Path*, Harper and Row, New York, 1989.

can take several years⁸⁴. In Cameroon, land registration takes between 2 to 7 years, and only 6% of the plots in the country is registered⁸⁵.

The situation in most urban areas of the Third World is that the official land delivery programmes benefit only a minority⁸⁶. In all cases, both the informal and the formal land tenure systems work inefficiently and there is little effort to unclog these inefficiencies. The majority of the household get their land outside the formal sector, and most do not benefit from tools of land policy like having certificates of title to land, or having the land registered.

(ii) Land Taxation

In most Third World cities, government land is grossly undertaxed. Dowall⁸⁷ notes that Karachi is experiencing an acute shortage of land because residential plots are underpriced, thus limiting the financial capacity to fund infrastructure development. Kiamba⁸⁸ points to the low price of government land in Nairobi, even after certain subsidies had been removed. In many countries, taxes are poorly collected because of poor records on, and information about, existing properties and land lots; and also because of the lack of political will. Most governments, particularly central ones, are generally unwilling to introduce, and to enforce, effective land taxation measures.

(iii) Land Use Regulations

According to Lowder⁸⁹, few major cities in the Third World can claim that the scale of noncompliance with laws and planning ordinances is anything but ubiquitous and

⁸⁴ S. Asiana, "Land Management in Kumasi", Paper prepared for the World Bank, 1990.

⁸⁵ Farvacque and McAuslan, *Reforming Land Policies*, p. 74.

⁸⁶ Mabogunje, "Urban Planning..", p. 163.

⁸⁷ D.E. Dowall, *The Land Market Assessment: a new tool in Urban Management*, UNDP/World Bank/UNCHS Urban Management Programme, 1991, p. 4.

⁸⁸ Kiamba, *The Role of the State in the Control of Urban Development*, p. 124.

⁸⁹ S. Lowder, *Inside Third World Cities*, Routledge, London and New York, 1986, pp. 17.

commonplace. Other observers of the urban planning scene in developing countries point to the dismal performance, in implementing land use regulations almost everywhere. Reasons for this situation are many and include: the unsuitability of most regulations to the local conditions; their rigidity and non-adaptability to changes; and the lack of administrative, financial and institutional capacity to implement them. Other reasons are: lack of dependable, and up to date information on existing land uses, development density, land ownership, soil characteristics, and location and capacity of existing utilities and services; rapid urban growth which makes planning very difficult; the importance of land as an economic and cultural good, making it the principal choice of individual investment, where investors include very powerful segments of society, presenting the process of land use changes and planning, with a difficult situation; and the static nature of land use regulations which puts the public sector in position of reaction and constraint, rather than initiation and promotion. As a result, in many cases, instead of being positive, regulations generate negative effects, e.g. delays in decision making, high administrative costs, high investment costs (in terms of time and money), and create a climate for corruption⁹⁰.

(iv) Public Intervention

Infrastructure Provision

Almost everywhere, rapid growth of metropolitan centres has been accompanied by major breakdown of infrastructure, notably road, water, electric and sanitation networks and supply systems⁹¹, not only from overburdening, but also from poor, or lack of maintenance. Besides, in many cities, new planned areas are allocated with highly restricted, or, no, infrastructure. Areas outside the formal sector have hardly been recipient of any standard municipal infrastructure except under improvement projects like squatter area upgrading schemes. But this situation has not surprisingly, prevented authorities in Third World cities from continuing to uphold unrealistically high standards for the required infrastructure. In Nairobi (Kenya), authorities resisted moves by external project sponsors to revise

⁹⁰ UNCHS, *The Reformulation of Building Acts, Regulations and Codes in African Countries*, Nairobi, 1985.

⁹¹ Mabogunje, "Urban Planning..", p. 145; R.E. Stren and R.R. White, (Eds), *African Cities in Crisis: Managing Rapid Urban Growth*, Westview Press, Boulder, Colorado, 1989.

infrastructure standards downwards in a low income sites and services project to the extent of delaying the implementation of the project (with the resultant costs escalation) for years⁹². In most cities, though, only a minority of households enjoy direct access to municipal facilities, and many areas are poorly, or not at all, serviced.⁹³ The situation in Dar es Salaam is that of a poor endowment with infrastructure, and matters have gotten worse since the mid-1970s (Chapters Eight and Nine).

Land Acquisition

Everywhere in Third World cities, land expropriation is deeply unpopular. Most laws pertinent to eminent domain were inherited from the former colonial powers⁹⁴. The procedure adopted is not only long and time consuming, but also it never ensures adequate and timely compensation. In Ghana, for example the procedures of compulsory acquisition and the paying of compensation span over more than 20 years in some cases⁹⁵. There is consequently great resentment over, and political organisation against, the exercise of compulsory purchase powers. Since the liberal use of the bulldozer is out of question in many countries, many a development projects get stalled or delayed because of the inability of governments to acquire land. In particular, the basing of compensation on the value of "unexhausted developments", which ignores use value, land value, the cost of replacing the developments to be acquired and social disruption related to land acquisition, has made it difficult for governments to acquire land. In Dar es Salaam, land acquisition by government is highly resented and the government admits that lack of compensation is a major hindrance to the provision of planned plots.

Direct Development

In most developing countries, there have been set up, since Independence, National Housing Corporations or other public corporations with a function of constructing what is

⁹² UNCHS, *Case Study of Sites and Services Schemes in Kenya: Lessons from Dandora and Thika*, Nairobi, 1987.

⁹³ Stren and White, *African cities in Crisis*.

⁹⁴ M. Kitay, *Land Acquisition in Developing Countries: Policies and Procedures of the Public Sector*, Oelgeschlager, Gunn and Hairn, Boston, MA, 1985.

⁹⁵ Farvacque and McAuslan, *Reforming Urban Land Policies*, p. 74.

usually termed low cost housing⁹⁶. Not only has the output of such institutions been miniscule vis a vis the total urban housing supply, but also the products have ended up being consumed by the elite. Stren⁹⁷ observes that this "static" direct development approach of the 1960s, gave way to "aided self-help" between the mid-1970s and the mid-1980s, and to "enabling", currently. Each of these approaches represents the downgrading of the state's role in direct participation in the developing of the final product. State direct development schemes have tended to be inefficiently produced to too high a standard. They have, therefore been too expensive for the majority. Yet, despite its benefitting the better off in society, public housing has tended to be highly subsidised. The public sector was, during the 1950s and 1960s a major land developer in Dar es Salaam. This role has been relegated to insignificance since the 1970s.

Finance

Many countries have Housing Banks, Building societies, or other formal mortgage institutions. Almost everywhere these finance a minority of properties put up. They have tended to be limited by the level of funds at their disposal. The procedure to get access to these funds, together with high repayment instalments have excluded most urban families.

The site and service schemes of the 1970s were conceived to reach the poor. Typically, the government would procure the land, plan it, and have it serviced. It would then allocate the plots to qualifying beneficiaries who would be required to pay back the cost, fully, or in part, in instalments spanning a number of years. In some cases the plots are allocated with a "core house". Many times, a loan scheme in cash, or in construction materials has been part and parcel of the project. Not only have these schemes been limited in terms of the quantity of land serviced,, but, as documented by various studies, most have ended up in the hands of the better off in society, and almost invariably, the costs for such has not been

⁹⁶ D.C.I. Okpala, "Aspects of Urban Housing and Human settlement Policies and Strategies in Africa", *Habitat International*, Vol. 10, No. 3, 1986, pp. 204-223.

⁹⁷ Richard E. Stren, "Large Cities in the Third World", in, UNCHS, *Metropolitan Planning and Management in the Developing World*, Nairobi, 1992.

recovered⁹⁸.

Mixed public and private sector development

There are very few examples of successful mixed public and private sector development in Third World cities. Governments in many of these countries regard the private sector with deep suspicion. However, land adjustment schemes have been successful in a number of cities in South East Asia, though, commendable as the land adjustment approach is, it has not been as popularised as would be expected. Land pooling and adjustment schemes were implemented during colonial days in Mombasa, and in the Upanga area of Dar es Salaam, but the approach has not been adopted to an appreciable level after Independence. In Kenya, owners of freehold land can subdivide and service it to the governments' satisfaction, and the sell or develop the plots. In other cases, cooperative societies can buy the land and subdivide it among the members. In Tanzania, on the other hand, there is little if any such kind of private/public participation.

Surgical Action

Squatter (or, unplanned) areas eradication was high on the African governments' agenda after independence, but due to political expediency, only a few areas were ever removed. Limited upgrading was undertaken in conjunction with externally supported sites and services schemes. There is however, a dearth, within Africa, of home grown policies with relation to unplanned areas. Most governments have turned a blind eye to the growth of this sector, which in most urban areas, houses the majority of urbanites. There is only a few, and limited examples of innovative and positive policy with regard to squatter areas, e.g. in Lusaka.⁹⁹

⁹⁸ See for example: F.P. Mgullu, Housing: A study of Tanzania's national sites and services schemes, LLM dissertation, University of Dar es Salaam, 1978; S. Barnes, "Public and Private Housing in Urban West Africa: The social implications", in M.K.C. Morrison and P.C.W. Gutkind (Eds), *Housing the Urban Poor in Africa*, New York, Syracuse University, 1982, pp. 5-43; M.S. Halfani, Urban Management and the Implementation of an Externally financed project in Dar es Salaam, Ph.D Thesis, University of Toronto, 1986; A.Osmont, "Les Banque Mondiale et les politiques urbaines nationales", *Politique Africaine* 17, 1985, pp. 58-73; R.E. Stren, "Underdevelopment, Urban Squatting, and State Bureaucracy: A case study of Tanzania", *Canadian Journal of African Studies*, Vol. 16, No. 1, 1982, pp. 67-91; R.R. White, "The impact of policy conflicts on the implementation of a Government Assisted Housing Project in Senegal", *Canadian Journal of African Studies*, Vol. 19, No. 3, 1985, pp. 505-528.

⁹⁹ C. Rakodi, "Land, Layouts and Infrastructure in Squatter Upgradings: the case of Lusaka", *Cities*, Vol. 4, No. 4, 1987, pp. 340-370.

A Critique of the Market Efficiency Concept of Urban Land Policy.

The above discourse has had the assumption that land policy is meant to help iron out imperfections inherent in the land market. This view discounts the fact that land policy is conceived and implemented by powerful segments in society. Farvacque and McAuslan¹⁰⁰ point out that land policies cannot be divorced from, and indeed, may be seen as the paradigm of, the wider issues of governance. The colonial period provides a good example of the use of land policy in favour of a minority. Despite, for example, the assertions in the Tanganyikan *Land Ordinance* (Cap 113 of 1923) that all land in the territory was to be vested in the governor, and was to be used for the common benefit of indigenuous populations, a question has to be asked as to why land should have been nationalised and placed in the control of a colonial governor in the first instance. The aim of such land policies was to ease the system of colonial exploitation by making land available for allocation to whomsoever the Governor deemed fit. In most cases, such persons were settlers. At a local level (e.g. that of a township) township and zoning rules were passed to exclude natives from European residential areas, or, indeed, from the townships altogether, so that the Europeans could be protected from health and other social hazards supposedly engendered by natives. That way, colonial officials were enabled to enjoy a higher standard of living given, the available resources, and were thus enabled to fulfil their role of colonial administration with ease. Such policies cannot possibly be hailed as being aimed at enhancing efficiency in the land markets.

The above argument holds good for the post colonial era despite the change of rulers, since much of the post colonial policies in the Third World was a continuation of colonial policies. This view is made clearer with respect to land policies by Farvacque and McAuslan¹⁰¹ who point to the general trend, since 1945, towards centralisation of powers to achieve economic growth, social welfare, and national cohesion. Countries of the developing World were offered a powerful, and apparently successful, model of this centralisation in the colonial form of government. Worse still, many Third World governments took the form of military, or, civil oligarchies concentrating all resources at the centre, so that they could retain power by rewarding supporters, as well as themselves, through the judicious

¹⁰⁰ Farvacque and McAuslan, *Reforming Land Policies*, p. 4.

¹⁰¹ *ibid.*, p. 3-4.

use of these resources. These resources included urban land, the same land that was traditionally a source of local power. Besides, rapidly rising land values, particularly at the periphery of cities, provide a source of large profits and strong economic interests. This has put pressure on officials and government decision makers and has made them reluctant to take steps to end market inefficiencies and distortions that operate to the benefit of such interests.

Issues of democracy aside, it has been observed that the land laws that have been passed by Cameroon's indigenous leaders, as has been typical of most African countries, have been meant to enhance their own power and status. Conditions governing access to land are deliberately slanted in favour of the socially or economically powerful, and hence politically active members of the society, including civil servants, bureaucrats, and entrepreneurs.¹⁰² It is further noted that there is hardly any nation in the developing world where access to land, especially urban land, is not slanted in favour of the rich minority or of civil servants or politicians. In Nigeria, for instance, this phenomenon accounts for the fact that 92% of the land in high income Apapa, Victoria Island, and Ikoyi areas, belongs to just 20% of the population of Lagos.¹⁰³

In the area of urban land management, the question of where power to govern came from, and where it needed to be located, provided the rationale for land nationalisations; the weakening of the role of local government in land transactions, land uses and land development; the use of the bulldozer as a tool of land management; and top down management e.g. of sites and services projects and squatter upgrading programmes, etc. Mabogunje¹⁰⁴ notes that the allocation of publicly acquired land is the surest way of amassing wealth, and hence, the political importance that attaches to the Minister or agency that has to undertake this distributive function. Testimony to this is the abundance of

¹⁰² A.J. Njoh, "Institutional Impediments to Private Residential Development in Cameroon", *Third World Planning Review*, Vol. 14, No. 1, 1992, pp. 21-37.

¹⁰³ T. Agbola, "Institutional constraints on Housing Development: The Urban Areas of Nigeria: The Land Use Decree and the building plan approval process", *Habitat International*, Vol. 11, No. 2, 1987, p. 116.

¹⁰⁴ Mabogunje, "Urban Planning..", p. 154.

conflicts between central and local government, between politicians and officials and between the officials themselves as to who should control the allocation of urban land. In Nairobi, councillors are known to have objected to the allocation, by ballot, of serviced plots targeted to low income households¹⁰⁵. In Dar es Salaam, the struggle over land administration between central and local governments, and between various officials and politicians is intense (Chapter Eight). Thus land policy allocates power, wealth, and many other privileges in society and will therefore be controlled by the socially powerful e.g. government administrators, politicians, the rich etc., and can be used to enhance such powerful social groups' interests.

In the light of the foregoing, the efficiency concept attributed to land policy must be toned down to take into account the political framework through which the various social groups control social power and express or defend their interests. In a situation where the tampering with existing land relations affects the social distribution of power and wealth, conservatism could reign high. It has been argued that power wielders may, for example, benefit from the status quo, since the whole system of impingement on the efficient working of the land market creates a situation of scarcity, which in turn bestows immense power and profit to those who are in control of land¹⁰⁶. Outdated legislation, regulations, and institutions are clung to, and no effort is made to tailor them to the dynamic situation of current urban growth in Third World countries. Instead of the limited availability of resources providing an impetus for innovation into what can work, the old order is adhered to, while the inefficiency of land policy is blamed on this lack of resources. Secrecy, (usually under the banner of protecting national interests) is resorted to. Even apparently simple undertakings like the availing to the public, of information on land planning schemes, or land available for allocation, or the names of beneficiaries of land allocation exercises, become undesirable. In Dar es Salaam, even street naming or house numbering appear to be too much for policy makers to enforce (Chapter Nine). Lack of transparency in land administration becomes the norm since this hides

¹⁰⁵ UNCHS, *Case study of sites and service schemes in Kenya...*

¹⁰⁶ G. Payne, *Informal Housing and Land Subdivisions in Third World Cities: A Review of the Literature*, Overseas Development Administration, London, 1989.

a lot of misdeeds. Farvacque and McAuslan¹⁰⁷ point out that, in many aspects of socio-economic organisation, but particularly in the area of land management, laws are procured and passed, or vice versa, by the economic and social elite to help them benefit from state activities, rather than meet any perceived need of society at large. Possession of a commodity like land, is the basis for obtaining, consolidating, and furthering the political and economic interests of particular social groups. Thus, besides the existence, and nature, of various regulations, the political and institutional framework within which these are introduced and enforced are as, if not more, crucial to the outcome.

Therefore, much as the role of land policy in ironing out market imperfections is acknowledged, it is submitted here that the efficiency criteria, in both the market and social equity senses, need not be the motivating force behind land policy measures. Exploitation, racism, and corruption, social domination, and power consolidation, self interests advancement, and political expediency, for example, have been overt or covert motives of land policy at various times. At the same time, an inefficient land policy framework can be preferred and defended by those deriving benefit from the status quo. Many times it is the interests of those with power that will determine what will, and what will not, be carried out.

1.2.5 Urban Land Policy in Africa: an Overview

With the exception of North Africa, parts of West Africa, and the Eastern coast of Africa, rapid urbanisation in Africa is a phenomenon identified with the colonial era, beginning during the latter half of the 19th Century. The great majority of Africa's urban centres were created, or greatly transformed during the colonial and post colonial eras. Numerous towns were created by Europeans for their own purposes of administration and trade, and these played a critical role in the process of colonial political domination; and in easing the extraction of profits by colonial business enterprises. Many towns that prospered were ports that were usually the termini of railway or road networks designed to tap resources from the interior. Urban areas were created at transportation termini or junctions, at major sources of extractable raw materials, and at other strategic locations aimed at easing the exploitation and

¹⁰⁷ Farvacque and McAuslan, *Reforming Land Policies*, p. 42.

administration of the colonies¹⁰⁸. Although increasingly diverse, post colonial cities in Africa are still characterised by performing predominantly commercial and administrative functions. Outside the Witwatersrand complex in South Africa and the Copperbelt in Zambia, there are few major industrial cities in Africa. Export-led industrialisation has not taken place. Instead import-substitution "dependent" industries are the most common¹⁰⁹.

Periodisation

The evolution of urban land policy in Africa can be divided into three phases as proposed by Mabogunje with reference to urban planning¹¹⁰.

The first phase runs from the late 19th century to 1945. Colonial urban land policy was guided by the need to shape colonial cities to serve the twin aims of colonialism i.e. exploitation and domination. Besides, policy was characterised by racial discrimination, partly justified by the concern with "public" (i.e. colonial officials') health - "the sanitation syndrome"-, and partly in order to to create a psychological atmosphere of African inferiority, to ease domination, and to heap privileges in land development on the European and other non-native populations. There was thus, differential investment in infrastructure and services, and these varied according to the races occupying the various areas, on the pretext that different races have different requirements. This is when the roots of colonialism were sown and when most legislation related to land tenure and township administration and development was formulated.

The second phase runs from 1946 to 1980 and bridges the colonial and post colonial eras and extends to the era of the economic crisis. This could be subdivided into three sub-periods:

(a) The 1946 to 1960 period, dominated by substantial investment in infrastructure, social

¹⁰⁸ A.M. O'Connor, *The African City*, African Publishing Company, New York, 1983.

¹⁰⁹ Simon, "Colonial cities, post colonial Africa and the World Economy"

¹¹⁰ Mabogunje, "Urban Planning..", p. 174n.

welfare, housing etc. partly as a result of popular agitation for better living conditions, and partly as a way of preparing the would be ex-colonies for continuity after the demise of colonialism, which was nigh in sight. The investment was a result of considerable funds from Britain to the Colonies provided under the *Colonial Development and Welfare Acts* of the 1940s. It was also the period of the Town and Country Planning Acts, urban master plans, and planning schemes. The colonial theme, according to Bowles, was "development"¹¹¹.

(b) The 1961 to 1970 period, dominated by the euphoria about national independence and development, and policy was geared towards consolidating these and to adorn privileges to the new local rulers. The theme during this period was "modernisation".

(c) The 1971 to 1980 period when failure to directly manage urban development was accepted and recourse made to "aided self-help", exemplified by undertakings such as sites and services schemes and the acceptance and upgrading of unplanned areas¹¹².

The third phase runs from 1980 to the present, when adverse economic problems affecting most African economies from about the mid 1970s became so acute, forcing new conceptions of development challenges. African cities are facing both an economic and managerial crisis. This period is characterised by governments being advised, or, trying, to adopt "enabling approaches", and it has brought in focus, stark evidence that African cities cannot hope to develop on the western industrialised city model¹¹³. Indeed, there are moves to redefine the African City to encompass selfhelp, urban agriculture, and the urban informal sector.

¹¹¹ B.D. Bowles, "The Political Economy of Colonial Tanganyika: 1939-61", in M.H.Y. Kaniki, (Ed), *Tanzania under Colonial Rule*, Longmans, London, 1979, pp. 164-191.

¹¹² Stren, "Large Cities in the Third World"

¹¹³ *ibid.*; C. Pugh, "Land Policies and low income housing in developing countries: A review with reference to Kenya and India", *Land Use Policy*, Vol. 9, No. 1, 1992, pp. 47-63.

(a) Colonial Urban Land Policy (to 1945)

In the broader context where various colonial policies were instituted to ensure the exploitation of the colonies, urban land policy throughout Africa was characterised by a dual system of access to land, aimed at restricting the rights of Africans from owning or registering land outside customary tenure¹¹⁴. In British colonies, a dual mandate of respecting customary law for the native population, and creating formal institutions and laws to administer land to non-natives, was in operation. In most instances, the covenants attached to government allocated land, e.g. land rents, premia, building covenants, etc., excluded most Africans from acquiring government land. The Township Ordinances of the 1920s, demanded such high standards of buildings, sanitation, ventilation and low density layouts, that the majority of Africans were excluded on account of cost alone¹¹⁵. In countries with a sizeable settler population in East and Central Africa, Resident Native Ordinances of the 1920s defined conditions of urban residence. Cities were for Europeans, or employed Africans only. In other countries, colonial governments acquired deportation powers, under various vagrancy ordinances, against natives resident in urban areas. Cities were usually surrounded by "reserves" or "locations" occupied by Africans until required for other uses, or until the African completed his work contract in an urban area. In many instances the problem of African residence was ignored by underbounding the urban areas; or by the use of "reserves" or "native towns" where Town Building Ordinances did not apply, or were not rigorously enforced. Government land allocated to non natives usually carried good security (e.g. 99 years) contrasting with annual leases typically extended to natives.

A second major strand of colonial urban land policy was segregation between the races in spatial patterning, influenced by public theories of diseases in the late 19th and early 20th centuries, which involved deep rooted fears on the part of Europeans about being infected by Africans and other races¹¹⁶. In 1897, it had been discovered that the mosquito was the vector for malaria. In 1898, British Colonial Secretary, Joseph Chamberlain, wrote to the

¹¹⁴ Lowder, *Inside Third World Cities*.

¹¹⁵ Collins, "Lusaka, Urban Planning in a British Colony.."

¹¹⁶ T.S. Gale, "Segregation in British West Africa", *Cahiers d'etudes Africaines*, 20, pp. 495-507.

Royal Society, for advice on how to control the disease. The Society replied in 1900 that, "segregation from the native is at present the only scheme for preventing malaria that offers the least possibility of success"¹¹⁷. Although not all colonial governors, or Europeans accepted that segregation was the answer, medical officers of health became extremely influential on colonial urban land policy in the early decade of the 20th century. In 1909, the principal medical officers of British West African colonies held their first joint conference, and promulgated a policy that all Europeans should be required to live in special reservations separated from the nearest African dwelling by at least 400 yards, a distance considered to be sufficiently wide enough as not to be transversed by mosquitoes or rats¹¹⁸. In East Africa, the *Bransby Williams Report* of 1906, and the *Simpson Report* of 1913 - both Reports being principally on Nairobi - recommended well defined and separate quarters for Europeans, "Asiatics", and Africans, in the interests of each community, and the healthiness of the locality, and of the country.¹¹⁹.

Segregation was achieved through the manipulation of land grants, and government jurisdiction, and the legal procedures attached thereto, reinforced by physical coercion. Europeans were discouraged from living outside their designated areas, or inside native areas. In some towns, e.g. Calabar and Dar es Salaam, Africans were denied permits to repair their houses so that they could eventually be removed when their houses got condemned and demolished¹²⁰. Major obstacles, e.g. railway tracks, industrial sites and commercial zones, as well as major open spaces, including golf courses, were used as "*cordon sanitaires*" for purposes of segregation. Such segregative policies are the causes of today's problems, with overcrowding and fabric deterioration in a number of former "native" areas in African cities, like Kariakoo in Dar es Salaam.

Indigenous systems of dealing with land problems were constrained during the decades

¹¹⁷ *ibid*, p. 496.

¹¹⁸ *ibid*, p. 498.

¹¹⁹ W.J. Simpson, *Report on Sanitation Matters in the East African Protectorate, Uganda and Zanzibar*, 1914, p. 53.

¹²⁰ Gale, "Segregation.." p. 497.

of colonialism and could not be recast, after independence was acquired, to generate investment at a very different scale of new technologies. In any case, such archaic systems were no longer trusted by the new rulers. All the same, wilful discrimination based on the grade of ethnic identity, meant that indigenous populations in most of African cities lived in worse conditions that if more egalitarian policies had been adopted.

The "Sanitation Syndrome"¹²¹ thus became the greatest motivator of early colonial urban land policy in general, and urban planning in particular; and resulted in the creation of different zones with adequate community-health and general sanitary conditions for the white races, and an inequitable investment on such infrastructure in African locations. The danger to public health emanating from Africans, was exaggerated out of all proportions, to ensure the enjoyment of considerable privileges in land, by the European populations in general, and government officials in particular. According to Lord Lugard, governor of Northern, and later all Nigeria between 1900 and 1919, investment in infrastructure in African areas was a waste of resources: "Such a community has no desire for municipal improvement. It neither appreciates nor desires clean water, sanitation or good roads and streets"¹²². Such a view was still being cherished in the 1940s. The following has been written on Nairobi:

The majority of Africans are not craving for a higher standard of living; they are often quite a happy folk in their squalour, dirt, and customs, which for many of us can only be described as wretched, degrading and revolting¹²³.

These two statements reveal another emphasis in colonial urban land policy: that Africans were accustomed to very low standards of living, and did not want anything better, and that, given limited resources Europeans had to maintain the standards they were used to. In practice, racial segregation was used to lavish privileges to the European population, some of

¹²¹ M. Swanson, "The Sanitation Syndrome: Bubonic Plague and Urban Native Policy in the Cape Colony, 1990-1909", *Journal of African History*, Vol. 18, 1977, pp. 387-410.

¹²² Quoted in, Gale, "Segregation in British West Africa", p. 502.

¹²³ A.M. Champion, *Native Welfare in Kenya*, Colonial Office, Nairobi, 1944, p. 8.

which they would not have enjoyed back in Europe. In Nigeria, according to Home¹²⁴, colonial administrators were able to enjoy a more spacious life style, with detached houses usually in one acre plots, clubs, race courses and other appurtenances of a country gentleman. Within the European residential areas, there was a measure of further segregation by class, with working class Europeans (such as railway locomotive drivers), kept segregated from the "more refined" middle class members of the British colonial administration, a situation reminiscent of Victorian England¹²⁵. In Dar es Salaam, for example, the European ordinary Railway staff residential area, was on the opposite side of town, away from government officials' residences. This, however, did not hinder the colonial authorities from removing a native settlement (Gerezani) that existed near these railway quarters (Chapter Four). Segregation also allowed the exploitation of African labour at minimum cost by keeping African designated areas minimally serviced.

The policy of racial segregation used the racial mirage to achieve ulterior ends, like toning down the possibility of demands for better social services by Africans. It was also an effective tool for colonial domination. Thus besides concern with health, segregation was undertaken because of the "security syndrome", and in order to perpetrate the African "inferiority syndrome", in order to ease domination and exploitation.

Besides its being dehumanising and apt to cause social tension, segregation was attacked because it was illogical and many times inequitable. For example, Africans continued to form a substantial, and in some cases, a majority of residents in European areas, although only in subservience to Europeans as houseworkers¹²⁶. Besides, as governor MacGregor of Lagos argued, segregation did not remove the "source of contamination" and would lead to the concentration on improving conditions in White areas and to the neglect of non-European areas. This was in fact what happened in many African cities. Instead, MacGregor called,

¹²⁴ R.K. Home, "Town Planning, Segregation, and Indirect Rule in Colonial Nigeria", *Third World Planning Review*, Vol. 5, No. 2, 1983, pp. 165-175.

¹²⁵ Gale, "Segregation in British West Africa ..", p. 166.

¹²⁶ J.L.L. Comhaire, "Urban Segregation and Racial Legislation in Africa", *American Sociological Review*, Vol. 15, No. 3, 1950, pp. 392-397.

for the eradication of mosquitoes, free distribution of quinine, and introduction of hygiene and sanitation courses in local schools. After all, plague, cholera etc. were the scourge of early urbanising Europe¹²⁷. Poverty and ignorance, it has been argued, should be treated as a social, not as a racial problem¹²⁸.

Measures advocated by Governor MacGregor were implemented in many urban areas, leading to better urban health¹²⁹ but segregation continued to be cherished because of the racial bigotry of many colonial officials. Lowder¹³⁰ notes that colonial officials included "a few despots, many upright, but not necessarily enlightened people, and others...". Many had been granted considerable powers, and were relatively free to act despotically, given the distance separating them from home.

Segregation was also inequitable. In many countries, Africans paid most taxes, but got back very little in return, in the form of services. In Kenya, income tax was first imposed on the white population in 1936, although Africans had been directly taxed since 1901 and provided the bulk of government revenue; while the white population benefited most substantially from the services provided¹³¹. In West Africa, well to do Africans were usually removed from their substantial residences to make room for European "reservation" areas¹³².

Segregation was more stringent in urban areas with a sizeable European population, or where permanent European settlement was envisaged, e.g. Nairobi, towns of the Copperbelt

¹²⁷ D.C.I. Okpala, "Received Concepts and Theories in African Urban Studies and Urban Management Strategies: A Critique", *Urban Studies*, Vol. 24, 1987, pp. 137-150; F. Berry, *Housing the Great British Failure*, George Knight, London, 1974.

¹²⁸ Comhaire, "Urban Segregation".

¹²⁹ Gale, "Segregation in British West Africa...".

¹³⁰ Lowder, *Inside Third World Cities*, p. 14.

¹³¹ J. Seeley, "Social Welfare in a Kenyan Town: Policy and Practice, 1902-1985", *African Affairs*, Vol. 86, No. 345, 1987, pp. 541-566.

¹³² Gale, "Segregation in British West Africa.."

in Zambia, and in Zimbabwe; and was insisted upon more by colonial officials rather than by the unofficial European population. The principle reached its apotheosis in South Africa in the form of apartheid¹³³. As a result, in most urban areas, European zones were well laid out and well serviced, while native zones developed with minimal services or building standards. This policy only began to lose importance in the late 1940s, but the essentially segregated nature of colonial cities persists even today. In Dar es Salaam, racial segregation was practised, until the eve of independence.

(b) Colonial Urban Land Policy (1946-1960)

By 1930, some changes were slowly taking place at the Colonial Office, and concern was being expressed for a strategic inroad into issues of colonial welfare. In 1929, a *Commonwealth Development Act* was enacted, which set aside some money for social development. The 1930s witnessed a number of influential reports on poverty and ill health in the colonies. These included the 1939 *Report of the Committee on Nutrition in the Colonial Empire*, and Lord Hailey's *African Survey* of 1938¹³⁴. It was being realised that colonialism would not last forever and that there was the need to create a new environment which would define new commonwealth relationships favourable to the colonising countries, after the reigns of power had been relinquished. In 1940, Lord Hailey was asked to survey the likely postwar trends in Britain's overseas dependencies. In his report, Hailey argued that colonial development must actively promote development and welfare activities, as well as change rules on colonial self-sufficiency in financial matters¹³⁵. The Second World War hastened change. In part, this was because many natives in the colonies became restive, demanding better socio-economic standards. A *Statement of Policy on Colonial Development and Welfare*, (White paper of February 1940) outlined steps to be taken in improving conditions in the colonies. This formed the basis of the first *Colonial Development and Welfare Act*, of 1940, in which a sum of five million pounds a year, was to be made available

¹³³ Mabogunje, "Urban Planning..", p. 138.

¹³⁴ D.J. Morgan, *The Origins of British Aid Policy 1924-1945: Volume I: The Official History of Colonial Development*, Macmillan, London, 1980.

¹³⁵ W.M. Hailey, *Native Administration and Political Development in British Tropical Africa*, Unpublished Report, Colonial Office, London, 1942.

for ten years, for schemes for any purpose likely to promote the development of resources of any colony, or the welfare of its people¹³⁶. In 1943, the broad lines on Colonial housing policy were set out in a paper on colonial affairs.

Urban land policy, was, during this period, dominated by the ten year development plans using the Colonial Development and Welfare Funds. Undertakings included construction or improvements in infrastructure like roads, water supply, drainage, sewage networks, and airports; and construction of public buildings including schools, hospitals, and health and social welfare centres. Tanganyika had its ten year planning running from 1946 and was extended to 1960. Most of Dar es Salaam's social and economic infrastructure, including the first government constructed African residential quarters, was constructed during the one and half decade before Independence (Chapter Five).

This was also the period when comprehensive town planning was accepted in most colonial cities. It was a period of Town and Country Planning Acts and urban Masterplans. The Nigerian Town and Country Planning Act, for example was passed in 1946. It had been prepared by Harry Ford, who, in 1949, prepared the Tanganyika one which became law in 1956. Comprehensive town and country planning was given prominence, as opposed to zoning and development control of the previous era. Masterplans were undertaken for many urban areas. Examples include the 1948 *Masterplan for A Colonial Capital*, for Nairobi,¹³⁷ and the 1949 *Outline Plan for Dar es Salaam* (Chapter Five). Investment was made in housing although invariably on racial lines. Africans in urban areas were no longer considered to be transitory, and research was made far and wide for a "low cost" house suitable for them. A conference of housing administrators took place in Johannesburg, South Africa, in 1952, to discuss ways and means of dealing with the question of African housing¹³⁸. Earlier on, in 1950, the *Vassey Report* in Kenya had recommended that the government increases

¹³⁶ F. Pedler, "British Planning and Private enterprise in Colonial Africa", in, P. Duignan and C.H. Ganns (Eds), *Colonialism in Africa 1870-1960: The Economics of Colonialism*, Cambridge University Press, Cambridge, 1975, pp. 113-117.

¹³⁷ T.T. White, et. al., *Nairobi: Masterplan for Colonial Capital: A Report prepared for the Municipal Council of Nairobi*, His Majesty's Stationery Office, London, 1948.

¹³⁸ R.S. King, "Houses for Tanganyikan Africans", *Corona*, Vol. 5, No. 11, 1953, pp. 411-451.

subsidised rental housing for Africans. Sites and services schemes, known as the *Vassey Schemes*, were provided by the colonial government in a number of Kenyan towns in 1951, whereby serviced plots with wet cores were allocated to Africans for self construction. The aim was to stabilise the African urban population. Loans in the form of building materials were usually provided¹³⁹. The first African owned housing estates, like that of Bahati in Nairobi, were created during this period. In many colonial urban areas, thousands of Government quarters were constructed. Africans mainly in junior government service usually got the smallest and least serviced units. Several planning schemes involving construction of infrastructure and increasing the supply of urban land were also undertaken.

Although still being practiced, racial segregation was giving way to segregation along socio-economic status lines. In Eastern Africa, this was exemplified by the Indians - some of whom had amassed considerable wealth during the War - taking up residences in former European citadels. At the same time many a European officials and non officials began seeing themselves as permanent settlers in Africa. To suit them, some land laws and procedures and conditions of employment which had previously prevented, or made it difficult for officials to acquire land were modified. In Tanzania for example, the *Land Ordinance* was amended in 1947 to allow the Governor to allocate land to non natives otherwise than through public auctions. As Lowder¹⁴⁰ observes, in the decade before independence, an economic class mechanism was superimposed on the earlier racist patterns and the policy of urban segregation was perpetuated with the aid of new criteria. The *Royal East Africa Commission Report* of the 1950s for example recommended the creation of a stable middle class African population in towns based on land and property ownership. In Nairobi this resulted in the creation of the first African owned housing estates like Bahati. In Dar es Salaam, Block W of the Magomeni area was set aside for this purpose. Long term rights of occupancy were also allocated to Africans for the first time. Construction in permanent materials was encouraged and long term financing facilities were set up (Chapter Five).

¹³⁹ UNCHS, *Case study of Sites and Services Schemes in Kenya*, p. 30.

¹⁴⁰ Lowder, *Inside Third World Cities*, p. 91.

(c) Urban Land Policy during the First Decade of Independence (1960-70).

Most African countries got independence in the early 1960s and all were determined to modernise their economies in general and their cities in particular. In most countries urban land policy was characterised by continuity rather than by change, because many of those who took over the reigns of power were trained by, and were trying to emulate, the former rulers¹⁴¹. Crowder argues that in most aspects of politico-socio-economic administration, African governments were merely carrying forward inherited codes and practices¹⁴². In the light of the attainment of Independence, and in the efforts to distance themselves with primitiveness, many a new governments got, or tried to get, rid of what they regarded to be symbols of backwardness. A number of slum/squatter areas in many countries was razed and replaced with modern structures, in order to give a proper picture of the new nation. The epitome of this was possibly Senegalese President Senghor's construction of a wall around the *bidonvilles* of Dakar, to keep them out of sight of the visitors as they drove to/from the airport¹⁴³. Nevertheless, the policy of slum/squatter area razing was politically inexpedient, and in any case governments could not cope with urban growth which increased dramatically after independence, so that in many countries, governments turned a blind eye to the squatter area development phenomenon. The force behind land policy was "modernisation" characterised not just by the new rulers stepping into the bungalows and office blocks of departing colonial officers¹⁴⁴, but also, by the creation of new symbols of national identity: Skyscraper office blocks, new airports and expressways, and modern housing estates, many of these, ostensibly earmarked for the "masses". This was necessary in order to consolidate national political power and seek legitimacy for the new rulers. "Africanisation policies" of jobs, commerce as well as of formerly non-African urban areas were undertaken. The new rulers heaped upon themselves, the privileges in land formerly enjoyed by colonial officials. People flocked by the thousand to towns in search of better opportunities despite "back to

¹⁴¹ A.D. King, "Exporting Planning: the colonial and neo-colonial experience", in G.E. Cherry (Ed), *Shaping an Urban World*, pp. 203-226.

¹⁴² M. Crowder, "Whose Dream was it anyway? Twenty years of African Independence", *African Affairs*, Vol. 86, No. 342, 1987, pp. 7-24.

¹⁴³ *ibid.*, p. 14.

¹⁴⁴ S.T. Barnes, "Public and Private Housing in West Africa.."

the village" campaigns and "operations", and despite rural development programmes. Many of these people beefed up unplanned settlements, which grew unabated. In Dar es Salaam, by the late 1970s, over 60% of the City's population was living in unplanned settlements.

(c) Urban Land Policy During the Second Decade of Independence (1970-80).

Towards the end of the 1960s the concept of modernization had run its course, under the sheer weight of rapid urbanisation in a situation of very limited wherewithal. Lowder¹⁴⁵ argues that no city in the developed world ever had to cope with sudden urban growth at the same time as national institutions had to be created and as local staffs, ill prepared as they were, took over key executive posts for the first time. The optimism that was expressed during the heydays of the immediate post independence period had to be tampered down. In terms of urban land policy, it was accepted that governments could not afford direct involvement e.g. in housing provision, but should, instead, work with, and reinforce peoples' efforts to house themselves and to improve their environment. These ideas found support in Turner's¹⁴⁶ experience in Latin America. This step down from the focus on direct provision of shelter was accepted not just in housing, but in other spheres of socio-economic urban life (like employment and income generation), and was supported by influential international bodies such as the World Bank¹⁴⁷. The informal sector was seen as an important source of employment and livelihood for many urbanites¹⁴⁸. Sites and services projects were undertaken in many cities. Unplanned settlements received some kind of government recognition. A number were "upgraded" and thus received some services. Burgess's protests against transferring the cost of labour reproduction to itself fell on deaf ears¹⁴⁹.

¹⁴⁵ Lowder, *Inside Third World Cities*, p. 94.

¹⁴⁶ J.F.C. Turner, "Barriers and Channels for Housing Development in Modernising Countries", *Journal of American Institute of Planners*, Vol. 33, 1967, pp. 354-363.

¹⁴⁷ World Bank, *Urbanisation: Sector Working Paper*, Washington D.C., 1972.

¹⁴⁸ International Labour Office (ILO), *Employment, Incomes, and Equality: a strategy for increasing productive employment in Kenya*, Geneva, 1972; K. Hart, "Informal income opportunities and urban employment in Ghana", *Journal of Modern African Studies*, Vol. 11, No. 1, 1973, pp. 69-89.

¹⁴⁹ R. Burgess, "Self-help housing advocacy: a curious form of radicalism. A critique of the work of John F.C. Turner", in P.M. Ward (Ed.), *Self-Help Housing: A critique*, Mansell, London, 1982, pp. 56-97. In any case, colonial policy with regard to land and labour was meant to transfer the cost of the reproduction of African labour, to itself.

It needs to be stressed, however, that sites and services and squatter upgrading projects were not a new invention of the 1970s. It was accepted Colonial policy to demarcate plots, many times with rudimentary or no services, on which natives could build in whatever materials. This was aimed at relieving the Colonial governments of having to provide housing for the colonised populations. In Dar es Salaam such demarcated plots were provided in such areas as Kariakoo from the 1900s; Ilala in the 1930s; and Kinondoni, Magomeni, Temeke, and Mwananyamala in the 1950s and the early 1960s. In Kenya, sites and services plots were provided by the Colonial government in the 1920s in Mombasa and were known as "village layouts". During the same period, a scheme to "upgrade" the insanitary and overcrowded Old Mombasa Town, was undertaken¹⁵⁰. In Nairobi, a sites and services scheme, similar to the one in Dar es Salaam's Kariakoo was undertaken in the Pumwani area in the 1920s, and in areas popularly known as "Majengo" in other urban areas in Kenya. Demarcated plots with wet cores (The "Vassey Schemes") were provided in Thika in the early 1950s. In the early 1960s, modern versions of the sites and services were undertaken in Kariobangi (Nairobi) and Changamwe (Mombasa)¹⁵¹. The presentation of the sites and services schemes of the late 1960s as being "new" approaches to dealing with the settlement problem in Africa's urban areas was aimed at providing a political rallying ideology to show that governments were really doing something about the plight of the poor, just as had been claimed with relation to direct provision of housing. Sites and services schemes, however, remained limited in relation to the shelter problem, and many of them ended up in the hands of middle to higher income groups in society. It is also important to note that while the majority of urbanites lived in unplanned areas, upgrading undertakings for such areas remained limited in scope and to a few showpieces, and even then, in relation to the externally supported projects to provide new sites, which have invariably ended up in the hands of higher income households. There is possibly not a single African country with an internally generated policy to deal effectively with unplanned areas apart from the turning of a blind eye to their growth. In countries like Zimbabwe, unplanned areas are still being bulldozed.

¹⁵⁰ R.E. Stren, *Housing the Urban Poor in Africa*, University of California, Berkeley, 1978, p. 126-132.

¹⁵¹ UNCHS, *Case Study of Sites and Services in Kenya*, pp. 23, 30, and 144.

The majority of unplanned areas lack most basics of land policy like cadastral, registration and land tenure records; and services and infrastructure like roads, water, sewage and electricity networks, and public open spaces. Many are chaotically developed, and are exposed to higher impacts of pollution as well as health and fire hazards. Yet these areas harbour between 40-90% of urbanites in many African cities¹⁵². Where planning schemes (e.g. sites and services) have been implemented, the regulations and procedures adopted for developing land, as well as the standards of infrastructure, have been those inherited from the colonial past, have tended to exclude low income households, and have been highly subsidised. Resources available to governments have been limited, and as such, the planning and servicing of land has also been highly curtailed, making serviced land, the arena of struggles between the powerful classes in society. Therefore, many of the urbanites, particularly those living in unplanned areas, live in worse conditions than would otherwise be the case if a more egalitarian and efficient land management and infrastructural policy was adopted.

Instead, colonial aspects of land policy (e.g. laws on land tenure and registration, building standards and regulations, and land acquisition and servicing by the public sector and its allocation for private use), continue to be upheld. Since this approach excludes (or marginally includes) unplanned areas, the official land delivery system serves only a minority.

(d) Urban Land Policy During the Current Period.

Since the mid 1970s many African countries have been facing acute economic problems, while urbanising fast. The urban population in sub-Saharan Africa is projected to be 37.9% of the total population by the year 2000 up from 14.9% in 1960 and 24.2% in 1980¹⁵³. The World Development Report for 1990 listed 79 countries in the low and middle income brackets, 34 (43%) of which were in sub-Saharan Africa. Of these 34, 28 (82%) had an urban growth rate of 5% or more between 1980 and 1988. Twenty seven African countries were in the low income brackets and constituted 64% of all countries in this category.

¹⁵² P.M. Syagga, "Myths and realities of low cost housing in Africa", *African Urban Quarterly*, Vol. 2, No. 3, 1987, pp. 202-211.

¹⁵³ United Nations, *Land for Human Settlements*, United Nations Centre for Human Settlements, Nairobi, 1984.

Overall, the annual urban growth rate for sub-Saharan African countries was 6.2% compared to 4.2% for Latin America, and 4% for South Asian Countries¹⁵⁴.

Rapid urbanisation coupled with poor economic performance has taunted many a governments' capabilities to sustain an effective urban land policy. Unplanned areas are growing unabated. Land planning and allocation, land use control, and infrastructure provision and maintenance, have all suffered adversely. A continuously growing proportion of the urban population is receiving less and less services, in what has been called "the service squeeze"¹⁵⁵.

Such a situation has led to a major re-evaluation of many of the hitherto held approaches towards urban land policy. For, it has been argued, very few countries have in the past found the time and will to revise their legal codes and administrative procedures inherited from the colonial era¹⁵⁶. Most practices of formal land delivery and management are ill suited to the social and economic realities obtaining in African cities, and have served most to limit the supply of land to the majority of urban inhabitants. As Mabogunje¹⁵⁷ has observed, despite laws to the contrary, governments in Sub-Saharan Africa exercise control over restricted areas of urban land and in most cases, in favour of a small elite class. Pugh¹⁵⁸ points out that the legitimised formality of orthodox town planning, with the designation of legal title, the establishment of utilities and infrastructure, and then the residential occupation of land, does not fit the needs and affordability of the poor. African governments are therefore under considerable pressure to review their approach to urban land management with particular reference to land policy, e.g. to reduce the irrelevant and impracticable standards adhered to in land planning, registration, surveying, servicing, and development; to create an "enabling"

¹⁵⁴ World Bank, *World Development Report for 1990: Poverty*, Oxford University Press, Washington DC, 1990.

¹⁵⁵ R.E. Stren, "Old wine in New Bottles? An overview of Africa's urban problems and the 'urban management' approach to dealing with them", *Environment and Urbanisation*, Vol. 3, No. 2, 1991, pp. 9-22.

¹⁵⁶ Lowder, *Inside Third World Cities*.

¹⁵⁷ Mabogunje "Urban planning..", p. 6.

¹⁵⁸ Pugh, "Land Policy and low income housing..", p. 49.

environment where informal land markets can work more efficiently; to work much more effectively with the private sector; to eliminate unnecessary bureaucracy and regulations; and to work more positively with all the urban residents, particularly those in the unplanned areas.¹⁵⁹ This is considered necessary so that the activities of the majority form the basis of urban land policy, instead of the latter concentrating on the minority, while ignoring, or suppressing the parallel land market and informal land delivery processes. There is however resistance against change not only because of adherence to "received concepts"¹⁶⁰ but also because major local interests are served by the status quo.

Conclusion

Mabogunje¹⁶¹ has argued that during colonialism, capitalist socio-economic relations did not effectively penetrate the colonies; so that major means of production i.e. land and labour were not fully commoditised. Instead of promoting capitalist transformation of their socio-economic relations, most African governments opted to weaken the role of the market in preference to direct administrative manipulation. This, in part was inherited, since colonial officers derived extensive privileges from administrative manipulation. (e.g. by allocating themselves well serviced large plots on which they lived, many times, rent and rates free). The result was the stark inability to undermine the "economy of affection"¹⁶² which manifests itself in the informal employment sector, customary land tenure holdings, etc. Under such conditions the state was not under major compulsion to intervene to minimise the inefficiencies of the market. Instead, the state acted in a curious way to manipulate the privileges emanating from land policy, (e.g. subsidised housing, free infrastructure, etc.). This could not be sustained for long, and governments have been slowly stepping down from this direct manipulation, first to sites and services and upgrading schemes and now to "enabling" policies. But even during this step down, the system was being manipulated, as is witnessed by the universal take over of low income housing schemes by the better off.

¹⁵⁹ Dowall, *The Land Market Assessment*.; UNCHS, *Guidelines for the improvement...*; UNCHS. *The reformulation of Building Acts ...*; UNCHS, *Case study of sites and services..*

¹⁶⁰ Okpala, "Received Concepts..."

¹⁶¹ Mabogunje, "Urban Planning.."

¹⁶² Hyden, *No Shortcut to progress.*

The ineffectiveness and inequitableness of government programmes has led to mounting pressure to allow market forces to work more efficiently. It is however realised that without planning and regulations, land markets are likely to generate enormous harmful external costs, and to fail to produce public facilities, major infrastructure, and urban services. This is perhaps already the case in many unplanned settlements. The solution to ineffective and counterproductive urban land policies is seen as not to do away with government intervention and policy initiatives, but to find a proper balance between the public and private sector with regard to urban land development and management¹⁶³. In other words, to have the land policy supporting private initiative.

But it is noted almost throughout Independent Africa, that the most enduring colonial legacy concerns the sets of institutions which still govern most spheres of action related to land policy e.g. laws, the civil service, attitudes to planning, local participation, and the structure and content of educational and health systems. Few countries have had the tenacity to face the challenge of entirely new systems. Consequently, the greatest legacy is intangible, and lies in the crucial realm which governs how decisions are made, by whom, and, for whom; and how implementation is effected¹⁶⁴.

1.3 Problem Identification

Dar es Salaam, the primate and capital city of Tanzania has grown in terms of population from 2000 people in 1888 to nearly 1,400,000 in 1988, and in terms of area, from a few acres to nearly 1,400 square kilometres during the same period. An observation of the current land use morphology of Dar es Salaam reveals that, while the city is systematically structured in some parts, it is developing chaotically in many others. This has resulted in various phenomena including: ribbon development along major lines of infrastructure; unplanned residential development (which now accommodates 70% of the City's population); poor information or control on the various developments in the city; poor or total lack of the usual urban infrastructure (e.g. roads, drains, water and electricity supply networks) in most

¹⁶³ Dowall, *The Land Market Assessment*.

¹⁶⁴ Lowder, *Inside Third World Cities*, p. 94.

neighbourhoods; environmental degradation as a result of uncontrolled development and use of hazard lands; unco-ordinated and incompatible redevelopment of inner city areas; a fairly low level of functional differentiation between retail trade, offices, small scale industry and residences; non development of a lot of officially allocated land; an overall low city density in terms of population per square kilometre; and so on. All these observations strike one as unusual, and call for a detailed investigation.

The above picture suggests that Dar es Salaam is not systematically structured either in form of functional zones, or of income levels, or of types of developments. It does not reflect a structure responding to either a city well ordered by government, or, to the niceties of the market theory. It is this kind of unpatterned, irregular, and hotch potchy development, inconsistent with good land use planning or with the economic theories of land use structure, which engendered interest leading to this study. The main aim of the study is to unravel the various forces that have led to Dar es Salaam's land use structure over a period of more than a century of development, with particular emphasis on the effects of land policy.

There is no doubt that several factors are responsible for Dar es Salaam's land use structure. In the foregoing review, we have concentrated on economic, historical and land policy factors as having a major impact on the evolution of the land use structure of urban areas. Which of these factors have been more prevalent in Dar es Salaam? Specifically, is Dar es Salaam's land use structure, the result of market forces as possibly supported by the government through land policy? Two hypotheses are put forward in the light of the problem identification outlined above.

1.4. Study Hypotheses

It is hypothesised that **due to the weaknesses in the formulation, enforcement and implementation of an effective land policy, accentuated by a number of changes in local and national political power structures, Dar es Salaam did not attract so much government attention as to influence its spatial structure significantly. As a result, the evolution of the mosaic of land use within the city is largely spontaneous.**

Alternatively is hypothesized that Dar es Salaam's spatial structure has been significantly affected by a discriminative and segregative land policy, leading to an inefficient and inequitable city land use structure.

1.5. Objectives of the Study

The objectives of this study were:

One, to find out the imprint on Dar es Salaam's land use structure, of the various forces economic, historical and policy impacts, in the light of the known economic theory of land uses. It was hoped to find that the market, as assisted by the government, would be the chief determinant of Dar es Salaam's land use structure

Two, to find out whether the trajectory of the evolution of Dar es Salaam's land use structure was similar to that taken by other cities in the Region in view of:

- o the changing rulers in Tanzania's history to whom Dar es Salaam was like a stepchild;
- o the absence of a strong caucus with a clear agenda for Dar es Salaam's development;
- o the different political ideology adopted in Tanzania after independence.

Three, to find out whether the motivation of land policy has been the drive for efficiency and equity in land uses.

1.6 Research Methodology

1.6.1 Data Collection

This work is based on an extensive study of archival material covering the colonial and post colonial eras. In this respect, much use has been made of documents kept by the National Archives in Dar es Salaam, the Universities of Dar es Salaam and Nairobi, the National Museum of Tanzania, the Dar es Salaam City Council and the Ministry of Lands. This was supplemented by current data on land uses kept by the Dar es Salaam City Council and the Ministry of Lands.

The second major method of investigation was participant observation. In this respect, Mabogunje's reservations on what he termed "the so called modern urban research techniques based on the relatively shallow mass interview and data collection ----"¹⁶⁵ was borne in mind, and it was realised that interviewing may not necessarily yield all the facets related to land policy, land use and development. Consequently, opportunity was seized to attend and to participate in various congregations related to urban land policy. This was all the more opportune since Tanzania had appointed a *Presential Commission on Land Matters* in January 1991 to look into the various problems related to land policy; and was formulating a new national land policy through the Ministry of Lands. The researcher was part of an early team preparing the deliberations on this new national land policy and acted as a national consultant on deliberations on urban land policy. Several meetings bringing together high ranking government officials connected with national land policy were attended, and opportunity was seized by the researcher, to discuss informally with these officials, the various aspects of past and current approaches to rural and urban land policy. Besides, the researcher was part of a team preparing the Dar es Salaam City Profile for the UNCHS-supported Sustainable Dar es Salaam Project. This provided opportunity to study various documents and expert studies and reports on Dar es Salaam. The numerous workshops and meetings arranged by this Project proved invaluable in providing opportunities for discussions with key officials and politicians on Dar es Salaam's development.

It was also deemed necessary to be a participant observer in the study areas in order to learn of the woes and aspirations of land developers, which could not come out clearly in short interviews. In this respect, sojourn extending over three months in each case, was taken in the areas of Kijitonyama, Mbezi and Mabibo (below). Participant observation and informal exchange of opinion with the area residents was carried out. Furthermore, in the case of Kijitonyama, the researcher participated in popular meetings aimed at "doing something about our roads". In Mbezi, the researcher gained first hand experience by collaborating with the area's developers, people trying to develop an area without any positive assistance from government land policy. In Mabibo, it was found very instructive to join the residents in their efforts to ward off ministerial land use designs for the area (which would

¹⁶⁵ Mabogunje, "Urban Planning..", p. 168.

have displaced the current residents), and, instead, to have the area surveyed and consolidated to respect the current users' wishes. It was an uphill task, but positive development was achieved, and a lot of insights into the effects of an inefficient land policy was gained. Besides, the researcher, has lived in Dar es Salaam for nearly twenty years.

Finally, in order to evaluate land policy vis a vis other variables, and to identify priorities, a questionnaire was administered. Because it would have been impossible to cover the whole of Dar es Salaam, it was decided to concentrate on areas which were facing a critical development situation; areas which would normally call for a positive and active response from public authorities through land policy. It was decided to evaluate the role of land policy in neighbourhoods selected from such areas.

One of such neighbourhoods was Kariakoo, an inner city area, formerly a native town, but now under immense pressure for redevelopment, with skyscrapers mushrooming, replacing the mud and daub *Swahili* houses. Other areas conceptually considered appropriate for the study were : an old unplanned area which has benefitted from some upgrading; an area beneficiary of the sites and service programmes of the 1970s; a new developing unplanned area, and a new developing planned area. Manzese, Kijitonyama, Mabibo and Mbezi were respectively randomly selected to represent such areas. Within each neighbourhood, an endeavour was made to interview one hundred randomly selected house/plot owners. A total of 500 house/plot owners were aimed at. Selection was made through the existing administrative 10-cell leader system. In each neighbourhood, the number of 10-cell leaders was identified, and ten of these were selected randomly. These latter were approached and 10 house/plot owners from each of the ten 10-cell leaders were selected, again randomly. It may be pertinent to mention that although originally each leader had just ten houses to look after, today many have several times that number; so that the interviewed houseowners had to be selected from a large group. The results of the interviews are presented in Chapter Eight. Besides the interviews, physical observation, mapping and recording of the various land uses in these neighbourhoods was done.

1.6.2 Data Analysis

The Conceptual Framework

Since the study has a historical dimension, historical deduction of evidence in each epoch was a major tool of analysis; bearing in mind the various aspects of land policy, and the advancement of the interests of the various actors on the scene, the resultant land use structure, and whether or not, such can structure can be considered as being efficient and equitable.

Urban Land Use Structure

A city's land use structure is considered to be the mosaic showing various dominant characteristics pertaining to land pieces in an area analysed. The major kinds of land uses identified are: Institutional (including Government), commercial, residential, industrial, transportation, recreational and open spaces, agricultural, and hazard. Residential uses usually occupy the largest proportion of the built up land in most urban areas, so concentration is focused on this use. Other complementary criteria like the race or social or income status of the land users are used in this study to highlight certain important characteristics of some areas.

Efficiency and Equity in Urban Land Policy

An evaluation of land policy entails two concepts of efficiency and equity. Efficiency concerns the maximisation of output from given resources, while equity implies fairness or justice in the distribution of society's benefits and penalties¹⁶⁶. In many instances, the drive for efficiency may reinforce or lead to inequality. However, the theory of government intervention in land uses e.g. using land policy, is based on the concept that the land market is extremely inefficient, and also that income redistribution is desirable. Therefore in evaluating land policy it may be indicative of efficiency if the policy removes or minimises those imperfections inherent in the private land market, thus leading to the minimisation of the costs of production, living, and social interaction. On the other hand economic efficiency may be compromised in order to achieve social equity. Figure 1.3 illustrates that households and firms, left on their own operate in an imperfect land market calling for the intervention of

¹⁶⁶ D.M. Smith, *Human Geography: A Welfare Approach*, Arnold, London, 1977.

public authorities through land policy. If properly conceived and implemented, land policy should lead to efficient economic or socially equitable land markets. That is the model that this study accepts.

However, land policy affects the distribution of costs and privileges emanating from the functioning of the land markets. It can therefore be used, or otherwise manipulated, in favour of one group of society against, or compared to, another. If land policy exists that is ineffective, or that leads to the malfunctioning of the land markets, it would be proper to consider such a policy to be inefficient. Table 1.1 posits the common tools of land policy against their intended aims. This is in fact an elaboration of the intervention of land policy into the working of the land market as shown in Figure 1.3. In evaluating land policy a question is asked as to what extent does the land policy achieve those aims. The degree of success or failure in this respect is taken as an indicator of the appropriateness of land policy.

Figure 1.3: The Role of Land Policy in Land Markets.

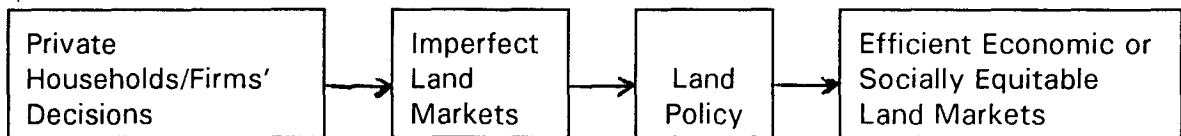


Table 1.1 Aims and Tools of Land Policy.

TOOLS OF LAND POLICY	AIMS OF LAND POLICY							
	Provide Public goods	Prevent Harmful Externalities	Provide Information	Reduce Monopolism	Taking care of future costs/benefits	Taking care of Communal risks	Provide Merit Goods	Redistribute Income
Land Tenure/ registration/transfer		*	*	*			*	*
Land Taxation	*	*		*				*
Land Use Regulation	*	*	*		*			
Direct Government Intervention:								
.Infrastructure	*	*	*		*	*	*	*
.Land Acquisition	*	*	*	*	*			*
.Direct Development							*	*
.Financing		*					*	*
.Cooperation with the private sector	*	*	*					
.Surgical Action	*						*	*
.National/Local investment decisions	*							

Further investigation was made into how far urban residents got the benefits of land policy in quantities and qualities that were not too divergent. Where, say, only a minority were found to enjoy such benefits, the land policy was considered to be inequitable, however efficient. On the other hand, an inefficient land policy is inequitable since it is likely to hurt the poor and the weak in society. Throughout this work, simple percentages have been used where relevant.

1.6.3 Data Presentation

In each of Chapters Three to Eight, facts, affecting the evolution of the landuse structure of Dar es Salaam are presented in a three variable framework that is, the general political economy of the epoch in question, land policy impacts and economic responses. A verdict,

based on historical deductions as to which of the above category of factors was more significant in affecting land use structure is thereafter presented at the end of each chapter.

Maps, diagrams, charts and tables, supplemented by various photographs have been extensively used in this work. Copies of some historical documents that are considered crucial to the understanding of the arguments and whose sources are not readily available, are included in the Appendices.

DAR ES SALAAM, A PROFILE

2.1 Geographical Characteristics

2.1.1 Location

Dar es Salaam is by far the largest urban area in Tanzania with a population, exceeding the total for the next eight ranked urban centres. It is still the *de facto* seat of Government, despite the declaration of the inland town of Dodoma as the country's capital since 1973. It is the country's chief commercial, economic, industrial, educational, transportation and cultural centre, as well as the country's chief port. It is connected by a network of roads, railways and waterways not only to the rest of the country, but also to neighbouring countries of Kenya, Uganda, Rwanda, Burundi, Zaire, Zambia and Malawi (Figure 2.1)

The city-region of Dar es Salaam is located between 6° 34' and 7° 10' south, and stretches along the Indian Ocean coast for about 100km from the mouth of the river Mpiji to the north to the river Mbezi to the south, and includes 8 offshore islands (Figure 2.2). It has a total area of 1387 sq.km of which 12.5% is densely built upon, accommodating over 90% of the city's population. The rural part comprises more than 30 small settlements, increasingly being penetrated by urbanites, and dependent for their economic life on the urban part.

2.1.2 Topography

The main topographical feature of Dar es Salam is the harbour penetrating almost 10km inland and, fed by the Mzinga and Kizinga Creeks (Figure 2.3). The inner harbour measures 96 hectares. With a width of some 700m and an adequate depth (after dredging in the late 1950s) for current seagoing vessels, it forms a natural marine turbulence shelter which attracted the city's founder (Zanzibar's Sultan Seyyid Majid bin Said), and later on, the German colonial Government. Although the harbour entrance is tricky, it is now well charted; making Dar es Salaam the most important port in the country. With eleven deep water

Figure 2.1 Tanzania: Tanzania Location of Dar es Salaam

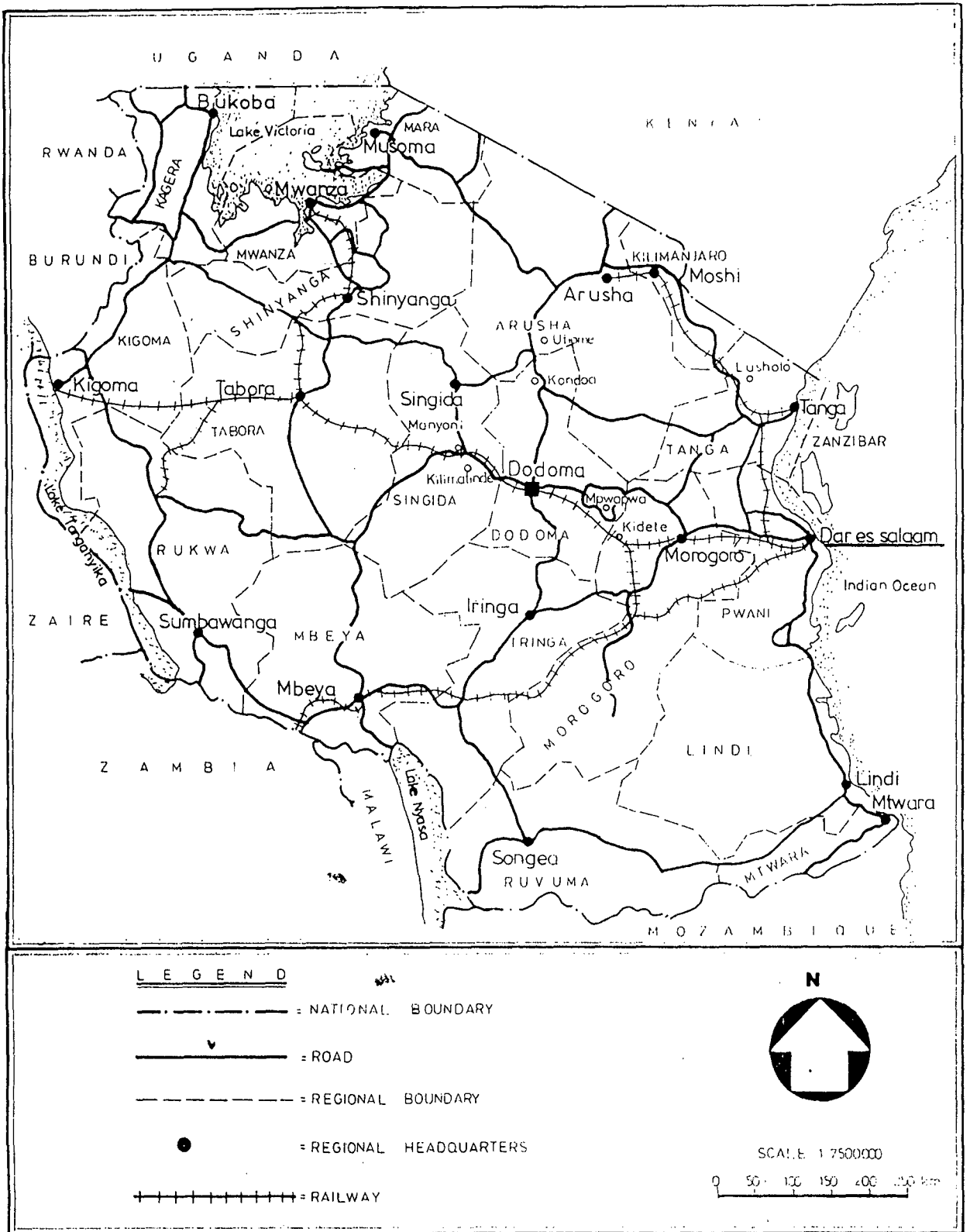


Figure 2.2 Dar es Salaam: City-region and ward boundaries

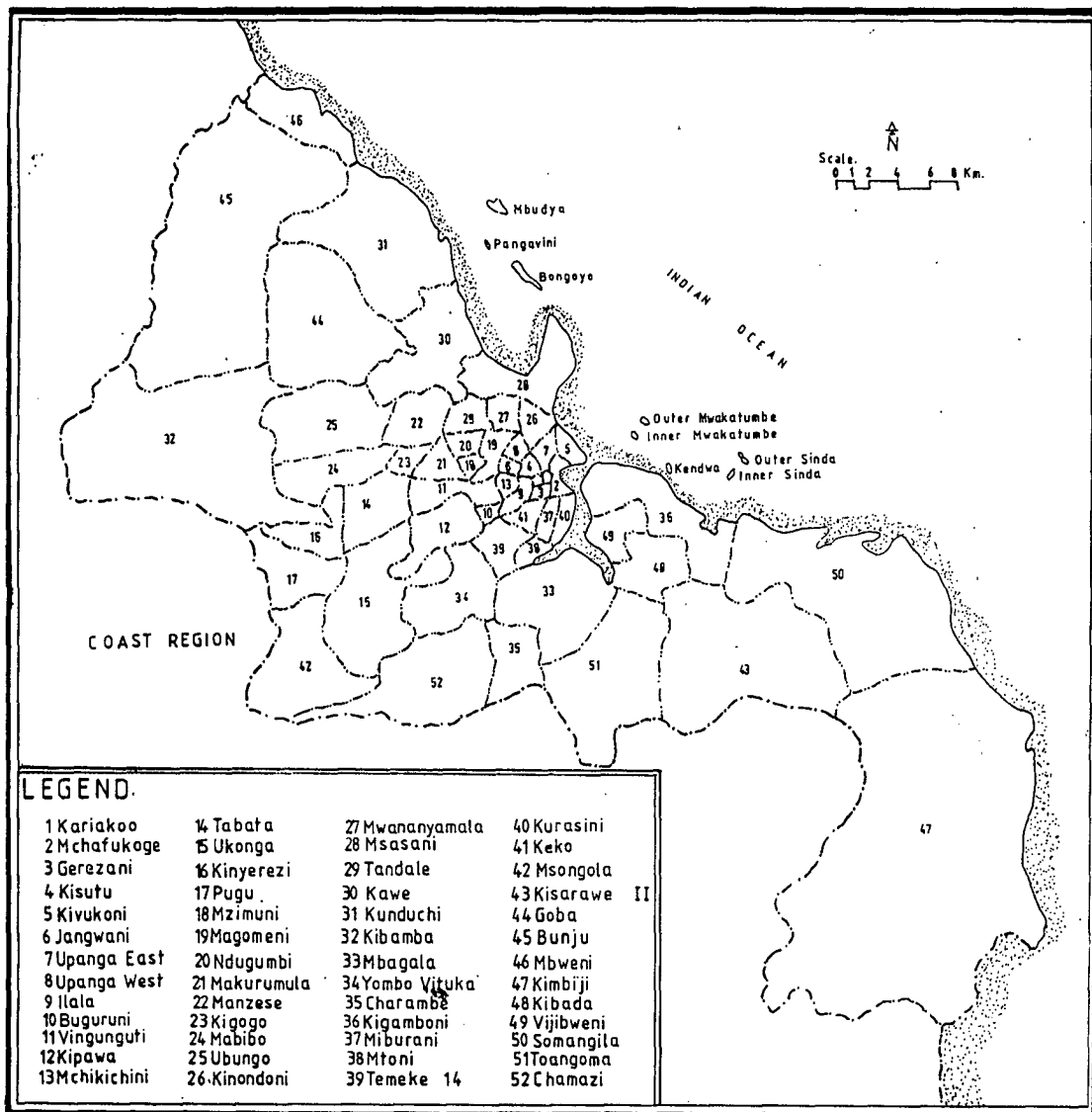
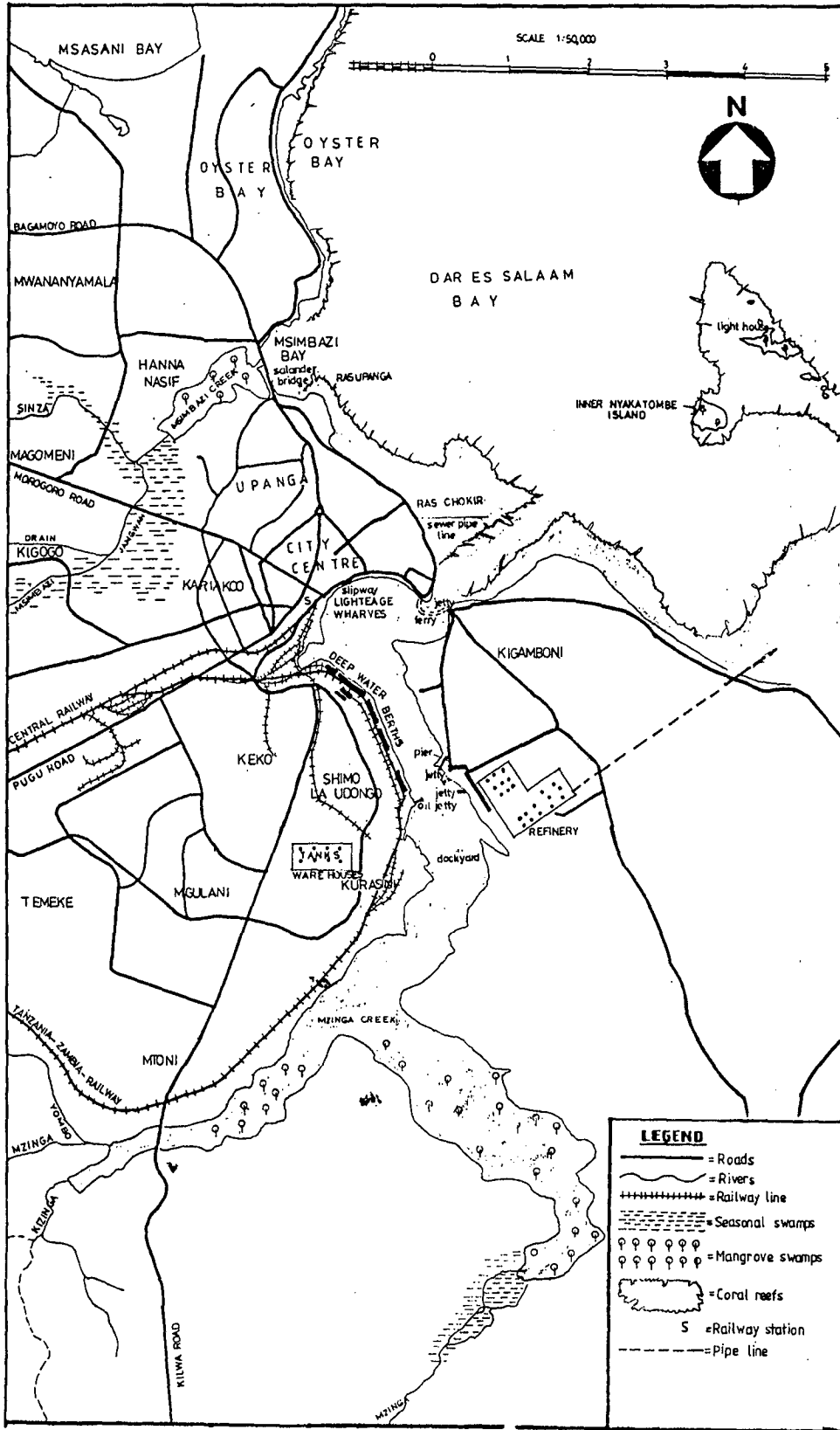


Figure 2.3 The Dar es Salaam harbour



berths, it handled over 92% of the country's port cargo between 1986-1990¹, as well as considerable cargo from Malawi, Zambia, Zaire, Rwanda and Uganda.

2.1.3 Physical Features²

Dar es Salaam's physical surface can be divided into two contrasted regions: the coastal plain and the inland plateau (Figures 2.4a and 2.4b)

The Coastal Plain: Mbweni to Ras Dege

The Coastal plain between Mbweni to the North and Ras Dege to the South is clearly defined West and Northwest of the city centre. To the west, it is some 10 kilometres wide, but northwards, at Kawe, it narrows to 2 kilometres, before widening to 8 kilometres at Mpiji River. To the south east, it is between 5 and 8 kilometres wide. Overall, this is an area of fairly uniform relief with gradients of less than 3%, but steeper ones exist along the slopes of the Mzinga and Msimbazi valleys. The overlying rocks are of Pleistocene era and the overlying soils are mainly clay bound sands. Surface exposure of the plain varies. Along the inland margin there is a cover of coarse washed sands (colluvium) extending out from the hillfoot margins. Seaward of the colluvium apron, buff to brown sands underlie the surface. The seaward fringe of the coastal plain in the neighbourhoods of Dar es Salaam is generally formed of raised coral reef limestones. The lower coastal plain has two further features: circular ponds, pochmarks and small depressions locally known as *Bwawas*. There are nearly 100 *bwawas* within 15 kilometres of the centre of Dar es Salaam. Also there are several linear swamp depressions, (so-called lakes of the city), many of which result from natural valley damming. The lakes occupy pre-existing stream-valley lines with steep banks. Their surfaces are generally overgrown by swamp vegetation; and all occupy tributaries of the more important stream systems. The more well known of the "Lakes" are Tandale, Minyonyoni, Tenge, Makurumla, Magomeni and Mwananyamala (Figure 2.6). Some sections of the coastal plain are heavily dissected e.g. in the Msimbazi, Mzinga and Kizinga catchments; and

¹ Tanzania, *Economic Survey for the year 1990*, Government Printer, Dar es Salaam, 1990, Table 60.

² See P.H. Temple, "Aspects of the Geomorphology of the Dar es Salaam Area", *Tanzania Notes and Records*, No. 71, 1970, pp. 21-54.

Figure 2.4a Dar es Salaam: Land Forms

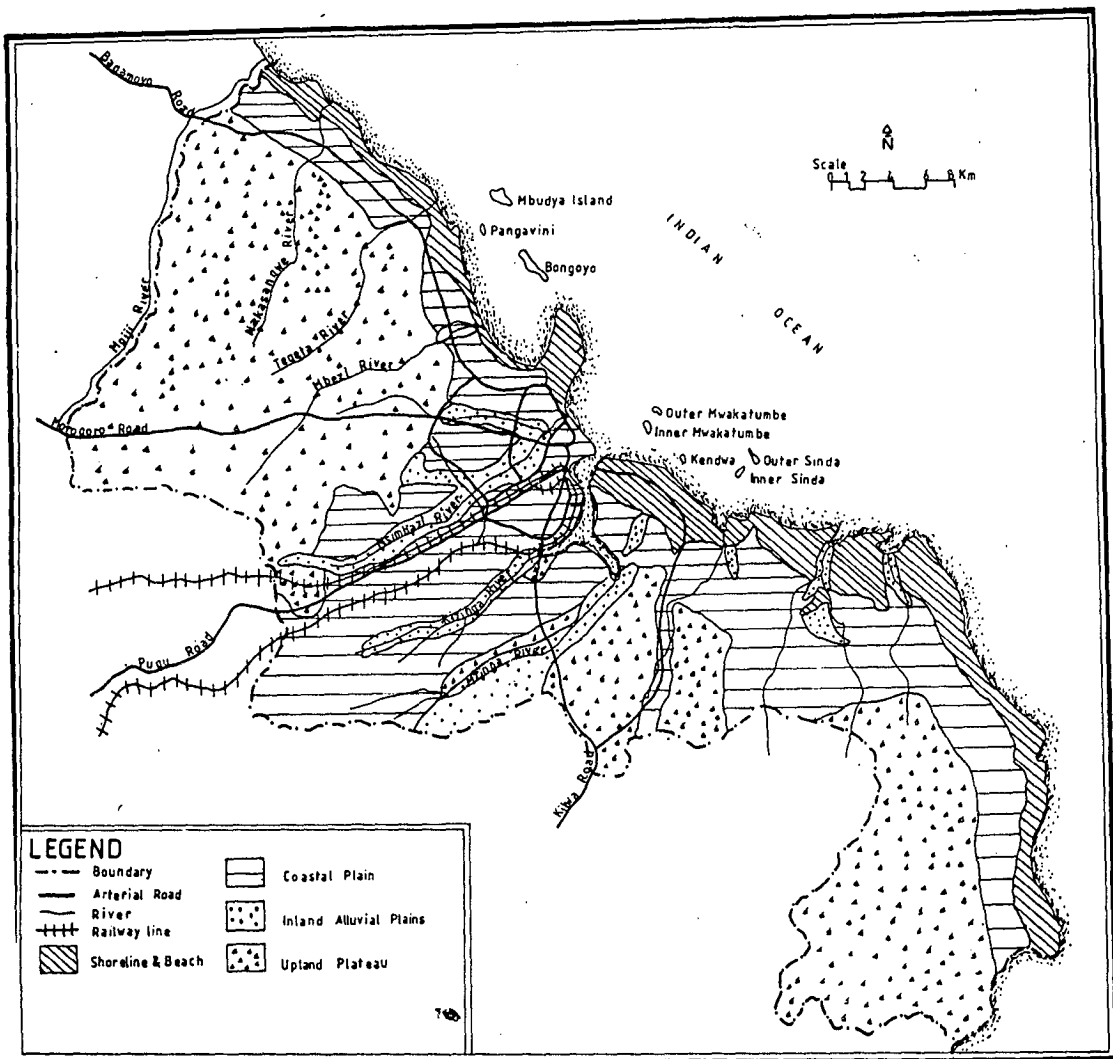
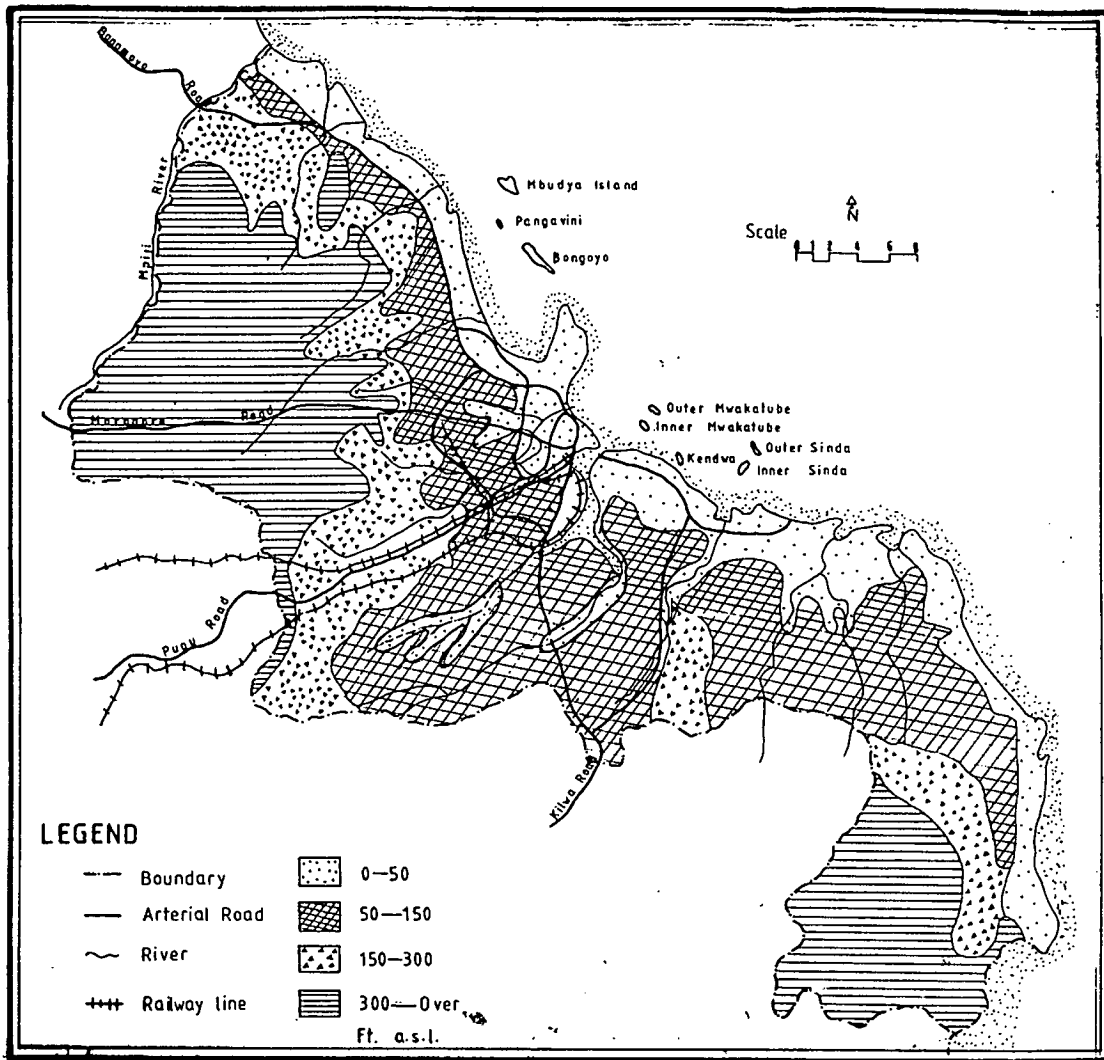


Figure 2.4b Dar es Salaam: Topography



wherever major plateau streams debouch across the coastal plain, as in Mbezi and the lower Mpiji valleys. The main valleys themselves are markedly steep sided and flat-bottomed; terminating in active alluvial deltas which are infilling the head of the ria systems that enclose them.

The Coastal Plain: Ras Dege to Kimbiji

South-east of Dar es Salaam, the relief of the coastal plain is more irregular and raises to greater heights inland of Ras Kimbiji. Immediately inland of Ras Kimbiji, topography has special characters associated with outcrops of the lower Miocene clay-bound sands which give rise to a strongly marked tellis drainage, while at the coast, raised limestones most likely correlated to those at Wazo and Kunduchi are faulted and elevated forming seacliffs, 30m high.

South of the Kimbiji-Buyuni Peninsula, the coastal plain is formed of an extensive complex of beach ridges between 8 and 10 kilometres wide, covered with loose tan-brown and grey sands. The barriers run parallel to the present coastline and deflect local drainage. Inland of these barrier sand ridges, the coastal plain extends with a more uniform but gradually rising slope some five to seven kilometres to the faulted edge of the clay bound sands prominent to the west of Msorwa.

The Inland Plateau

This is the margin of an extensive plateau extending 70 kilometres westwards to its boundary with the Ruvu valley. The plateau has relatively uniform relief raising to over 330 metres above sealevel in the Pugu Hills but with average elevation ranging between 100 to 200 metres. The plateau can be subdivided into: The Hill Zone South of Dar es Salaam; the Pugu Hills; the clay bound sands plateau; and the raised reef limestones of Wazo-Kunduchi.

. *The Hill Zone South of Dar es Salaam:* This comprises two flat topped hill ridges extending south-south-west from the Mzinga Creek parallel to the coast and seperated from the Pugu block by a parallel depression which extends through the headwaters of the Mzinga River over the watershed into the Southern Mbezi catchment area and the Lake Mansi depression. The faulted ridges show the intricate relief and dissection patterns characteristic of the eroded

areas of the main clay-bound sand plateau.

. *Pugu Hills:* These are south-west of Dar es Salaam and form the highest land area in the environs of the City. They represent an uplifted and tilted fault-defined block underlain by medium-grained off-white kaolinitic sandstones.

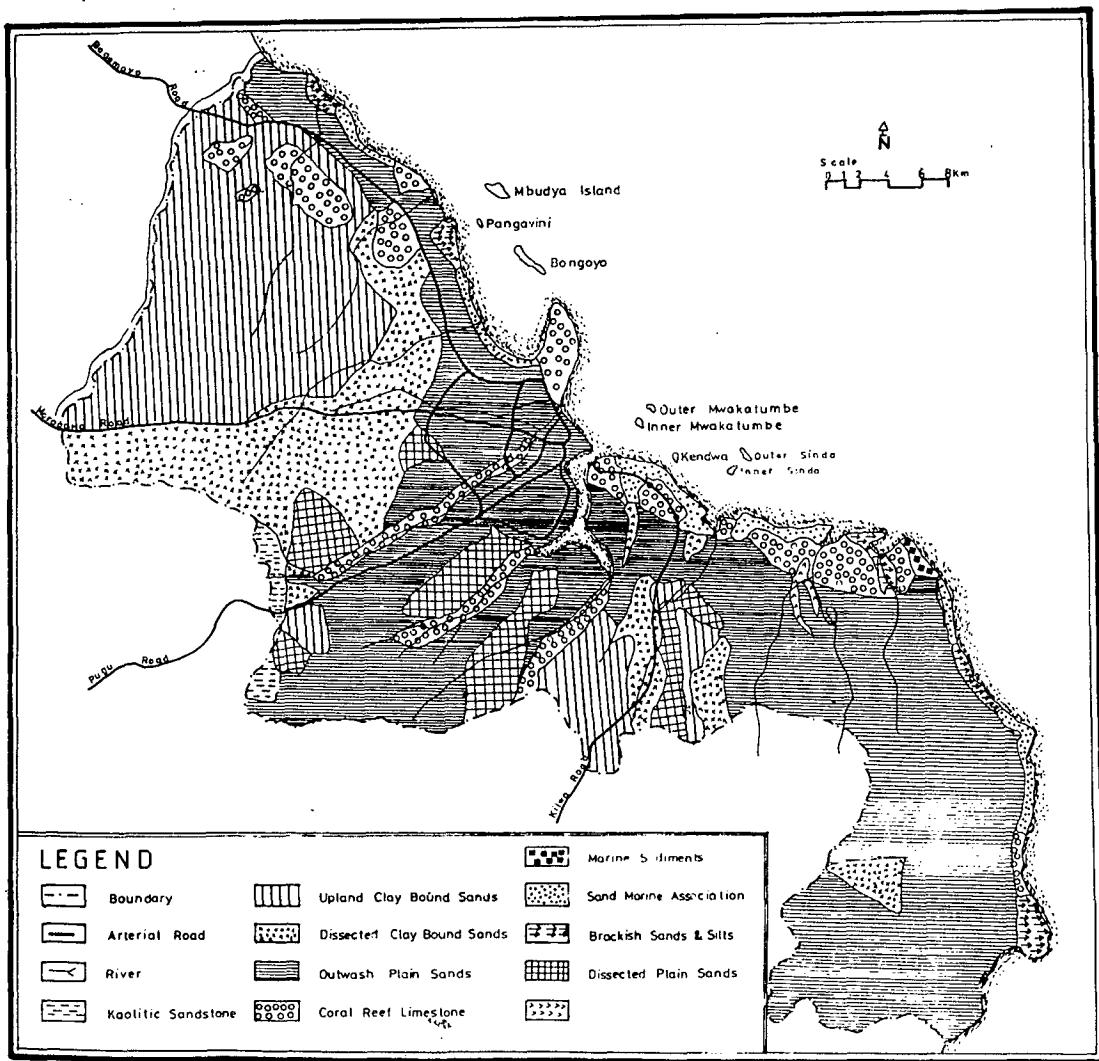
. *Clay-bound Sands Plateau:* The largest part of the inland plateau however is underlain by clay-bound sands except the Pugu Hills, and the limited zones of raised reef and limestone. The edge of the plateau is very dissected particularly to the east as can be seen along the Dar es Salaam-Morogoro Road to Kibaha, but further inland, relief is more uniform. Spectacular gullying is common along the eastern fault margin particularly where bush has been removed for cultivation, or by cattle tracks. The clay-bound sands are generally soft, poorly consolidated and poorly-bedded and therefore unfossiliferous and easily weathering.

. *Raised reef limestones of Wazo-Kunduchi and Kimbiji-Buyuni:* Raised coral limestone underlie limited sections of the eastern edge of the inland plateau in the Wazo-Kunduchi area with outcrops rising fifty to one hundred and twenty metres above sea level. Comparable limestones are to be found inland of Kimbiji and Buyuni at the seaward margin of the coastal plain.

General observations

Figures 2.4a and 2.4b respectively show the land form and topography of the Dar es Salaam area while figure 2.5 is a simplified distribution map of soils in the area. The profile presented has important connotations for urbanisation and environmental management. Areas suited for natural vegetation are well shown, and are those areas characterised by alluvium or saline soils with mangrove and organic soils. The areas overlain with sandy clays and clayey sands are also characterised by almost flat relief. This makes such areas suitable for building although problems of drainage may be experienced. The dissected clays and clayey sands located on steeper land are perhaps not the best suited for agriculture since they are loose and liable to erosion, but they are also ill suited for high density urban development. Therefore they are best left to agricultural and low density uses. The Redzinas are good for

Figure 2.5 Dar es Salaam: Simplified soil distribution map of the area



building upon, but are also good for the extraction of limestone and coral stone for building purposes, or for cement manufacturing. This causes pollution and environmental degradation.

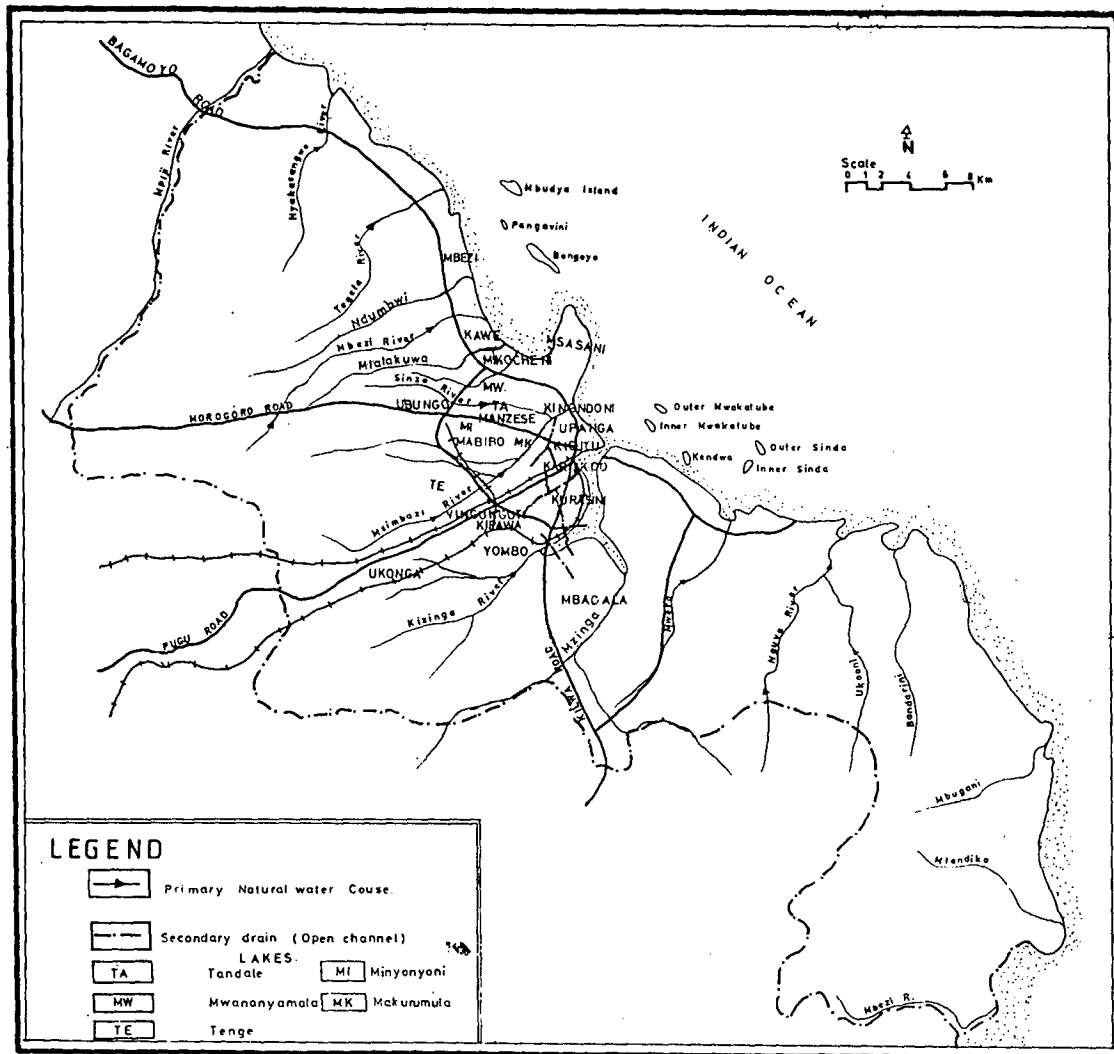
Land best suited for natural vegetation (excluding forests) is considered to be river valleys, swamps and lakes. Dar es Salaam has many of these which include (with areas in square kilometres shown in brackets) the following: The valleys of rivers Nguva/Kisarawe/Ukooni (2.3 sq.km); Mbwa Maji (0.5 sq.km); Mwasonga (2.1 sq.km); Mwera (2.0 sq.km); Shangweni, (0.5 sq.km); Kisiwani, (1.8 sq.km); Kiwanjani, (0.3 sq.km); Mzinga (including its tributaries of Mkokozzi and Bunguni) (18.2 sq.km); the Kizinga (including its tributaries of Kinyamwezi, Yombo, Kurutini, Temeke and Mzinga), (5.8sq.km); the Msimbazi (including its tributaries of Kinyerezi, Luhanga, Ubungo and Sinza, plus lakes Makurumla, Magomeni, Tenge, Mwananyamala and Tandale) (35 sq.km); and rivers like Kijitonyama, Mlalakuwa, Mbezi, Tegeta, and Mpiji with restricted areas for natural vegetation.

Other areas considered suitable for natural vegetation are mangrove tree swamps. These include those at Dege/Bandarini (2.25 sq.km); Nguva (0.3 sq.km); Kibugumo (1.1 sq.km) the Mzinga Creek fork (2.0sq.km); the Msimbazi mouth (0.5 sq.km) Jangwani Beach (1.2 sq.km) and from Mbweni northwards along the coast (10 sq.km).

2.1.4 Drainage

Various rivers, streams, lakes and swamps drain the Dar es Salaam area (Figure 2.6). Some, like the Msimbazi river have had significant effects on the development of Dar es Salaam. Among the most important of these are, from the south northwards: the Mbezi river; Nguva/Kisarawe/Ukooni rivers; Mzinga river, including its tributaries of Mkokozzi and Bunguni; the Kizinga river, including its tributaries of Kinyamwezi, Yombo, Kurutini, Temeke and Mzinga; and the Msimbazi River including its tributaries of Kinyerezi, Luhanga, Ubungo, Sinza and Lakes Makurumla, Magomeni, Tenge, Mwananyamala and Tandale. Others are rivers Kijitonyama, Mlalakuwa, Mbezi, Tegeta, Nyakasangwe, and Mpiji. These rivers provide the primary drainage network for Dar es Salaam. A number have U shaped steep valleys and most have wide flood plains suitable for natural vegetation. Unfortunately, a number of these rivers, particularly the Msimbazi, have been subjected to uncontrolled and untreated discharges including industrial effluents, causing serious pollution. Valleys for these rivers,

Figure 2.6 Dar es Salaam: Lakes and Rivers



which have traditionally been the target for small agriculturists, have also been the target of residential, and in some cases industrial development. Expansion of uncontrolled settlements into flood plain areas, and unco-ordinated developments that block natural drainage patterns have made flooding a widespread problem in the city which can last for several weeks in lowlying areas or in those areas with low soil permeability and/or high groundwater table conditions. Rivers Msimbazi, Kijitonyama, Mbezi, Mpiji and Mzinga have in the past formed, or still currently form, part of Dar es Salaam's boundary.

2.1.5 Vegetation

The coastal plain has a semi-arid vegetation with some agriculture along roads and rivers. At the coastal fringe, palm groves and some swamp vegetation like mangroves or reeds occur. Swamp vegetation is to be found in the depressions of Mbwamaji, Mwasonga, Mwera, Shangweni Kisiwani and Kiwanjani, while mangrove tree swamps are to be found at Dege/Bandarini; Nguva; Kibugumo; the Mzinga creek fork; the Msimbazi river mouth, Jangwani Beach, and from Mbweni, northwards.

Woodlands and forests are found in the Western and South-western part comprising two forest reserves i.e. Pande and Vikindu. All natural vegetation is under considerable pressure to give way for urban development and agriculture, and to provide timber for building and fuel.

2.1.6 Climate

The climate around Dar es Salaam is greatly influenced by the monsoon winds which blow South to South-east from April to October, and North and North-east between November and March. The June to October period is generally cool while the December to February one is hot. Short rains are experienced during November to December and the long rains during March to May. Most of the total rains come in short downpours. The rainfall of under 1100 millimetres a year is slightly less than one would expect for an equatorial east coast area.

Dar es Salaam has a hot and humid climate with small seasonal and daily variations. The mean daily temperature is about 26°C, the mean seasonal range, about 40°C and the mean daily range about 8°C. The relative humidity reaches 100% on nearly every night and rarely drops below 55% during the day. The sea has a great moderating influence on temperatures;

hence the preference for beach residences by colonial officials and Europeans, and hence the high value put on land by the Ocean, and the social struggle to control such land as described later in this document. In the pre-airconditioning days at the beginning of this century, Dar es Salaam's climate led to the design of the German residences characterised by wide verandahs. Dar es Salaam's climate has been a factor that was often quoted to justify proposals to transfer the country's capital city since colonial times. Air conditioning or other man-made modification to the climate is desirable and has been widely adopted in most residential and office space.

2.2 The Managerial Set Up

2.2.1 Socio-economic Setting

Dar es Salaam remains the primate city and undisputed administrative, commercial, industrial and transportation dominance in the country. In 1989 it had 37.4% of the nation's industrial establishments, 36.3% of industrial employees, 36.4% of industrial employers and 48.8% of industrial wages³.

The bulk of the Country's employment in the service sector is also concentrated in Dar es Salam, a city which in 1989 consumed 62% of the country's electricity, although it had only 25% of the country's urban population.

The area around Dar es Salaam was traditionally occupied by a local people called the Wazaramo, but it is doubtful whether they form the majority of Dar es Salaam's residents at the moment. Raum⁴ notes that, of Dar es Salaam's 16,000 residents in 1903, three quarters were "tribesmen from the interior". Dar es Salaam has been a focus of immigration from all parts of the country, and from Asia and Europe, so that many races and ethnic groups are represented in the City. It is noteworthy that among the owners of land at the periphery of the town are people connected with the pre-colonial caravan trade, and the colonial plantation economy, i.e. the Wanyamwezi, Wagogo and the Wamakonde.

³ Tanzania, *Economic Survey for the Year 1990*, Table 52A.

⁴ O.F. Raum, "German East Africa: Changes in African Tribal life under German Administration, 1892-1914", in V. Harlow, E.M. Chilver, and A. Smith (Eds), *History of East Africa*, Oxford University Press, London, 1965, pp. 163-208.

2.2.2 Demographic Development

Table 2.1 gives the population growth of Dar es Salaam for the past 100 years from 1887 to 1988 when the last population census was undertaken. The racial breakdown of the population is available only for the colonial period, during which various policies including that on land were based on the race factor.

In the years before 1948 Dar es Salaam was a small town and grew relatively slowly at 2.6% p.a. For the 40 years after 1948, it grew at an impressive rate of 7.7% p.a. This suggests that most of Dar es Salaam's growth is a post World War II phenomenon, and that prior to that period, the small size of the town allowed the authorities freedom to be able to exert control on the direction of the town's development. After 1948, and particularly since Independence, direct control of Dar es Salaam's development has been less easy on account of the sheer numbers of people being added to the city per annum.

Table 2.1 Dar es Salaam: Population Growth, 1887-1988

Years	Population				
	African	Asian	European	Others	Total
1887*		350			2,000
1894**	9,000	620	400		10,000
1900**	18,000	1,480	360		20,000
1913**	19,000	2,500	1,000		22,500
1921	20,000	4,000	600		24,600
1931	24,000	9,000	1,330		34,300
1948	50,765	16,726	1,726		69,277
1957	93,363	29,986	4,479	914	128,742
1967					272,821
1978					843,090
1988					1,360,850

Sources: Population census, relevant years except:

* S. von Sicard, *The Lutheran Church on the Coast of Tanzania 1887-1914*, Almquist and Wiksells Boktryckeri AB, Upsalla, 1970, p.59, and,

** C.C. Gillman, "Dar es Salaam, 1860-1940: A story of growth and change", *Tanzania Notes and Records*, No. 20, 1945, pp. 1-23.

The 1988 census figures which show that Dar es Salaam had grown at only 4.9% p.a.

from 1978 has been generally accepted unwillingly. While there has been some let up in the growth of the largest urban areas in subsaharan Africa, the fall in Dar es Salaam's growth rate from 10.8% p.a. between 1967 and 1978 to 4.9% between 1978 and 1988 is too drastic to accept. A study by a group of consultants⁵ put Dar es Salaam's population in 1988 in excess of 1.7 million people. Currently, the Dar es Salaam City Council estimates the city's population to be over 2.4 million people.

Dr. R. R. Scott, Executive Officer, Dar es Salaam Township Authority in the 1920s, gives the population of Dar es Salaam as 34,000 in 1914 and 16,000 in 1921, quoting census figures in the latter case. It is difficult to reconcile these figures and those given in Table 2.1, although the observation that Dar es Salaam's population fell by more than half between 1914 and 1921 is difficult to conceive⁶.

2.2.3 Development Perspectives

Introduction

Unlike the old East African coastal towns of Kilwa, Zanzibar, Mombasa, Lamu, Malindi, etc., Dar es Salaam is a relatively new town of the 19th century. The town's founder, Sultan Majid bin Said did not see Dar es Salaam in terms of the typical old Arab settlements like Zanzibar's old town. He had Dar es Salaam planned from the beginning, most probably by Europeans⁷. Majid's new town went into decline after his death when it was barely five years old. However any spontaneity that may have taken place during this period was soon to be rectified by the towns' new rulers: the German and the British colonial administrators. These rulers ensured that the town complied to some prepared plan. Kariakoo, the old African settlement which had developed on a former Sultan's plantation was in fact planned and regularised both during the German and British periods. It resembles similarly planned areas in other African colonial towns like Pumwani location in Nairobi. Dar es Salaam therefore does not have the "stone town" or "the old island", or the "indigenous city" that Zanzibar,

⁵ Tanzania, Preliminary Study on Drainage for Dar es Salaam, Haskoning and M-Consult, 1989.

⁶ See R.R. Scott, "Public Health in Dar es Salaam in the Twenties", *East African Medical Journal*, Vol.40, No.7, 1963, p. 347.

⁷ W. de Boer, Urban Renewal and Rehabilitation in Kariakoo, Dar Es Salaam. Part one: Prestudies/Recommendations, (Mimeo), Ardhi Institute, Dar es Salaam, 1984, p. 21.

Mombasa or Ibadan, (respectively), have for example.

A general observation of Dar es Salaam's early development suggests that until the 1950s, the city's growth was influenced by Government policy to develop in an eight o'clock fashion with African as well as Industrial areas growing southwestwards between Pugu Road and Msimbazi river, and European areas growing northwards along the Ocean. Asian areas remained at the hub, sandwiched in the central area, but overspilling to nearby Upanga area.

During the 1950s the town's boundaries were extended as new residential neighbourhoods mainly for Africans were planned by the government in the areas of Temeke, Ilala, Magomeni and Kinondoni; and as subdivisions for non African housing were undertaken on public land like in Oysterbay and Kurasini, and on private estates of Victoria, Regent, and Ada.

Unplanned and Spontaneous Development

While spontaneous unplanned settlement development has been a feature of Dar es Salaam since the pre-1920 period many such settlements that grew up were usually cleared or regularised by the colonial authorities. After 1948, unplanned settlements became a serious problem. However, with a buoyant postwar economy in the country, plus funding from the Colonial Welfare Development Fund, unplanned settlements growth was kept under check.

The current unplanned development in Dar es Salaam is therefore a post-Independence phenomenon. In 1960, the Land Office estimated that there were 5,000 squatter houses in Dar es Salaam. In 1963, a survey by the Town Planning Division based on aerial photographs found 7,000 such houses. In 1972 a survey by the Ministry for Lands, Housing and Urban development found 27,981 squatter houses accommodating 223,843 people. The Dar es Salaam 1979 Masterplan study identified 25 unplanned settlement accommodating 478,489 people (60% of the City's population), in 43,501 residential units, and covering an area of 2,349 hectares. A study of various land use and population documents indicated that in 1988, there were at least 40 unplanned areas in Dar es Salaam covering some 5,236 hectares and accommodating an estimated 950,000 people (i.e 70% of Dar es Salaam's population). Thus a major characteristic of Dar es Salaam's growth is the preponderance of unplanned

development through both structure intensification in existing unplanned areas and through the colonisation of new areas (Chapter 7).

Observers of Dar es Salaam's unplanned areas have noted that a cross section of all income groups are to be found in such areas. Moreover lack of services is not the distinguishing factor between planned and unplanned areas because both suffer from deprivation of such services⁸. Also Dar es Salaam does not have the makeshift housing that is typical of unplanned areas in many cities of Third World countries. A recent study of three unplanned areas in Dar es Salaam carried out by the Department of Urban Planning of Ardhi Institute throws some light on the conditions obtaining in Dar es Salaam's unplanned areas (Table 2.2). Buguruni, the oldest of the three, has a low incidence of the use of permanent building materials defined as concrete or cement blocks and corrugated iron roofs, while Mabibo, the newest, has 90% of its houses constructed in permanent materials. This is a clear indication of the confidence that developers have in their unplanned areas. As can be observed from Table 2.2, population densities in these unplanned areas are not as high as recorded for many unplanned areas in other parts of the world. Moreover 46.5% of the houses in Mabibo and 35% in Mikocheni had electricity while 22.6% of the houses in Mikocheni "A" had individual plot water connexions. This compares well with citywide percentages of 33.3% and 30.5% for electricity and water respectively. There is therefore some reasons to believe that Dar es Salaam's unplanned areas include a variety of households whether defined according to income or social status.

Besides the development of unplanned areas, Dar es Salaam's growth is characterised by ribbon development along the major routes out of the city i.e. Bagamoyo, Morogoro, Pugu, and Kilwa Roads. The Port Access Road, opened in 1980 has helped to open up industrial and residential areas in the Ubungo-Buguruni areas which were until then, undeveloped, compared to the distant areas of Kimara and Mbezi along the Morogoro Road. Ribbon development is not just spontaneous but is also a result of action by the Planning Authorities who in their attempts to avoid built up areas, inevitably have to alienate distant lands.

⁸ A.R.L. Brain, *The Political Economy of Urbanisation in Tanzania*, Phd Thesis, University of British Columbia, 1979; J.L.P. Lugalla, *Socialist construction and the Urbanisation Process and Politics in Tanzania*, Phd Thesis, University of Bremen, 1990.

Currently, for example, planning schemes are being sponsored by the Government in the Bunju area, more than 30 kilometres from the city centre while land much nearer to the city is still sparsely developed. This is an aspect of land policy which represents an inefficient form of land utilisation.

Table: 2.2: Some recent data on three unplanned areas in Dar es Salaam.

Settlement	Area (Ha)	Total Population	Population per Ha	Number of buildings	% buildings constructed in permanent materials
Mabibo	24.8	4680	189	585	90.7
Mikocheni "A"	31.3	5134	191	1031	44.7
Buguruni	65.8	13355	205	1140	12.0

Source: Department of Urban Planning, Ardhi Institute June, 1991.

Dar es Salaam's spontaneity in growth is not limited to unplanned residential development. There are many areas, particularly along major routes, which have been converted into commercial, industrial and transportation uses without the sanctioning of the planning authorities. Spontaneous commercial areas can be seen along Bagamoyo Road, at Namanga; along Morocco, Morogoro, Shekilango and Port Access roads, at Mwenge, etc. and in numerous other locations.

Poor or Lack of Infrastructure

A noticeable characteristic of Dar es Salaam's development is the poverty or lack of municipal infrastructure particularly roads, drains, water and electricity supply networks, and sewers. One can also mention the total absence of public conveniences, and the near total absence of public telephones.

(i) Roads

Many roads are in a pathetic state (Figure 2.7), although at the time of writing rehabilitation work was going on for some of the major throughfares. However, many neighbourhoods be they planned or unplanned, remain unaccessible especially during the rainy seasons.

There are only 1,200 kilometres of roads in Dar es Salaam. Of these, 200 kilometres are arterial, and 1,000 kilometres are collector. Only 450 kilometres are paved. The rest are gravel rolled or earth compacted. Only about 10% of the roads are in good condition while those which are in very poor condition include most local roads. Roads comprise less than 0.5% of the City's area, and even when road reserves are taken into account, the percentage of land used as roads rises to only 2.3% as opposed to the normal proportion of 15%. Considering that ideally each plot should abutt to a road, a lot of land in Dar es Salaam has no direct access to roads. This not only reduces accessibility, it reduces access to buildable land. This in turn, leads to ribbon development along existing roads; to overbuilding and overcrowding in existing accessible areas; and to settlement overspill onto hazard lands near existing roads. It also discourages fast development of allocated land and reduces the availability of land use information necessary for urban management.

(ii) Stormwater Drainage

There are about 1,100 kilometres of open line ditches and 600 kilometres of piped storm water drainage in Dar es Salaam. Most were constructed in the 1950s and are therefore over 30 years old. They are mainly to be found in the city centre, the old planned areas like Kinondoni, Magomeni, Ilala, Upanga, Kariakoo, the Pugu Road Industrial area, Chang'ombe, Kurasini and Temeke; and in parts of the planned areas of Mwenge, Mikocheni and Kijitonyama. Most drains are reduced to insufficient bores through lack of maintenance, siltation or actual collapse. Unplanned areas, and many areas planned since the late 1970s have no stormwater drainage facilities, while many natural drains are increasingly being blocked so that many parts of Dar es Salaam get flooded during the rainy seasons, and in many cases, roads act as drains thus getting badly damaged.

(iii) Water Supply

Water for Dar es Salaam is obtained from Mtoni and Ruvu sources. The supply is not only insufficient to meet the daily demand but 22% of Dar es Salaam's population have no access to piped water supply. Only 30.5% of the population have water supply on their plots. Many areas planned from the late 1970s have no public water networks; so that in most cases water reaches individual plots through the expensive and inefficient individual households efforts. The Ruvu river is supposed to provide 269 million litres of water a day; and the

smaller source at Mtoni, 4.5 million litres. A study carried out in 1991⁹ estimated that there were 60,000 private water connections in the city supplying some 800,000 people. Of these connections only 2,000 were metered with a 60% functioning efficiency. Of the 50 stand pipes surveyed, only 20 were working. The study estimated that there were 50,000 illegal connections. Leakage is estimated to account for 40% of water losses. With highly limited revenue collection, the water authority has not been able to expand the plants and network to supply the water quantity and quality as required; so that many areas go without water for days, and others have no piped networks at all.

(iv) Liquid waste management

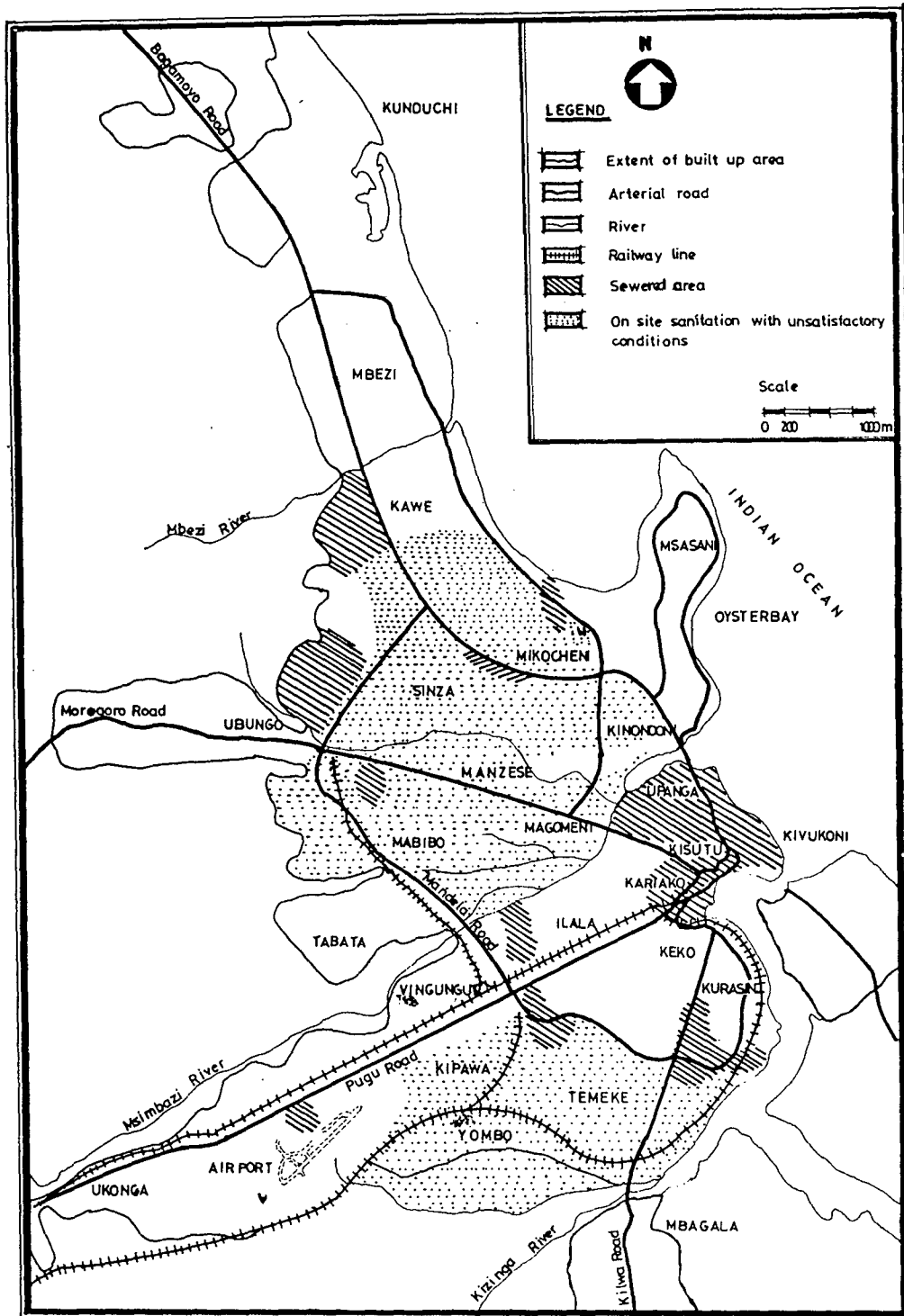
There is less than 130 kilometres of sewer networks in Dar es Salaam, serving less than 5% of the city's population. These are grouped into 11 systems and are supported by 17 pumping stations. The network covers the city centre (constructed in the 1950s), the Ubungu and Vingunguti industrial areas and a few outlying residential and institutional areas including the University of Dar es Salaam, Lugalo Barracks, and parts of Buguruni, Regent Estate, Mikocheni and Kijitonyama (Figure 2.8). The city centre system discharges to the sea outfall off Ocean Road where the end of the 1040 metre long pipe lies in less than 2 metres of water and numerous fractures discharge raw sewage into mud flats exposed at low tide. Other effluent is discharged into oxidation ponds, local water courses and directly to the Ocean. Many of the oxidation ponds no longer operate due to the lack of maintenance. This results in raw sewage discharges into the surface drainage system. Untreated industrial effluents are also discharged directly to surface drainage systems¹⁰.

Of the remaining 2.2 million people, approximately 80% have access to onsite facilities (70% pit latrines, 30% septic tanks), while the remaining 20% (about 380,000 people) lack even elementary sanitary facilities. Public authorities operate tanker lorries to dislodge septic tanks and pits, but few of these are operational at any given time; and in any case, many areas are inaccessible.

⁹ Tanzania, Rehabilitation of Dar es Salaam Water Supply, Japanese International Consulting Agency (JICA), 1991.

¹⁰ M. Yhdego, "Urban Environmental Degradation in Tanzania", *Environment and Urbanisation*, Vol. 3, No. 1, 1991, pp. 147-152.

Figure 2.8 Dar es Salaam: Sewer Network



High water table in some areas effects approximately 40% of the on-site users so that many pit latrines and septic tanks overflow to surrounding surfaces and natural drainage systems. Unreliable water supply makes it necessary for some residents with water borne facilities to erect pit latrines as a precautionary measure.

Unlike cities such as Nairobi and Harare, Dar es Salaam has no comprehensive sewer network. This has important implications on urban land uses because structure densities must be relatively low and plots must be relatively large to accommodate septic tanks and pit latrines. This therefore increases urban sprawl in the peripheral areas of the city in attempts to acquire large residential plots.

(v) Electricity

While Dar es Salaam consumed over 60% of the country's electricity, only 33.3% of the households in the city use electricity. The majority, 65.7%, are not connected to the city's electricity network. The supply of electricity to neighbourhoods is mainly dependent on an expensive and inefficient process based on individual households requests. Street lighting is highly restricted to a few areas, and even then, to only a few bulbs.

General remarks on Services

The above factors make Dar es Salaam an expensive, and potentially hazardous city in which to live and invest. This is in many ways related to the kind of land use structure that such a situation of poor land servicing yields. For example, ribbon development makes it necessary for some residents to change buses three times to, or from, the city centre, with the expenditure on fares alone consuming more than twice the basic wage. Environmental degradation is experienced because of stress on the lands near service lines and of discharge of effluents into the rivers and the Ocean. Health hazards may be suffered as a result of overflowing waste water, or of using non piped water or piped water which is contaminated through leakages. Cholera, for example, is a recurring disease in Dar es Salaam.¹¹ Land development particularly in new area gets stunted. Energy costs become very high not only because of long distances, but also of poor roads.

¹¹ There was a major cholera outbreak in Dar es Salaam in the month of July, 1993.

2.2.4 Land Use Information

Dar es Salaam's land use profile is characterized by a situation where the land use information, essential for efficient urban management is lacking. Most transactions in land, be they official or unofficial are done secretly. For example, planned land use schemes for most neighbourhoods are not readily available for consultation. Although once approved, land use schemes have some legal status under the *Town and Country Planning Ordinance* of 1956, experience since the late 1970s has shown that officials can revisit the schemes and "create" plots on them haphazardly; especially on public lands and in neighbourhoods that are yet to be densely built upon¹². Besides, legally and procedurally, land available for allocation should be made public and allocated by known land allocation committees. In practice this is no longer the case. Official land is generally allocated outside the allocation committees by various unco-ordinated authorities. Most public open spaces in Dar es Salaam must now be regarded as endangered species.

A noticeable feature of Dar es Salaam is the lack of street names, for all but the areas planned before 1970. House/Plot numbering is also missing on the post-1970 developments. This makes it extremely difficult to identify different properties for the purposes of efficient land management; and to keep proper records for property taxation, cost recovery; etc. This situation is made worse by the fact that plot/house numbers need not flow logically in a locality because new plots with totally different numbering systems are constantly being added to old neighbourhoods through haphazard "creations".

2.3 Urban Government

2.3.1 Background

The first local authorities introduced for urban areas were the *Kommunal Verbandes*, established in 1901 by the German colonial administration. Later, these had their powers curtailed and new authorities (*Stadtgemeindes*) were established for Dar es Salaam and Tanga in 1909.

¹² J.M.L. Kironde, "Creations in Dar es Salaam and Extensions in Nairobi: the defiance of inappropriate planning standards", *Cities*, Vol 9, No. 3, 1992, pp. 220-213.

Under the British Administration, the *Township Ordinance* of 1920 allowed the declaration of Dar es Salaam to be a Township administered by a central government appointed Township Authority which had a President (usually the District Officer), an Executive Officer or Municipal Secretary, and official members, one each from the District representatives of the Departments of Medical Services, Public Works and Lands and Mines, and unofficial members nominated by the President and approved by the Provincial Commissioner on behalf of the Governor. The President was empowered to appoint an Executive Officer, unless a Municipal Secretary was appointed by the Governor. Dar es Salaam had an executive officer till 1930 when a Municipal Secretary was appointed.

Efforts in the 1920s and 1930s to transform Dar es Salaam into a municipality were discouraged and frustrated by the central government until 1949 after the *Municipalities Ordinance* of 1946 had been enacted. Dar es Salaam was thus made a Municipality in 1949 and a City in 1961. Until 1974, Dar es Salaam was a full district of, or part of a district in, the Eastern Province of Tanganyika; although the urban area within the District was first administered by a Municipal and later by a City Council.

When local authorities were abolished in Tanzania between 1972 and 1974, Dar es Salaam lost its municipal status and became a Region subdivided into three districts of Temeke, Ilala and Kinondoni. Each of these was administered by a District Development Council. When in 1978, local authorities were reintroduced, urban Dar es Salaam regained its Municipal Status and administered by a City Council; while the rural part was largely administered by the Dar es Salaam Regional Authorities. In 1984, the distinction between the City and rural Dar es Salaam was discontinued; and the whole of Dar es Salaam is now administered by the City Council. It has three districts and is subdivided into 52 wards (see Table 2.3 and Figure 2.2).

Dar es Salaam is a Region with a complete Regional administrative set up headed by a Regional Commissioner and having a District Commissioner for each of its three Districts. Although occasionally the boundary of powers between the Regional and City Council administrations is not clear cut, Regional authorities have tended to confine themselves to non-municipal, and national aspects of Dar es Salaam's administration.

Table 2.3 The Wards of Dar es Salaam, with their Population in 1988

ILALA DISTRICT (210 km ²)		KINONDONI DISTRICT (527 km ²)		TEMEKE DISTRICT (650 km ²)	
Urban Wards	Population	Urban Wards	Population	Urban Wards	Population
Kariakoo	12,569	Mzimuni	23,985	Mbagala	40,866
Mchafukoge	8,547	Magomeni	16,944	Miburani	72,892
Kisutu	8,358	Ndugumbi	32,736	Mtoni	39,417
Gerezani	7,487	Makurumla	53,551	Temeke 14	91,144
Kivukoni	5,372	Manzese	54,499	Kurasini	26,776
Jangwani	15,320	Kigogo	21,222	Keko	42,868
E. Upanga	9,807	Mabibo	45,963	Kigamboni	26,078
W. Upanga	11,020	Ubungo	46,980	Charambe	18,624
Ilala	35,048	Kinondoni	42,387		
Mchikichini	15,040	Mwananyamala	72,508		
Buguruni	48,247	Msasani	51,293		
Vingunguti	33,690	Tandale	58,413		
Kipawa	36,910	Kawe	44,085		
Tabata	18,465				
Ukonga	45,203				
Total, Urban Wards	311,083		565,006		358,665
Rural Wards	Population	Rural Wards	Population	Rural Wards	Population
Kinyerezi*	3,048	Kunduchi*	22,743	Yombo Vituka*	13,408
Pugu	6,226	Kibamba*	16,751	Kimbiji	6,465
Msongola	13,351	Goba	4,753	Somangila	6,730
		Bunju	9,977	Vijibweni	2,557
		Mbweni*	2,159	Kiserawe II	2,821
				Tuangoma	6,652
				Chamazi	5,452
				Kibada	3,003
Total Rural Wards	22,625		56,383		47,088
Total Population	333,708		621,389		405,753

Source: Bureau of Statistics, *Population Census 1988: Regional Profile, Dar es Salaam, Dar es Salaam, n.d.*

*Rural Wards with Town Planning layouts already.

There are at the moment, proposals to split Dar es Salaam into three "municipalities" each with its own Mayor and a Council. This may improve efficiency provided major problems related to urban management (e.g. poor revenue collection, corruption, political interference, unqualified and unmotivated personnel, etc.), are tackled at the same time. The split will introduce some measure of competition among the three authorities possibly leading to better management. The current Dar es Salaam City Council, however, is not in favour of this split and has been postponing making a decision on the issue.

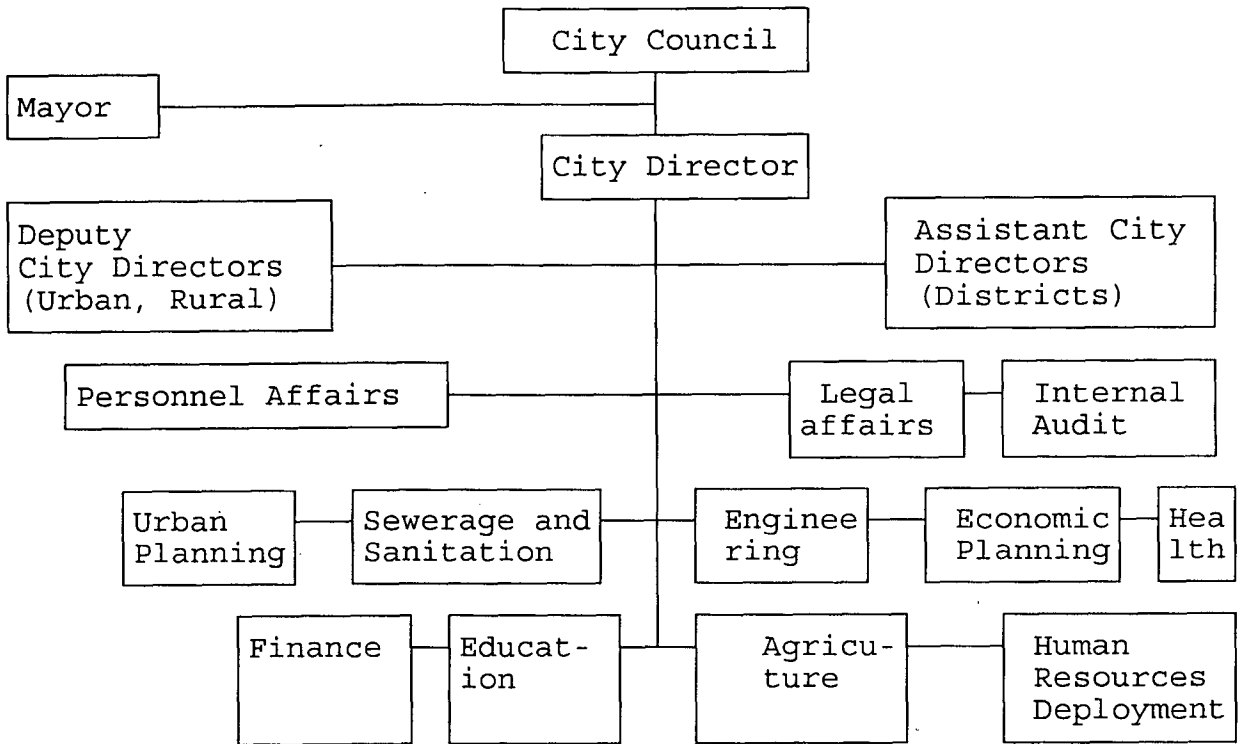
2.3.2 The Dar es Salaam City Council

Dar es Salaam is administered by an elected council chaired by the Mayor. Councillors are elected from each ward, and they subsequently elect the Mayor from among themselves. The City Director who is appointed by the President of Tanzania, is the highest executive officer of the Dar es Salaam City Council. The Director has two Deputies (one for Dar es Salaam urban, and the other for Dar es Salaam rural). Since 1988, Assistant City Directors have been appointed for Dar es Salaam's three Districts.

Figure 2.9 shows the management structure of the Dar es Salaam City Council. Major aspects of urban development are dealt with under the Urban Planning Department which is made up of the sections of urban planning, land surveying, land valuation, land management and natural resources, the latter involving gardens, parks forestry, beekeeping and burial grounds. The Departments of Sewerage and Sanitation, Engineering, Health and Economic Planning have considerable influence on many aspects of land policy and development.

Since 1983, Dar es Salaam's top executive post (i.e. the office of the City Director) has experienced a lot of turbulence. Between that year and mid 1993 Dar es Salaam has had nine city directors, an average tenure of just over one year each. This, to some extent, has denied the Dar es Salaam City Council of the ability to formulate coordinated urban development and management policies.(Chapter Eight)

Figure: 2.9 Dar es Salaam City Council Management Structure 1992



Source: Dar es Salaam City Council, September, 1992.

A lot of national authorities have considerable powers of operation in Dar es Salaam independent of the City Council. These include the Ministries of Lands, Water, Works, Communications, Energy, Education and Culture, as well as parastatals like the National Housing Corporation, National Urban Water Authority, Tanzania Posts and Telecommunications and the Tanzania Electricity Supply Company. The ruling political Party of Tanzania (CCM), at branch, ward, district, and regional levels, is fully engaged in authorising and overseeing land transactions particularly in unplanned areas and of converting public open spaces into private uses. Lack of co-ordination, and overlapping powers between these authorities and the City Council is a notable feature of Dar es Salaam's development.

2.4 Overview of Dar es Salaam's Profile

Further insights into Dar es Salaam's profile can be gained by dividing the City's development areas into four groups: The first is the old planned areas, developed mainly before 1970 and including the City Centre, Kariakoo, Oysterbay, Chang'ombe, Pugu Road Industrial area, Upanga, Kinondoni, Magomeni, Ilala and Temeke. For most part, these areas need redevelopment or refurbishing to cope with current needs and opportunities. In some cases - Kariakoo, a former native town being the best example -, rundown houses are being bought, demolished and rebuilt into multistorey buildings. These redevelopment schemes however are not co-ordinated so that development is isolated and the existing infrastructure is not expanding in tune with the intensity of use to which land is being put. There is no general and effective land policy to deal with the problems of these old areas.

The second group is the new planned areas generally developed or developing since 1970 and include the sites and services areas of Kijitonyama, Sinza, Mikocheni and Mbagala, and the post sites and services areas of Mbezi Beach, Tegeta, Tabata etc. These areas are characterised by poor land servicing. Not even rough roads are ploughed into areas in some planning schemes where land is being allocated. Slow plot consolidation is also an observable phenomenon. The standard of the properties that are slowly being put up in such areas, however, is very high in most instances. Among other things, land policy has failed to ensure that these areas are serviced and development rapidly, and has produced a paradoxical situation where expensive buildings cannot be easily accessed because of lack of services.

The third group is the old unplanned areas which have developed generally before 1980; and which include such settlements as Keko, Buguruni, Msasani, Manzese, Mwananyamala, Hannah Nassif, Manzese, Mtoni and Tandika. The latter two benefitted somewhat from the upgrading schemes of the 1970s, but a main characteristics of such areas is the very high densities to which land is put, and the irregular pattern in which land is developed.

The fourth group is the new unplanned areas. These have developed mainly during the past two to three decades and include such outer areas as Kimara, Mabibo, Bunju, Mbagala and Ukonga. Major characteristics of these are that they are partly developed to fairly low densities; they include a sizeable population of people in high income and/or in influential

positions. Land in these areas is partly put to agricultural uses. It should however be pointed out that some new unplanned areas are currently being created on land that was formerly considered hazard in the inner parts of Dar es Salaam like along the inner area valleys of rivers like Msimbazi and Sinza, and along Keko Creek; and elsewhere. These are developed at high densities and agriculture is not undertaken.

SHAPING THE COLONIAL CAPITAL (1890 - 1917)

3.1. Dar es Salaam and the advent of German rule in East Africa**3.1.1 Introduction**

Although Dar es Salaam was founded in the 1860s and although, in the Dar es Salaam area, there were several small trade centres, settlements, and villages, the town's rapid growth and development was closely related to its choice as the seat of the German colonial government in 1891; and as an important entrepot in the colonial economic set up. Dar es Salaam's growth therefore, bears the imprint of the colonial designs for German East Africa which were, in the main, to exploit the resources of the colony, and at the same time to convert the colony into a market for manufactured goods.

Two phases are normally identified when discussing the history of German colonialism in East Africa: a largely militaristic phase, from the 1880s to 1907, devoted to territorial subjugation and when German East Africa was ruled by military governors; and a phase of peace and reform (1907-1914), characterised by the rule of civilian governors and major reorientation in German colonial policy¹. This phasing has relevance to the evolution of the land use structure of Dar es Salaam; particularly since the latter phase is also identified with the construction of the Central railway line from Dar es Salaam to the interior. Authorities too, took advantage of the peace and tranquility prevailing in the latter phase to devote more time to the shaping of Dar es Salaam.

3.1.2 Colonial Territorial demarcation in East Africa

Bismark, the then German Imperial Chancellor was, until 1884, opposed to the direct acquisition of colonies by Germany. German colonialism in East Africa was consequently spearheaded by private interests led by Karl Peters, who, in 1884 concluded treaties with local Sultans in the hinterland areas between rivers Pangani and Kingani (Ruvu) on the

¹J. Iliffe, *A Modern History of Tanganyika*, Cambridge University Press, Cambridge, 1979.

Tanzanian coast. In 1885, Bismark changed his mind, and was all for the acquisition of colonies, so that Peters' treaties concluded the previous year, were sanctioned and the areas concerned placed under Imperial protection, although they were at first, governed through the German East Africa Company. The latter had been formed by private interests to oversee the exploitation of the Colony. The Sultan of Zanzibar protested at this German annexation of his territory, but was forced to withdraw his claims by a German naval demonstration off Zanzibar. It was obvious that the Germans were determined to use force to achieve their ends. By a treaty of 1885, Germany secured, from the Sultan, privileges at Dar es Salaam and Pangani and a right to send certain goods duty free through the coastal strip to the interior. In 1886, Germany, Britain and Portugal agreed on each others' spheres of influence, as well as on the territories to be recognised as belonging to the Sultan of Zanzibar. Between 1885 and 1887, the German East Africa Company set up a number of stations which were both trading posts and plantations, and in 1888 the Company was allowed by the Sultan of Zanzibar, to collect custom dues at the coast, to mine minerals, to regulate commerce, and to improve communications.

The German East Africa Company had ambitious plans for the territory. According to its director in 1888, *Herr Ernest Vohsen*, the intention was to establish thoroughly the administration of the Customs. Seven main stations were to be formed each under the charge of two Germans. They were to be connected, one to the other, by minor stations under the charge of a single German official. Efficient coastguard service was to be instituted without delay. Two steamlaunchers had already been brought out; more were to come. As soon as it was found necessary, an armed force for land services would be enlisted and drilled² In this respect, the German East Africa Company's first Proclamation ordered that, with effect from the 15th August, 1888, customs on all merchandise exported from the Coast between Umba and Ruvuma rivers was to be paid to German Authorities at Tanga, Pangani, Bagamoyo, Dar es Salaam, Kilwa Kivinje, Lindi, and Mikindani³. This interference with established trade interests, and possibly the harsh ways in which the Germans treated their subjects,

² Colonel Euan-Smith to the Marquis of Salisbury, June 1, 1888, reported in, British Parliamentary Papers, *The Zanzibar Papers, 1841-1898*, Irish University Press, Shannon, Ireland, 1971.

³ Colonel Euan-Smith to the Marquis of Salisbury, 26.7.1888, reported in, British Parliamentary Papers, *The Zanzibar Papers*.

engendered a rebellion along the Coast led by Abushiri bin Salim al-Harhi. The German East Africa Company was unable to deal with this rebellion, and it was obvious that the German Government's strategy of getting and ruling colonies through chartered companies would not succeed. The Imperial Government had to intervene to directly supervise the administration and exploitation of the Colony⁴. In spring 1889, Captain Wissman was appointed Imperial Commissioner for German East Africa. He arrived with a sizeable force which fought and subjugated the rebels whose leader, Abushiri, was publicly hanged at Pangani in December, 1889.

In June 1890, Britain and Germany agreed on the partitioning of East Africa and the Sultan of Zanzibar was persuaded to give up his claims over the Mainland in return for compensation. The present Tanzania (less Zanzibar) plus Rwanda and Burundi became the Colony of German East Africa. The German East Africa Company gave up its administrative functions over the colony to the Imperial government, and became merely a commercial concern. A period of full German colonialism in East Africa had begun.

3.1.3 Imposing German Colonial Rule

Having delienated their colony, the Germans set out to extend their rule throughout the territory. They met with a lot of resistance from the local population. The Germans had a single focus of facilitating production through the maintenance of the physical state and the supply of labour and were interested in getting the colony on a productive basis as rapidly as possible. In order to achieve this, military action had to be undertaken against local leaders or populations, who did not readily welcome German rule, or who opposed German plans. German rule was, right from the start, regimentary and characterised by a policy known as "*Shrecklichkeit*" (frightfulness). Although Schnee argues that German policy was no more "barbaric" than the policies of other colonising powers, he nevertheless describes the colonised peoples as "savages" who had to be whipped⁵. Between 1888 and 1906, there were no fewer than eleven insurrections against German rule in German East Africa, three of

⁴ W. Rodney, "The Political Economy of Colonial Tanganyika, 1890-1930", in M.H.Y. Kaniki, (Ed), *Tanzania under Colonial Rule*, Longmans, London, 1979, pp. 128-163.

⁵ H. Schnee, *German Colonialism, past and future: The truth about German Colonies*, G. Allen and Unwin, London, 1926.

which lasted more than four years⁶. By far the most serious revolt was the famous Maji Maji rebellion (1905-1907) which saw nearly a third of the German Colony in East Africa pitted against German rule. When this rebellion was finally vanguished with serious loss of life and property, German colonial policy underwent major reforms. But as late as 1909, punitive expeditions were still being mounted against rebellious peoples in Burundi Kilimatinde, Mpwapwa, and Moshi⁷.

Because it took long to achieve complete territorial subjugation, resources for socio-economic development (including investment in urban areas) were difficult to mobilise. Scarce resources had to be devoted to military operations against rebellious peoples, and confidence in the colony among German investors and legislators took long to get created⁸. After the Maji Maji rebellion, there was agitation from the German Parliament for more humane treatment of colonial subjects. Such a liberal phase was a pre-requisite for the entrenchment of colonial capitalist relationships. Later on, once defeated and colonised, Africans accommodated the new order submissively, willingly, and sometimes, even enthusiastically. Thus, by 1906, African peasant agricultural production was more efficient than that of German settlers. By 1908 the African share of the Colony's cotton export product was about two thirds, and had reached five sevenths by 1912⁹. More resources could thus be devoted to peaceful colonial development of infrastructure.

3.1.4 Frameworks for Colonial Administration

Typical of German policy, the territorial colonial administrative framework was centralised and hierarchical, designed to keep the physical peace and ease the exploitation of the colony. At the pinnacle of the administrative structure was the Governor who was assisted by the referents of the departments and the District Commissioners. After 1911, the

6 L. Fortmann, *Peasants, Officials, and Participation in rural Tanzania: Experience with villagisation and decentralization*, PhD Thesis, Cornell University, New York, 1980.

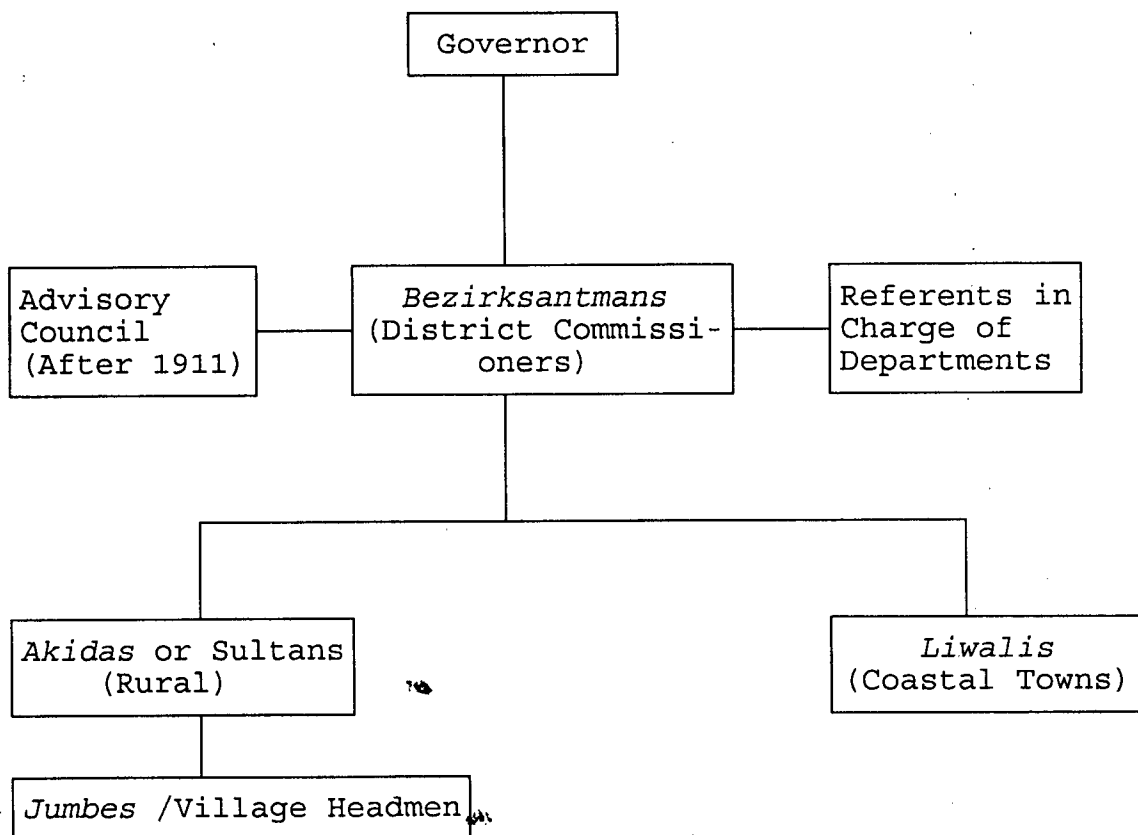
7 German Colonial Government, *Annual Report on the Development of German East Africa, 1908/09*.

8 H. Brode, *British and German East Africa: Their Economic and Commercial Relations*, Edward Arnold, London, 1977.

9 Rodney, "The Political Economy of Colonial Tanganyika", pp. 134-35.

Governor was advised by an all German Advisory Council. Since there were few administrators, lower levels of the administration were entrusted to the *Akidas* and *Jumbes* for rural areas and *Liwalis* for coastal towns (Figure 3.1). The *Akidas*, *Jumbes* and *Liwalis* were usually people of coastal extraction and had the duties of ensuring law and order, collecting taxes, constructing roads, introducing cash crops to the natives, and ensuring production, regulating forest areas and organizing and controlling predatory animals. *Akidas* were there to supervise *Jumbes*¹⁰.

Figure 3.1: The German Colonial Administrative Set up



Pursuing the policy of keeping the cost of running the colony to the minimum, the government not only utilised the *Akidas* and *Jumbes*, but started from around 1900s to replace white craftsmen and junior civil servants with "coloured" labour which was "cheaper

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Fortmann, Peasants, Officials and Participation in Tanzania, p. 8.

and resistant to tropical climate"¹¹. The labour preferred was that of Goans whose numbers in Dar es Salaam increased from 98 in 1900/01, to 250 in 1913. At the sametime, the European population in both Dar es Salaam and Tanga decreased¹². This move was to some extent copied from the British policy in British East Africa where Indians were relied upon in junior service in Government and other public employers:

There can be no doubt that the Uganda Railway has a great advantage over us (German East Africa) because they can use comparatively cheap rates Indian and Eurasian engine drivers and guards, whilst we have to pay German functionaries who have been trained for this responsible service at home and have, of course, a higher standard of life than those who have been born and bred in a tropical country¹³.

As we will show later on in the case of Dar es Salaam, the argument that non-Europeans were used to low standards of living, and could be kept, and exploited at that level was usually used to justify segregation in land uses, and differential wages and access to service infrastructure between the races.

Administration over the German Territory was established slowly, as territorial subjugation was achieved. In 1891, four administrative districts were established on the coast. By 1903, the colony had been divided into 12 civil and 16 military districts. As tranquility got established, the number of military districts was reduced so that by 1914 the colony was divided into 24 districts, only 2 of which (Mahenge and Iringa) were military. Dar es Salaam was among the early districts to be created¹⁴.

There were attempts to introduce local administration with the idea of shedding responsibilities from the central government. The *Imperial Decree of 29th March 1901* put

¹¹ German Colonial Government, *Annual Report...*, 1901/02.

¹² *ibid.*

¹³ Brode, *British and German East Africa*, p. 77.

¹⁴ A.C. Mascarenhas, "The German Administration", in, L. Berry, *Tanzania in Maps*, University of London Press, London, 1971, pp. 106-107.

into effect what can be called Communal Unions (*Kommunal Verbandes*) for the districts of Tanga, Pangani, Bagamoyo, Kilwa, Lindi, Wilhelmstall (Lushoto), Kilosa, Langemburg (Mbeya) and Dar es Salaam. These unions were given extensive duties including the establishing of schools, street lighting, refuse collection, drainage of swampy and unhealthy areas, construction of roads, streets and bridges, distribution of seeds to natives and overseeing the management of cooperative village *shambas* (farms). The Union for Dar es Salaam had a further duty of guaranteeing the early Savings Bank¹⁵. It would appear that the unions did not work well, or they simply had too many responsibilities. Most were abolished in April 1909. Those for Tanga and Dar es Salaam were retained, but their jurisdiction was highly curtailed and limited to residential areas only¹⁶. In 1908/09 there was discussion on the establishment of town councils in the colony. The *Order of the Imperial Chancellor of 1910* created Municipal Councils in German East Africa. The management of municipal administration was to be by Town Councils (*Stadtgemeindes*) headed by the District Commissioner, and including three members and three deputy members, all elected; and one member and one deputy member, both appointed by the Governor. The councils had various duties including the upkeep of roads and public spaces; water supply; street lighting and cleaning; refuse disposal; and school maintenance. However, by the end of the German era, only Dar es Salaam and Tanga had municipal council status under the 1910 Order¹⁷.

3.1.5 Establishing centres of Administration and Trade

In the process of colonial subjugation and territorial exploitation, centres had to be established or selected as loci of colonial power and colonial economic designs. The earliest centres were customs posts and, here, the Germans simply took over those on the coast that were preexisting. Collection centres established by the German East Africa Company were all abandoned during the Abushiri Rebellion. As territorial subjugation proceeded, military posts had to be established in areas where people were rebellious, as well as on vulnerable caravan routes, at centres of marine trade, at places in which European merchants and missionaries

15 German Colonial Government, *Annual Report...*, 1901/02.

16 German Colonial Government, *Annual Report...*, 1908/09.

17 C.C. Gillman, "Dar es Salaam, 1860-1940: A story of growth and change", *Tanzania Notes and Records*, No. 20, 1945, pp 1-23.

already exercised some influence, and at the headquarters of the agents of the Sultan of Zanzibar or of local chiefs. Most German urban centres were characterised by a large imposing castle like building known as the *Boma*, a phallic symbol of power usually located on high ground, which housed most government business, and from which all town roads radiated. All towns/forts were centres where administration of nearby territories was based, where goods from the hinterland could be brought, sold, stored and prepared for export; and where manufactured goods could be distributed to the consumers. In this respect the Indian community was given a decisive role in commerce. Urban areas were not seen as generators of employment for the native population. A number of export related industries e.g. copra cleaning, or saw milling were established early enough in Dar es Salaam for example. Other industries were aimed at import substitution and at meeting the convenience needs of the burgeoning communities. These included, in 1901/02 in Dar es Salaam, a brewery, an ice factory in Tanga and Dar es Salaam, and a soap factory in Tanga.

In the colonial equation, Dar es Salaam was selected as the seat of the German territorial government and as the chief port of the colony. The general impression usually given, that the German government moved itself from Bagamoyo is perhaps misleading. Bagamoyo was an important coastal town in the 1880s, handling the bulk of the export and import trade to and from the interior. Naturally, when the German East African Company arrived, they had to show their presence in Bagamoyo. However, the Germans had shown very early interest in Dar es Salaam. In 1885, the German representative in Zanzibar, Rear Admiral Knorr, had ordered Commodore Paschen to visit the coastal settlements of Dar es Salaam, Bagamoyo, Sadani and the mouth of the river Pangani. Paschen recommended Dar es Salaam as the town suitable for a naval depot on the mainland coast¹⁸. A decision on where to locate the seat of the colonial government was announced in January 1891. Although Imperial Commissioner von Wissman, (who had vanquished the coastal rebellion), had tried to balance the conflicting interests of the pro-Bagamoyo and pro-Dar es Salaam lobbies by staying at Bagamoyo, and turning Dar es Salaam into a military base, Dar es Salaam became the seat of the colonial government. The first German colonial Governor for German East Africa, von Soden, never stayed in Bagamoyo but in Zanzibar from where he later moved to Dar es

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Sir John Kirk to the Marquis of Salisbury, 28.9.1885, reported in, British Parliamentary Papers, *The Zanzibar Papers*.

Salaam in April 1891. During the 1890 period, construction of the Governor's palace and of several government buildings was going on in Dar es Salaam. One can therefore conclude that the German colonial government selected Dar es Salaam as its seat, right from the beginning.

In the colonial principles, sites selected for colonial urban centres had to be cheap to develop and put into operation. Dar es Salaam was selected because of its natural sheltered harbour. That presented a cheaper option than that of transforming Bagamoyo into a modern port. Besides, there were relatively fewer vested interests which would stand in the way of the colonial government's designs (e.g. land appropriation) at Dar es Salaam compared to Bagamoyo. However, Bagamoyo continued to be an important centre for caravan trade, as can be inferred from Tables 3.1 and 3.2.

Table 3.1 Caravan Traffic Leaving the coast for the interior: Dar es Salaam and Bagamoyo compared, 1901-1903

Years	Number of Carriers			Number of Loads		
	1901	1902	1903	1901	1902	1903
Bagamoyo	36,869	28,298	35,337	21,027	18,742	25,622
D'Salaam	24,017	27,515	16,180	17,589	23,334	12,991

Sources: German Colonial Government, *Annual Reports on the Development of German East Africa*, relevant years.

Table 3.2 Customs Revenue (Marks), Dar es Salaam and Bagamoyo compared, 1901-1902

Years	Export Duty		Import Duty	
	1901	1902	1901	1902
Bagamoyo	114,525	117,367	146,474	145,371
D'Salaam	58,689	52,212	175,277	149,247

Source: German Colonial Government, *Annual Reports on the Development of German East Africa*, relevant years.

The relatively high import figures for Dar es Salaam (Table 3.2) reflect government imports of equipment for infrastructure like telegraphs and roads. There were, however, no attempts to force caravan trade to reroute through Dar es Salaam, it being hoped that with superior facilities, Dar es Salaam would soon attract custom from Bagamoyo:

Bagamoyo which was, in days of Arab rule, the most flourishing town on the coast had to be sacrificed. Its shallow waters were good for dhow traffic, but did not offer anchorage for steamers in direct communication with Europe. So in proportion as Dar es Salaam grew, Bagamoyo declined.¹⁹

On the other hand Dar es Salaam, a small native settlement in 1890 was described 15 years later as:

the best built town on the coast of East Africa. It was laid out with lavish disregard for cost and its wide tranquil streets bordered with flowering trees, its parks and gardens, its comfortable residences, its magnificent hospital and other buildings, give it the appearance of a German *Kurort* transferred to the tropics.²⁰

No doubt, as will be shown later, the above commentator was referring to the European part of town only.

Although Dar es Salaam was declared the seat of the German colonial government in 1891, connecting the town to the rest of the colony and improving its facilities was not immediately realised. This was a result of the lack of resources from Germany given the initial policy of colonial territorial self sufficiency, and the attractions and the better prospects that the northern part of the colony had, and offered, in comparison to Dar es Salaam. With the commencement of the construction of a railway line from Tanga in 1893, connecting Dar es Salaam to the interior by rail was shelved to secondary priority. There were no funds. In 1903/04 it was reported that Tanga had the best prospects for the future²¹.

¹⁹ Brode, *British and German East Africa*, pp. 24-25.

²⁰ C. Elliot, *The East African Protectorate*, London, 1909, p. 257.

²¹ German Colonial Government, *Annual Report*, 1903/04.

Up to 1901 roads to and from the interior were still very poor. A floating dock was not completed at Dar es Salaam harbour till 1901, but by August, it has sunk by accident. It was brought to the surface and commenced work in January 1902. By 1904 it was realised that in fact the dock was too small and could not handle any, but two of the smallest ships of the German East African Line, which had monopoly over the Dar es Salaam port²².

The plan for the harbour's development existed by 1901; but improvements did not really begin till 1905 when a quay was constructed at the northern harbour side. This was in connexion with the commencement of the construction of the central railway line. It was meant to influence and extend the installations concerned with the discharge and loading of cargo of the harbour. The Kurasini causeway was constructed at about the same time²³.

Dar es Salaam got a boost when a decision was finally made in 1904 to construct the central railway line from the town to Morogoro, some 200 kms away. Construction started in 1905 and the line was opened in 1907. A later decision, in 1908, allowed the extension of the line to Kigoma, the Western end of the territory, where it reached just before the outbreak of the War in 1914²⁴. This decision was precipitated by the effects of the completion, in 1901, of the Uganda Railway on caravan and general trade in German East Africa as it became much cheaper and faster to move goods by rail than by caravans. The number of caravans leaving Bagamoyo for Lake Victoria fell immediately the Uganda railway was completed (Table 3.3). As a result, custom duties fell by 13,000 rupees between 1899 and 1900, and by more than 14,000 rupees between 1900 and 1901. In 1901/02, there were 48 trading companies' bankruptcies, 12 of which belonged to Europeans. Foreign trade in German East Africa fell by 2.2m marks between 1899-1900. It was thus obvious that construction of a railway line to the to the interior was an absolute necessity to help in developing the territory and to prevent trade from getting diverted to the Uganda Railway, and to other railway lines that had been constructed in the Congo and in British Central Africa.

22 German Colonial Government, *Annual Reports.*, relevant years.

23 *ibid*, 1905/06.

24 C.C. Gillman, "A Short History of Tanganyika Railways", *Tanzania Notes and Records*, No. 13, 1942, pp. 8-10.

Table 3.3 Changes in caravan traffic leaving Bagamoyo for Lake Victoria, 1899-1901.

Years	Number of Carriers	Number of Loads
1899	6,333	3,399
1901	3,376	2,032

Source: German Colonial Government, *Annual Reports on the Development of German East Africa*, 1901/02

At the same time, the Communal Unions of both Dar es Salaam and Bagamoyo decided, in 1904/05, to start work on the construction of a road between Dar es Salaam and Bagamoyo²⁵. Dar es Salaam was thus slowly being connected to the rest of the country by modern means, although benefits were not immediately apparent. In 1912, Tanga exported goods worthy 666,000, more than twice Dar es Salaam's exports of only 265,000.²⁶ This was a reflection of Tanga's rich hinterland.

3.1.6 Nationalising Land, the pillar of the Colony's Economy

The basic principle guiding the colonial process was how to turn the colony into a viable economic entity which could support itself to the benefit of the colonising power. Since land was one of the most valuable assets the colony had, it was seen as imperative for the government to be able to control this asset and to utilise it in the way it deemed fit for achieving preset aims of economic and social viability. A plantation and settler economy was originally envisaged for German East Africa. Native interests were secondary to Imperial interests although the former were to be recognised, limited and directed. Confrontation with, and proletarianising of the native was to be avoided as much as possible. However, where Imperial interests were deemed to supersede native interests, and where all ways of reaching a friendly agreement (including bribery through the offer of gifts) failed, force or intimidation i.e. the policy of *schrecklichkeit* could be resorted to. Settlers, in particular, and Europeans,

²⁵ German Colonial Government, *Annual Report*, 1904/05.

²⁶ A.F. Calvert, *German East Africa*, Werner Laurie Ltd., London, 1917, p. 36.

in general, were to be given land for its economic exploitation. The principal legislations and directives affecting land during the German period were as outlined below.

The Germans had started implementing a policy of land grabbing from 1887. *Ordinance Number 2*, issued by the German East Africa Company on August 16th 1888, pointed out that by the treaty of 28th April 1888, His Excellency the Sultan of Zanzibar, had ceded to the German East Africa Association, all rights which he himself possessed over the lands in his mainland territory. This excluded private lands and *shambas*. The Sultan had also given to the Association, all public buildings except those that he required for his private use. The *Ordinance* required that all private property in land and buildings situated in the territory, was to be entered into the register at the office of the District Commissioner, within six months with effect from 16th August, 1888. Each owner was to describe his property, its value, size, and boundaries, and had to prove the right of possession by purchase or otherwise. All property not proved to be private, and nor entered into the register within six months was to be regarded as public property. Land, including that for Dar es Salaam's early development, was therefore being acquired long before the main land legislation was passed.

The principal German legislation to govern land tenure was the *Imperial Decree Regarding the Creation, Acquisition, and Conveyance of Crown Land, and Regarding the Acquisition and Conveyance of Lands in General, in German East Africa*, of 26.11.1895 (hereinafter referred to as the *1895 Decree*). This decree declared all land in German East Africa to be unowned Crownland (*Herrenlos Kronland*) vested in the Empire, except where ownership, or other real rights could be shown by private or judicial persons, chiefs, or communities existing among natives; and except for rights of occupation gained by third persons by virtue of agreements with the Imperial government. This in effect was a land nationalisation decree, aimed at giving the Governor extensive powers to do what he liked with the land. The ascertainment and defining of whether land was Crownland or not was to take place through Land Commissions appointed by the Governor. These worked, either on their own, or at the request of a person seeking land. If land was appropriated as Crownland in areas where there were native settlements, there had to be a sufficient area reserved for native cultivation or other use; and also for future cultivation. This was a necessary step to prevent the proletarianisation of the natives, and to avoid political conflicts.

The *1895 Decree* prohibited the transfer of ownership, or the lease of Township lands of more than one hectare in extent, or the lease of all other lands for a period exceeding 15 years, from natives to non-natives without the consent of the Governor²⁷.

Instructions issued on 27.11.1895 with regard to the implementation of the *1895 Decree*, required that careful inquiry must be made before declaring land to be Crownland, to establish *bona fide* rights of private persons. Also, agreements had to be sought with chiefs and village communities as to their rights over such land. Where no agreement was feasible, the Governor was to give the decision. Alienation of public land could be effected by purchase, or by public auction. The Governor was to decide to which authorities applications for land allocations could be made. There were conditions stipulating the maximum time within which alienated land must be cultivated, planted or built upon. Non compliance with these conditions entailed a penalty. Sometimes, land could revert to the government without compensation. This was aimed at preventing speculation. Indeed, transfer of land to third parties was not allowed until a half of it had been developed²⁸.

In 1896 the governor issued a document clarifying the implementation of the *1895 decree*. It required that, when declaring any land to be Crown Land, the Land Commissions should leave the natives four times the land area already cultivated, for future expansion²⁹. In order to get the goodwill of natives, a definite sum of money was placed at the Land Commissions' disposal, for buying presents to the natives, in order to obtain their friendly understanding on land acquisition matters. If all these friendly measures failed, a report was to be made to the Governor, who would then resort to coercive means.

By 1900, the German colonial government was adopting tougher attitudes in defining Crownland. A circular regarding the extent of the Government's right of occupation and formation of Land Commissions that was issued on 29.4.1900 emphasized that all lands

²⁷ General Headquarters East African Force, *Extracts from German Ordinances and Decrees in German East Africa*, Nairobi, 1916, p. 129.

²⁸ *ibid*, p. 142.

²⁹ *ibid*, p. 135.

which could not be proved to be private property of an individual or community was to be regarded as Crownland. The government recognised native rights to land only when land was physically occupied. Although Commissions were instructed to leave aside four times the cultivated land for the future, natives were to be given only so much land as was absolutely required under the changing circumstances and for the subsistence of the village community³⁰. However, in order not to give rise to political complications, the causing of hardships to natives was to be avoided. In particular, extensive seizure of unoccupied land was recommended only in districts which were under full effective control of the colonial administration i.e. where dissent could effectively be dealt with. Natives were to be instructed by the colonial officials on the lands which were declared Crownland during District tours, and in open *Barazas* (mass meetings).

The Imperial Chancellor could direct that land previously taken from natives and given to non-natives be repossessed and given back to the natives if necessary, "in order to secure to the natives the continuance of their livelihood and in particular to serve them a right of domicile"³¹.

The bulk of the legislation was therefore meant to secure a decisive stakehold in land in the Colony for use by settlers and other aliens to the country. However, the indigenous population had to be related and catered for as well. The latter's continued occupation of any land was permissive, in the sense that they could be moved at the whims of the Colonial government. The bulk of the indigenous population did not have any documents to authenticite their claims to land ownership. An Ordinance regarding Land Registration by natives was passed in 1903. Under it, natives and other coloured persons were entitled to register their lands in the Land Register provided that such lands were situated in defined township areas³². Nevertheless, registration of native lands was considered less urgent in comparison to the registration of European rights. The Order regarding the boundaries of the Township Area of Dar es Salaam in which natives and other coloured persons might register

³⁰ *ibid*, p. 134.

³¹ *ibid*, p. 151.

³² *ibid*, p. 159.

their land in accordance with the 1903 Ordinance was not published till 1.6.1910. Dar es Salaam Township was divided into several areas or 'flurs'. It was intended eventually to enter all plots in the Land Register (*Grundbuch*). European and Asian owners were dealt with in the first instance. Only in a few isolated cases had native holdings been investigated by the time World War I broke out³³. This was despite the fact that natives were the majority. Thus native interests in land were secondary to colonial interests. Their right over land was seen as a phenomenon to be tolerated because it could not be avoided.

3.2. Land Policy Impacts

3.2.1 Introduction

It has been pointed out that colonial penetration included the acquisition of land and the establishment of urban centres in the colonies on which the dual purposes of domination and exploitation could be realised. Therefore, policies adopted for these urban centres reflected the purposes of colonialism. Before being specific with the Dar es Salaam of the 1890s, it is pertinent to briefly refer to the early days of colonial penetration in German East Africa, spearheaded by Karl Peters and his German East Africa Company.

In 1884, large tracts of land were granted "for all times" to the German adventurer, Dr. Karl Peters, by local chiefs in the areas of Usagara, Uzigua, Ukami, and Ungulu, under dubious contracts and in consideration of a few trinklets³⁴. Though these grants did not directly affect the area around Dar es Salaam, further land occupation took place in Uzaramo, after the formation of the German East Africa Company in 1885. When this Company obtained virtual occupation of the coastal belt from the Sultan of Zanzibar in 1888 (which included Dar es Salaam), large contingents of Germans invaded the coast, to take over ports, customs, trade, etc.³⁵.

³³ Tanzania National Archives, File No. 12589, Dar es Salaam Township Layout, Vol II.

³⁴ G.S.P. Freeman-Grenville, "The German Sphere, 1884-98", in, R. Oliver and G. Mathew, (Eds), *History of East Africa, Vol. I*, Clarendon Press, Oxford, 1963, pp. 422-453.

³⁵ *ibid.*, p. 438.

According to a Tanga poet, Hemedi bin Abdallah bin Saidi el Buhriy³⁶:

Kilwa na Darisalama
Kuna Wazungu na kama
Mtu hapati kusema
Nti Wamezizuiya

At Kilwa and Dar es Salaam
There is a plague of Europeans
There is no free speech
They had throttled the country

In May, 1887, Captain Leue landed in Dar es Salaam to found one of the German East Africa Company's stations. He was not well received by the local peoples, but was well protected by a bodyguard of twelve Arabs provided by the Sultan of Zanzibar, and by a number of German assistants, as well as personal servants³⁷. It took him sometime to find accommodation in an old Arab building. Once this was done, he went ahead and acquired land for his Company, and constructed a *Boma* for defence purposes. Leue was soon joined by missionaries from Germany: The Evangelical Mission, the Lutherans, and the Catholics (Benedictines). All these missionaries negotiated for land along Dar es Salaam's harbour, (and, in the case of the Catholics, in the Kurasini area as well), with the help of officials like Leue and Wissman.

The German invasion of the coast was growing and was a real threat to existing trade and other interests. This engendered resentment, which culminated in the Abushiri rebellion of 1888. Dar es Salaam, though well protected by a man-of-war, was attacked by the rebels during the latter part of that year and suffered some damage. In dealing with the rebellion, Leue demonstrated German ruthlessness by razing to the ground, all the houses surrounding his headquarters, to give an open area in which to see any approaching enemy³⁸. Security at Dar es Salaam was enhanced by enlarging and fortifying the *Boma*, and by constructing a small fort at Kivukoni, at the harbour's entrance. The German garrison stationed at Dar es

³⁶ quoted in, *ibid.*, p. 438.

³⁷ C.C. Gillman, "Dar es Salaam, 1860-1940: A Story of Growth and Change", *Tanganyika Notes and Records*, 20, 1945, pp. 1-23.

³⁸ S. von Sicard, *The Lutheran Church on the Coast of Tanzania, 1887-1914*, Almquist and Wiksells Boktryckeri AB, Upsalla, 1970, p. 66

Salaam then flushed out the Arab strongholds at Magogoni, Kunduchi, and Kisiju³⁹. By the time the rebels were subdued, (and their leader publicly hanged), an imprint had been made on the local population that Europeans in general, and Germans in particular, were mighty and were to be feared. This came in the wake of the declining might of the Sultan of Zanzibar.

The Dar es Salaam that Leue found was the old dilapidated Majid town, in the areas of the current railway station and around today's Samora Machel Avenue, India Street, and Market Street (Figure 3.2). It was inhabited by Arabs, Indians and natives. There were also a number of villages including Kizingo, Mzizima, Upanga, Kisutu, and Magogoni (Figure 3.2). Natives in these villages were agriculturists, fishermen, and small scale traders. Others were labourers engaged on the extensive coconut plantations belonging to the Sultan Zanzibar and prominent Zanzibari Arabs like Suleman bin Nasr el Lemki. The latter became one time the Liwali of Dar es Salaam. These plantations were situated at Kisutu, Kitchwele, Kariakoo, Gerezani, Upanga and elsewhere. There were in all, 2000 inhabitants in Dar es Salaam: 200 Indians, 50 Arabs, 500 slaves, and a sizeable number of Zaramo and Nyamwezi natives.⁴⁰ Another authority however, puts the figure of Dar es Salaam's inhabitants in 1887 at between 3000 and 4000 people⁴¹.

3.2.2 Acquiring Land in Dar es Salaam for Colonial Designs.

The Nature of the Acquired Land

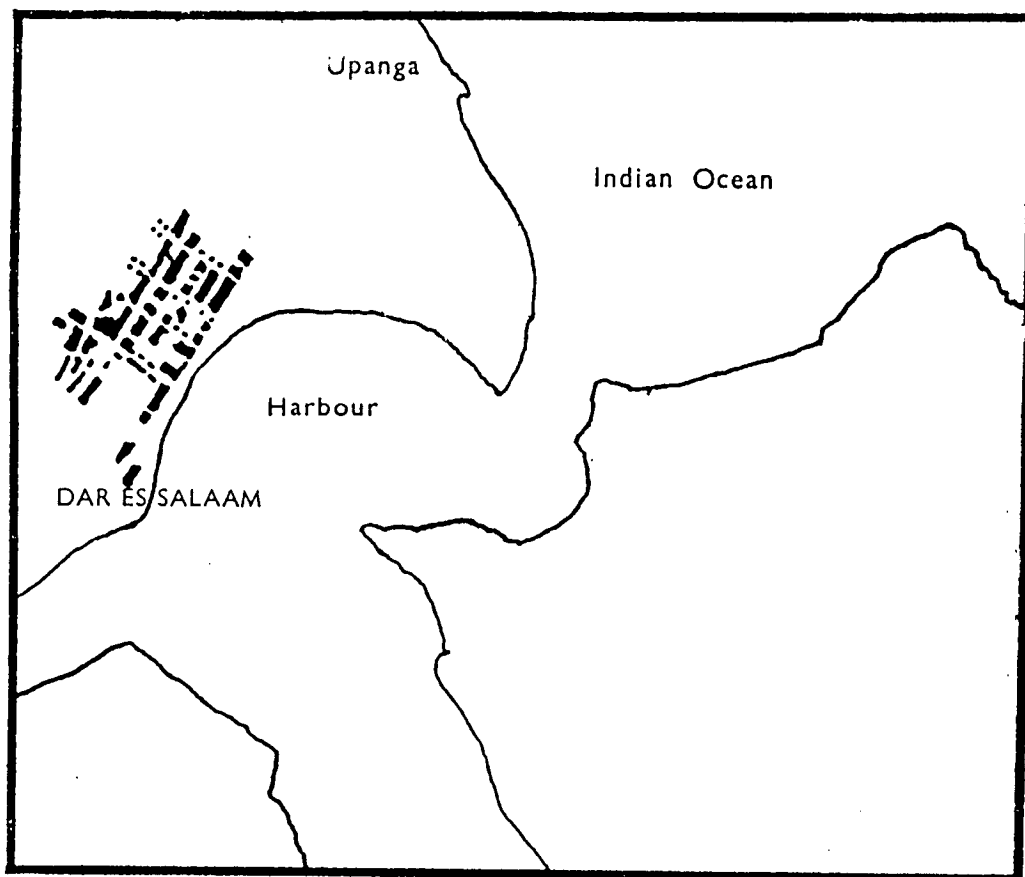
Early German land acquisitions reflected the motives of colonial rule. The harbour was an important physical feature of Dar es Salaam. All land along this harbour was therefore acquired and was soon put to uses like defence, warehousing, customs, and general

³⁹ Gillman, "Dar es Salaam, 1860-1940", p. 6.

⁴⁰ Sicard, *The Lutheran Church*, p. 59.

⁴¹ H. Schnee, *Deutsches Koloniallexikon Band II*, Verlag von Quelle und Meyer, Leipzig, 1920, p. 283.

Figure 3.2 Dar es Salaam, early 1890s.



Source: von Sicard *The Lutheran Church on the Coast of Tanzania*.

administration. Secondly Europeans wanted to be comfortable and were aware of the moderating influences of the Ocean on the rather hot and humid climate of Dar es Salaam. Thus, land along the Ocean front was acquired to build European residences. Thirdly there was need not to antagonise existing interests where these were of projected economic roles supportive of colonial designs. Consequently, in the immediate period following colonial occupation of Dar es Saaaam, there was a policy to avoid disturbing the old Majid town, with its Indian and Arab interests.

In general however, the Government aimed at owning as much land as possible. Therefore, later land acquisitions covered all parts of Dar es Salaam.

Methods of Land Acquisition.

Colonialism entailed the interfering with the existing order. Steps had to be taken to get the colonisers a foothold in Dar es Salaam. Land had to be acquired for Government offices, officials' residences, and the military; and for import/export, and trade purposes. The German colonial Government used at least three major ways of obtaining land:

- (a) Acquiring land forcibly from natives with minimum compensation;
- (b) Land which became vested in the Government through the German East Africa Company or through the *1895 Decree*; and,
- (c) Land obtained through genuine negotiations, purchase, or exchange with the more prominent Arab and non native landowners.

(a) Acquiring Land forcibly from the natives.

Sometime around 1890, a decision was made that the land between the old Majid Town, the Harbour, the Ocean and northwards towards Upanga (Figure 3.2) should be acquired for Government business. It was suited to European occupation; was well sited in respect with the entrance of Harbour; and had only native (and a few Arab) interests to contend with.

We get a picture of how natives were removed from this area by reviewing the case of Halid bin Msuo, a native who was a landowner in this area. This information is based on a study and translation of German documents made by the Land Officer during the British era, in 1930, in response to petitions made by Msuo bin Majid and Shaha Jagna against unfair compensation paid to their forebearers when the Germans expropriated their land in the 1890s (See Appendix 3.1)⁴².

In 1890, Halid bin Msuo, and other natives were ordered to leave their settlements along the harbour front to make way for a European settlement. This was during von Wissman's rule. According to an affidavit sworn by a number of these natives:

An official order was issued that no one would be allowed to continue living there (i.e. where the government buildings now are).

People were compensated and received one rupee for each large palm, and 20-30 rupees for a house. This amount was arbitrarily determined by German officials; and was apparently unfair to the natives. Halid was not willing to sell his land because on the plot there was a grave of his father and a small mosque. He was also unhappy with the compensation, because he declared that he had, within the affected plot, two houses worthy a few hundred rupees and 65 palms. However, Halid, his brother Rasgalla and another person, all owning six and half hectares of land and developments thereon were paid only 200 rupees. They could not protest as, "all natives abandoned their plots without regard to compensation out of fear of Europeans."

Although these natives were thus forcibly evicted and undercompensated, documents detailing the transfer of their land to the German government were presented as contracts of purchase (*Kaufvertrags*). These land expropriations were carried out by Captain Leue, then Officer Commanding District, Dar es Salaam, from December 1890, under instructions from newly appointed governor von Soden (who was, until April 1891, still stationed in Zanzibar). According to Leue, where parties refused to sell, they were expropriated and given

⁴²

Tanzania National Archives File No 81/76: Petition by Msuo bin Majid, Dar es Salaam. All the information in this subsection is taken from this source. See also Appendix 3.1.

compensation for "distrubance". It is through such unfair means that natives were removed from the area between the Ocean, the Harbour and the current city centre. (See Appendix 3.1).

By the time the German Colonial Governor took up his seat in Dar es Salaam in 1891, the government area had already been, (or was in the process of being) cleared of natives. Government House and several government offices and quarters were also under construction⁴³. Later, the evicted natives who were alive, realised that the German government was, from 1907, more accommodating. In 1911, they complained against the unfair evictions of the 1890s to the German authorities like Governor Lechenberg. However, the Governor, decided against them, after being advised by the German legal advisor on the grounds that:

at the time in question (1890), natives, as distinct from Arabs had no right of private ownership in land, and that as according to *Herr* Leue the parties had received *compensation for disturbance*, they had no further claim in the matter. (Emphasis added)

This argument was just an expedient to justify the denying of the natives of their rights (and also to avoid opening up a Pandora's box of claims for compensations), because the German government recognised African private interests in land, as evidenced by the laws permitting natives to register their land within townships. Land Register Records show that already before 1890, a number of areas were under the private ownership of Indians, Arabs, and *Africans*.⁴⁴

The disgrunted natives did not give up their claims that easily. In the 1930s, further petitioning was made to the British Administration against the 1890 expropriations. The British Administration's policy in land matters was guided by the motive to uphold earlier German policies. Therefore, these native claims were turned down. The translator of the German Records during the British administration, H. Nimmo, was so anxious to ensure that

⁴³ Gillman, "Dar es Salaam 1860-1940..", p. 78.

⁴⁴ Karl Vorlauffer, *Koloniale und nachkoloniale stadtplanung in Dar es Salaam*, Johann Wolfgang Goethe-Universitat, Frankfurt-am-Main, 1970.

the natives did not get their rights that, despite having evidence that the so called contracts of Purchase (*Kaufvertrags*) between the German authorities and the natives were unfair, he exceeded his terms of reference and introduced bias against the natives in his advice to the Land Officer in 1930. He claimed that these people appeared to have hoped that 20 years after the expropriation happened, the relative documents might have gone astray.

Yet at about the same time, in May, 1935, the Land Officer wrote to the Provincial Commissioner, Tanga, asserting that freehold land ownership had long been established along the Coast:

...in a great many case, the right to individual ownership of land carrying with it as it did the right to free alienation outside of a particular group or tribe had become firmly established in the greater part of the area described locally as the "coastal belt" *prior to German occupation* (Emphasis added)⁴⁵.

But even if the above had not been the case, the fact that land was held under customary tenure should not have been taken to mean the oppression of native land occupiers.

It is therefore difficult to see why, save for racist reasons, Msuo and other natives were denied their rights by both colonial administrations.

Another glimpse of German Land acquisition practice is provided by reviewing the case of land acquired by Government from some 20 natives in the Mtoni area in 1900 (See Appendix 3.2 for the German text of the contract of sale and its translation). The government paid only for part of the unexhausted improvements i.e. coconut and mango trees. It did not pay for the buildings and any other crops, nor did it pay for the value of the land, or for disturbance. There was no efforts whatsoever made to put the people whose land was acquired into an "equivalent" position. The prices offered were arbitrarily determined by the government. Besides, by allowing natives to continue in occupation of the sold land, the Government hoodwinked them into not getting the full impact of their act, and thus avoided trouble, and bid for time, to remove them as and when the administrative, economic, and military conditions became conducive. In effect also, the government was engaging in land

45

See Tanzania National Archives File No. 63, Freehold Titles, General.

speculation, buying cheaply from natives subdividing, and selling expensively, at the true market value of the land in question.

The natives who are presented as having sold their land selling in Mtoni appear to have been cheated, or to have acted under duress. This is suggested by studying their "signatures" on the sale contracts (Appendix 3.2). The "signatures" are far from being genuine. Most are mere marks made by, or on behalf of, ignorant or disinterested persons, or persons under some kind of pressure. Only Idd bin Chaurembo and Mishoe bin Simba, among the sellers, appear to have genuine Arabic signatures. The other Arabic signatures belong to neighbours (*angrenzer*) who acted as witnesses. The fact that the witnesses to such dubious land sales like this were literate in Arabic, suggests an alliance against the natives, between the Germans and the then coastal "elite" (Arabs or Arab literate persons). The latter, as we have pointed out earlier, helped to implant and entrench German Colonialism by working as administrators, chiefly as *Jumbes*, *Liwalis* and *Akidas*⁴⁶.

Thus it is clear that the German policy of intimidation (*Schrecklichkeit*) was generally used in acquiring land from the natives. German records on the values of land on reallocation have proved difficult to come by during this study, but it was found out that plot 26, Flur 1 (the current Forodhani Hotel site, shown as the Club in Figure 3.3), was acquired from the Imperial Government by a civil servant, Mr F.C.L. Gurlitt, then Director of Public Works, on 20.12.1899 for 1,954.50 rupees (equivalent to Shs 3,909/=).⁴⁷ The above source also hints at German land policy by pointing out that during the early days of German Rule, civil servants were allowed to acquire freehold land at half its value. This means that the value of the above plot was 3509 rupees (over 8,000/=). This land is in the area where Halid Msuo and other natives got only 200 rupees for six and half acres of land and its improvements! It is noteworthy that already a policy had been instituted where land was acquired cheaply, and subsequently allocated at very much below its value to civil servants, a policy that is still being upheld today.

⁴⁶ This alliance was discontinued during the British Administration in favour of Indians. In many British Colonial documents, Arabs are classified together with natives.

⁴⁷ W. Weidmann, "A Short History of the Klub, Dar es Salaam", in, *Tanganyika Notes and Records*, No. 41, December, 1955, pp. 60-62.

Because of the importance that Dar es Salaam attained as the seat of government, land values shot up. However, these appear not to have benefitted the natives; because, at the same time as the Government was acquiring land, private German individual and companies were also acquiring a lot of African land by all means. Many Africans in, and about, Dar es Salaam were turned into tenants paying rent to German landowners⁴⁸. In an attempt to reverse this process, a decree issued in 1895 prevented the transfer of land exceeding one hectare in size, between natives and non-natives within townships without the Governor's consent. This measure came too late and provided too little protection. Many African landholdings were less than one hectare in extent, and in any case, the Governor need not withhold consent. Record books of the central areas of Dar es Salaam and Tanga, show no African property ownership therein at the beginning of the century.⁴⁹

(b) Land acquired via the German East Africa Company and through the 1895 Decree

It will be recalled that German colonialism in East Africa was spearheaded by private interests, and that in 1887, the German East Africa Company was established in Dar es Salaam. The Abushiri uprising accelerated the need for direct German Imperial rule in East Africa, but the German East Africa Company was still an important partner in the process of colonial development. In an agreement of the 20th November 1890, between the German Government and the German East Africa Company, the Company was granted the right to seize and occupy all "unowned" land⁵⁰ but with a proviso that the Imperial Government had the right to construct public structures on that "unowned" land in the interests of good governance and the security of the coast and the colony. The German East Africa Company therefore was at the forefront of land seizure and acquisition on behalf of the German Imperial Government. This explains why Captain Leue, who was in Dar es Salaam on behalf of the Company, was the same person who spearheaded the process of land grabbing from natives (like Halid bin Msuo described above), on behalf of the Government.

48 Vorlauffer, *Koloniale und nachkoloniale stadtplanung*.

49 *ibid.*

50 *Deutsches Kolonialblatt, 1890*, pp. 301-306.

The German East Africa Company was however always under pressure to give way to the colonial Government which took over the colony from January, 1891. The Company had acquired extensive pieces of land in Dar es Salaam, but in 1892 it forewent the right of occupation of the area close to the Head Customs office and the *Boma* up to some 3 km from the centre of town⁵¹. In November 1902, in a new agreement with the Government, the Company was finally forced to give up the exclusive occupation authority of the "unowned" land in favour of the colonial Government⁵². The Company nevertheless retained extensive pieces of land along the harbour and in the Government/Residential area.

The *1895 Decree* had declared as Crown land, all land considered to be unowned. Prior to that, in 1894, a system of land registration had been introduced⁵³. From thereon for a number of years, the Government called upon those with claims on land to present *evidence* to the Government supporting these claims. Those who did not turn up, or those who had no evidence (the majority of Africans) or those whose evidence could not satisfy government officials, had their land confiscated. Many Africans lost their land rights during this process as the registration of land belonging to natives and coloureds was the last to be undertaken and did not begin till 1910. Many too, did not have the evidence to authenticite their claims to land ownership.

Although the definite boundaries of how much land went to the Government are yet to be established, most of the city centre, land along the harbour, parts of Upanga, Kurasini, and the Msimbazi Valley passed on to Government ownership⁵⁴. The Government thus became a major, if not the largest, landowner in Dar es Salaam. It therefore had a free hand in shaping, the city's morphology. Except in the case of the Government area where natives were required to move within six months, occupiers of government land were not required to remove themselves immediately land was acquired. This led to the continued occupation by

⁵¹ Vorlaufer, *Koloniale und nachkoloniale stadtplanung*.

⁵² German Colonial Government, *Annual Reports*, 1902/03; Vorlaufer, *Koloniale und nachkoloniale stadtplanung*.

⁵³ *Deutsches Kolonialblatt*, 1894, p. 252.

⁵⁴ See, *Deutsches Kolonial Zeitung*, 1898, p. 387.

Africans and Indians, of government land in an indefinite system that came to be known later on as *Kiwanja* tenure (Chapter Four).

(c) Acquiring Land through genuine negotiations and purchase or exchange

In cases where landowners were powerful people, the Government preferred negotiations, purchase or exchange. The case of Suliman bin Nasr el Lemky, a Zanzibari Arab, is illustrative. He owned extensive parts of Dar es Salaam and part of his land was in what later on became the Government area. Instead of getting expropriated like Halid Msuo and others, Suliman (who later became the Liwali of Dar es Salaam) exchanged land with the Government (see Appendix 3.1). The case of Scholler, the German who owned much of Kariakoo is discussed later, but here again the government paid handsomely to acquire the land.

In all cases, part of government land was later on disposed of to private individuals after it had been subdivided into plots.

3.2.3 Shaping Dar es Salaam's Early Land Use Structure

Right from the start it was the government's intention to interfere into the land use structure of Dar es Salaam. This was a necessary result of the principles underlying colonialism which entailed government intervention for the purpose of domination and exploitation. These principles reflected themselves early in the land use structure of Dar es Salaam:

The Principle of Domination

(a) Military Aspects

It has been argued that compared to towns like Tabora, Arusha, and Iringa, the military aspect in Dar es Salaam was given less importance in shaping the City's land use structure. This is considered to be a result of the suppression, early in the colonial period, of the

uprisings that posed a threat to Dar es Salaam.⁵⁵ However, it should be noted that, as far as Dar es Salaam was concerned, it was the harbour that was important. Besides the protection that could be mustered from the Ocean, since the *Flotilla* (Navy) was stationed at Dar es Salaam, it should be point out that the Governor's *Palast* was strategically placed by the harbour's entrance, and a fort was built at the harbour's mouth. Besides, a *Boma* was constructed midway along the early used part of the harbour, and the *Kaserne* (Barracks) occupied the habour's inner end. All these, plus a police barracks beyond the Kurasini Creek, were among the earliest government buildings in Dar es Salaam (see Figre 3.3)⁵⁶. All had military implications.

(b) Racial Segregation

Vorlaufer argues that racial segregation was not an important element of the early German policy on urban land use structure⁵⁷. Yet we have seen how the whole Eastern part of Dar es Salaam was seized from natives who were expelled from the area and directed westwards. Later on, building regulations entrenched this process. Section 4 of the 1891 *Bauordnung* for Dar es Salaam (below) defined areas to be used exclusively for European settlement, and areas where native buildings were not allowed. Thus racial segregation was planned for right from the start.

While segregation is usually presented in the context of health and differential standards of living, it is also important to see it as a tool of domination. It is in the rarest of social organisations that ruler and ruled mingle together. Usually, the rulers segregate themselves, and are able thereby, to physically and ideologically domineer upon the ruled. In the cities of Europe's Industrial Revolution era, segregation, based not on race, but on social class, was practiced. In Colonial Africa, domination was practiced along racial lines. Therefore, racial segregation as a product of colonial domination, manifests itself in Dar es Salaam with the creation of the Government area, which was essentially European; the Commercial area which

⁵⁵ Vorlaufer, *Koloniale und nachkoloniale stadtplanung*.

⁵⁶ Gillman, "Dar es Salaam, 1860-1940", p. 8.

⁵⁷ Vorlaufer, *Koloniale und nachkoloniale stadtplanung*.

was partly European, but mainly Indian; and the *Niegerviertel* (Native Village) which was mainly African (Figure 3.3). Segregation was also demonstrated in social services infrastructure. Thus, there were in early Dar es Salaam: a European Hospital, a European School and even a European Cemetery (Figure 3.3). In a situation of limited resources, segregation also eased the unequal distribution of available infrastructural services, with a concentration on European areas.

(c) Administration

Domination entails ruling, and already, we see that land was acquired early enough for the construction of the colonial Government's administrative buildings in the Eastern part of Dar es Salaam, and along the harbour. In some cases administrative buildings doubled as offices on the ground floors, and as residences on upper storeys. Dar es Salaam had both the territorial government and the district government. The District Office (*Bezirksamt*) was constructed near the *Boma*, together with a prison (*gefingnis*) and a local court (*schaurihutte*) (Figure 3.3).

The Principle of Exploitation

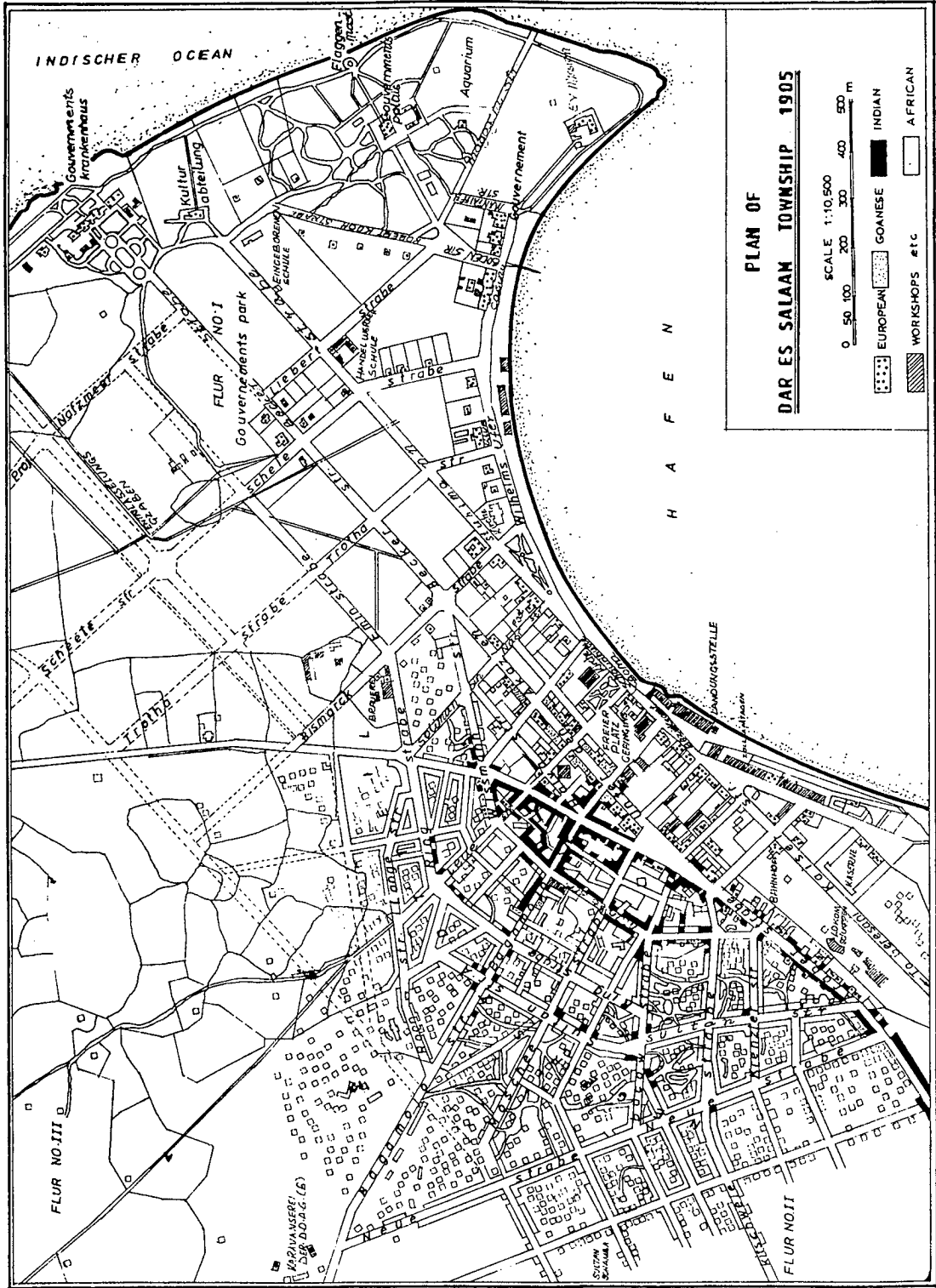
(a) Customs and Warehousing

The land that the German East Africa Company acquired first was along the harbour. This was soon passed over to the Colonial Government. Together with military establishments, a number of warehouses and custom sheds were among the early government buildings⁵⁸, although in the earlier stages, Dar es Salaam's port facilities were primitive. A series of masonry stairways and shoots, up and down which all cargo was manhandled into lighters, led from the natural narrow beach up the steep slope of the lowest coastal terrace, to sheds and warehouses perched along the latter's upper edge⁵⁹.

⁵⁸ Gillman, "Dar es Salaam, 1860-1940", p. 8.

⁵⁹ *ibid.*

Figure 3.3: Details of Dar es Salaam Land Uses, 1905



Source: Gillman, "Dar es Salaam, 1860-1940.."

Improvements were only made after the beginning of the railway construction in 1905. A well equipped dockyard was constructed on the south side of the harbour, beyond Kurasini Creek, across the mouth of which, a causeway was thrown in, to facilitate access to the yard. Buoying of the intricate harbour entrance commenced as early as 1891, and was gradually improved upon. The lighthouse on the coral reef of the Outer Makutumbi was built between 1892 and 1894⁶⁰.

One of the first acts of the German colonial government was the creation, in 1891, of a proper Customs Department under the control of a "Zolldirektor"⁶¹ with headquarters in Dar es Salaam⁶². Customs sheds (*Zollamt, Zollamtgen*) were quickly constructed along the Harbour (Figure 3.3), since controlling the import and export of goods was an important element in colonial exploitation practice.

(b) The Railways

Construction of the Central Railway Line (*Mittelland Bahn*) from Dar es Salaam, to facilitate the exploitation of the interior, commenced in 1905. The railway had a major impact on Dar es Salaam's land use structure in that a lot of land had to be set aside for railway uses like: the station, locomotive sheds, land for the railway tracks, housing for railway staff, marshalling yards, etc. Much of this land in Dar es Salaam was, as far as can be ascertained, already in government hands. The railway's mainline alignment followed the 1878 Mackinon Road (more or less the current Pugu Road). The line laid the basis for the future siting of the Industrial Area.

(c) Trade and Commerce

Essentially, colonialism entailed the exchange of goods. This too was reflected in the city's early land use structure. Warehousing was one aspect of commerce which was

⁶⁰ *Deutsches Kolonialblatt*, Vols 2, 3, and 5.

⁶¹ *Zoll* = Customs

⁶² Gillman, "Dar es Salaam 1860-1940..", p. 10.

concentrated along the harbour. While the German Government would have preferred German nationalities to run trade and commerce, this was not practicable, and perhaps not desirable, in view of the position that the Indians already held in this sector, and in view of their (Indians') capability to penetrate the colony to the remotest corners, to live on extremely low budgets, and to mobilise their own capital. A compromise that was adopted was to have both Europeans and Indians participating in trade and commerce, the former concentrating on wholesaling, exporting and importing, and on "high order" goods; the latter, on retailing, and on the purchase of small quantities of products from the producers.

The commercial area was already established during Majid's days, and this formed the backbone of the *bazaar* area around today's India Street, northwestwards (Figure 3.3). To the South and East of the *bazaar* area, commercial uses were, to some extent, determined by the need for warehouses to be near the harbour. Warehousing was in European hands. Therefore, the area nearby became mainly a European shopping area. It came to be regarded as the "city" of Dar es Salaam since it had the most important financial institutions of the time: i.e. the Savings Bank, and the Post Office as well as the more prominent Churches, and Hotels.

The role of the various races

From the above paragraphs, it can be construed that the colonial system envisaged various roles for various races and that this reflected itself in land uses. Colonial Administration, was on the whole in European hands, and a European Residential area was set up, as part of the general Government area. Non official Europeans participated in trade and business ventures and were usually allocated plots by the government or could purchase land from owners for their business and residential uses. Retail trade was mainly in the hand of Indians and these were left undisturbed in the central area. The 1891 *Bauordnung* (below) accommodated Indian types of buildings in this area to make it possible for both Indian and Europeans to share the commercial area. The Africans were allocated the lowest role: i.e. the provision of domestic and plantation labour, and labour for the port, the railways, and public works. Others had their own roles as peasants, fishermen and small scale traders. By 1905, Africans were concentrated north and westwards of the "*bazaar*" area and many constructed simple buildings and lived in clusters totally unrelated to any role in the colonial set up (Figure 3.3)

3.2.4 Policy Tools used in shaping Dar es Salaam's Land Use Structure

The 1891 *Bauordnung* for Dar es Salaam

Major aspects of Dar es Salaam's early development were guided by the town's first *Bauordnung*⁶³, which appeared on 14th May 1891 (See Appendix 3.3 for the original text and its translation). It divided Dar es Salaam into zones where various standards of buildings were required. Land use planning was then targetted to street layouts, land subdivisions, and building regulations, mainly for sanitary considerations, but also with an ulterior aim of legalising racial segregation. According to the 1891 *Bauordnung*, the zone along the harbour front and eastern part of the town was:

exclusively allocated for the European settlement, that means only European type of buildings are allowed in there. (S.4)

For the next zone around India Street:

Other buildings are also allowed, in so far as they are built of solid materials and do not fall into the category of native huts. (S.5)

For the rest of Dar es Salaam towards the periphery, no types of allowed buildings were specified. This gave room for the construction of the simplest huts.

All construction required a building permit. What was to be understood as a "European type of building" was to be decided in the first instance, by the Imperial regional officials. (S.6)

The 1891 *Bauordnung* was overtly racist in that it specifically set out some areas as being exclusive for Europeans. It also excluded native buildings from being put up in some areas. Besides, the building regulations applicable to certain parts of Dar es Salaam, were aimed at leading to a racial differentiation of Dar es Salaam's land use structure. Government officials

⁶³

bau = building, *ordnung* = order, but the word *bauordnung* also implies zoning and building regulations.

were given powers to scrutinise applications to prove that the applicants were entitled to build in the earmarked areas. This provided a further measure whereby racial segregation could be enforced. By 1905, Dar es Salaam was essentially developing on racial lines. Racial segregation was being openly invoked throughout German East Africa and a native zone was in the process of being laid out in the Kariakoo area of Dar es Salaam.⁶⁴

The Government area, consisting of both government offices and officials' residences, was planned with straight, wide boulevards, well lavished in verdure, linking it to the old Majid town to the West. This kind of planning was fashionable in Europe at the time.⁶⁵ Individual plots were quite large; buildings mainly two storied; and a large portion of the land was given over to the planting of experimental botanical gardens which were not only of considerable scientific and economic value, but formed a great attraction to residents and visitors alike. The Colony's rulers made sure that they created a pleasant environment for their part of the town. This European area was projected to develop northwards and end up in the Golf Course. This development was cut short by the outbreak of World War I but was completed by the British Administration (Figure 3.3).

To the west of the Government Area, the Indian *bazaar* (part of the former Majid Town), remained constructed in primitive and unhygienic single storied flat roofed houses comprising shop and residence gradually wedging itself westwards. This was despite the stipulations of the 1891 *Bauordnung* which required stone buildings in the area. A semi-annular street plan was prepared for this *bazaar* area, generally simulating the curve of the Harbour, and creating a distinct high density character for the area, compared to the low density Government area to the East, and the native area to the north and west. Ring development was another big fashion in European townplanning at the time. All streets in this area were converging on, and highlighting the importance of, the harbour, the most important of the city's physical aspects as far as colonialism was concerned. A grid pattern plan, typical of European 19th century working class quarters was prepared for the native area further to the

⁶⁴ Gillman, "Dar es Salaam: 1860-1940..", p. 9.

⁶⁵ W. de Boer, *Urban Renewal and Rehabilitation in Kariakoo, Dar es Salaam, Part I: Prestudies and Recommendations*, Ardhi Institute, Dar es Salaam, 1984, p. 23.

west. In this native area, building in any materials was allowed, and the type of structures put up, ranged from the grand thatched Swahili houses (Figure 3.4) to the more simple structures.

Throughout this early period racial segregation was toned down somewhat, and Vorlaufer points to the settling in the Tanga town centre and next to the European residences, of freed slaves. He also points to the settling of the Manyema, who served as German porters and askaris, in the Dar es Salaam zone meant for Europeans in the area currently occupied by the New Africa Hotel. This was after the passing of the 1891 *Bauordnung* for Dar es Salaam.⁶⁶ However by 1905, open racial prejudice was rife in Dar es Salaam and this guided the development of the town till Independence.

The decision to construct the railway had important connotations for Dar es Salaam. A lot of money was poured in the town, and many people, natives and non natives, flocked to Dar es Salaam to take advantage of the economic opportunities available. This, came when theories of health hazards supposedly engendered by natives against Europeans were being propagated (Chapter 1), and must have contributed to the entrenchment of racial prejudices. Both Vorlaufer and Pipping⁶⁷ show that from 1905 discussion was intense in German East Africa for the development of racially segregated residential quarters in townships like Kilosa, Morogoro, Dodoma, Kigoma, Tabora, Moshi and Dar es Salaam. From 1910 racial segregation was elevated to an official compulsory principle in town planning in German East Africa.

In Dar es Salaam, racial segregation was manifested in the then deliberate government policy to layout a native town in the Kariakoo area. Natives who had been removed from the Government area as well as those who were gravitating to the township had settled in what is today, Dar es Salaam's city centre, and were mixed up with Indians (Figure 3.3). The colonial government wanted the Europeans to have a stake in the commercial activities dominated by the Indians. The natives had therefore to be separated from the Indians, and,

⁶⁶ Vorlaufer, *Koloniale und nachkoloniale stadtplanung*.

⁶⁷ *ibid*; Ida van Hulten, Pipping, *An Episode of Colonial History: The German Press in Tanzania, 1901-1914*, Scandinavia Institute of African Studies, Upsalla, 1974.

Figure 3.4: A street in the Native Area of Dar es Salaam, 1905.



Eingeborenenstraße in Dar es Salaam.

Source: W. Scheel, *Deutschlandskolonien in achtzig farbenphotographischen Ubbildungen*, Berlin, 1912, p. 97.

by implication, from Europeans. This was achieved by designing a special area for the natives (in this case Kariakoo) which would have some minimum planning standards (like street layouts) enforced.

Part of Kariakoo was the Sultan of Zanzibar's *Shamba* on which slaves worked. About 213 hectares in Kariakoo had been purchased by one Schoeller during the early days of German rule. Schoeller had formed a company known as the Sultan Plantation Company. There were 7250 bearing palms on this piece of land, so that Schoeller allowed natives to settle there, charging them land rent. He was also speculating on the future value of the land, which in the 1910s had reached 1-2 rupees a square metre. This was too high for natives, although individual Indians were already buying plots in the area. Therefore, Kariakoo was already occupied haphazardly when German officials started working on a plan for the area.

With the commencement of railway construction, many Africans flocked to Dar es Salaam and settled haphazardly particularly on Schoeller's *Shamba*. By 1913, according to a source quoted by Vorlaufer⁶⁸, the government was being enjoined by Dar es Salaam European residents to acquire Schoeller's *Shamba* for the proper settling natives. They cited a number of reasons:

- o The plantation contained 1600 out of the 2400 native houses in the township;
- o There were 15,000 natives on this plantation out of the 24,000 natives in the township;
- o The development of a native town of such a size could not be left to a private company which was then making money from land rent and coconuts but which stood to lose if the area was to be replanned, since the existing structures would have to be demolished;
- o The purchase of the plantation was most essential from the sanitary point of view of the township;

⁶⁸

Vorlaufer, *Koloniale und nachkoloniale stadtplanung*.

- o Separation between natives and Europeans as stipulated in the *Bauordnung* would only be possible if the plots and the land in this native town were under the ownership of the Government.

Schoeller's *Shamba* was bought by the Government in 1914 for 500,000 rupees. During World War I, the planning of Kariakoo reached *Karavan Strasse* (today's Msimbazi Street). Land allocation in Kariakoo was at first well controlled, but became haphazard during the War period. Readjustment had to be made in the 1920s.

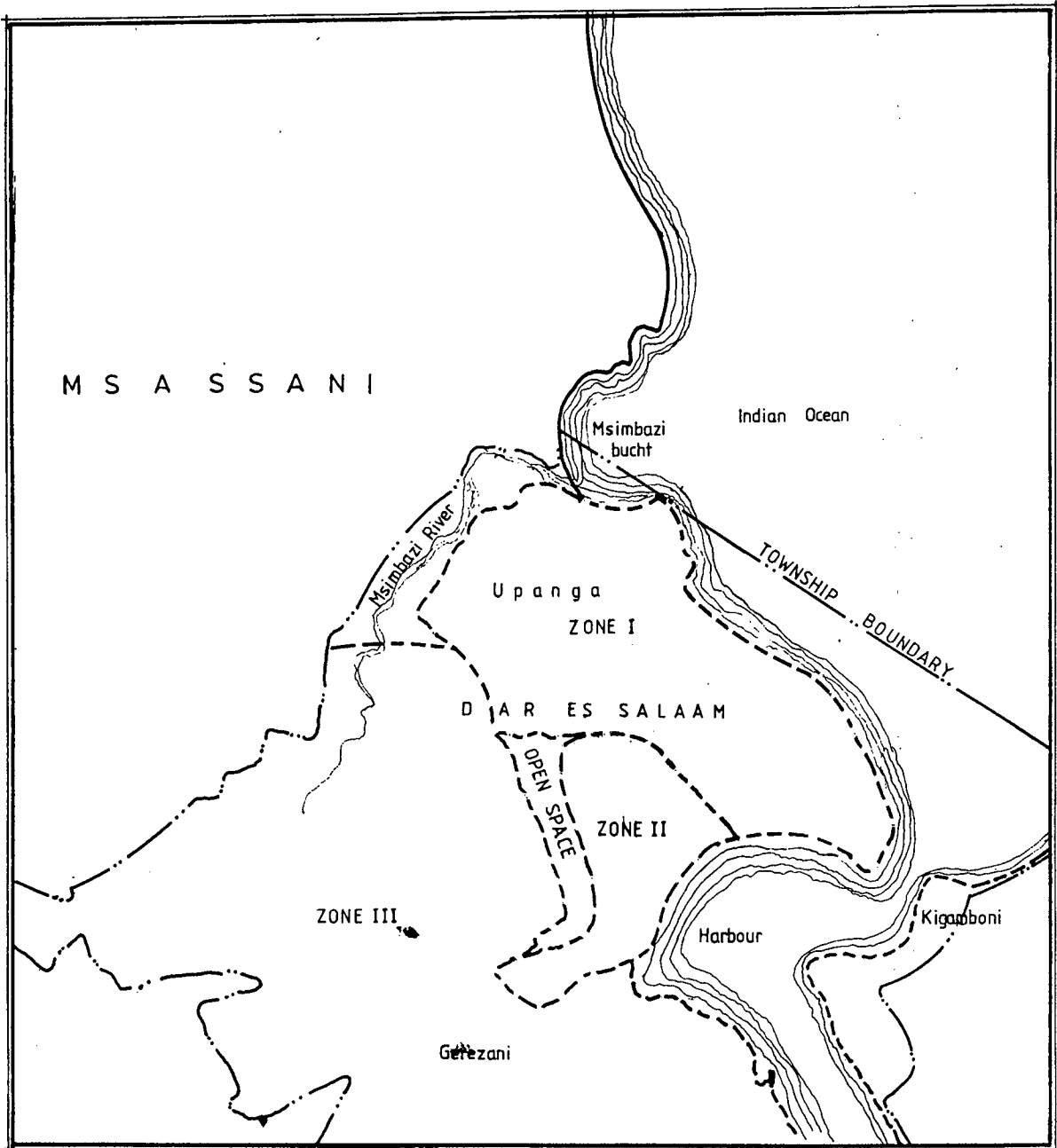
The 1914 *Bauordnung* for Dar es Salaam

In the light of the new circumstances since the 1891 *Bauordnung*, and also in view of the tremendous increase in Dar es Salaam's population which had grown from 9,000 people in 1894 to 19,000 in 1913, a new *Bauordnung* was called for. This appeared on July 1st 1914. Moulded along the lines of the 1891 *Bauordnung*, it divided Dar es Salaam into three zones spelled more or less along racial lines of Europeans, Asians, and African areas, as follows (Figure 3.5):

- o Zone I was reserved for European residential quarters. Permanent residence of natives in this zone was only permitted with the sanctioning of the authorities.
- o Zone II was the business quarter where block and contiguous buildings were permitted. Not however, houses of native style.
- o Zone III was reserved for the native quarter.
- o Between the native quarter and the first and second zones, there was (planned) a neutral zone. No new buildings were to be erected in this part (Figure 3.5).

War broke out a month after the 1914 *Bauordnung* was published, so, not much was done to implement its provisions during the rest of the German rule. It however laid the basis of Dar es Salaam's future growth almost throughout the interwar period since the British Administration implemented it to the letter (Chapter Four).

Figure 3.5: Dar es Salaam Zones as stipulated by the 1914 *Bauordnung*



Source: Tanzania National Archives File No. 12589, Dar es Salaam Township Layout, Vol II.

The Provision of Infrastructure in Early Dar es Salaam

The laying of roads in the European area of Dar es Salaam was relatively easy since the area had been cleared of all occupants. However, difficulty was experienced with the *bazaar* area and with the native town, where existing construction was unpatterned. The German officials prepared street layouts for these areas to which existing, and later structures had to conform. Not much is known on how these programmes were implemented but because of the limited resources available to the government, the road construction programme proceeded slowly, and was usually behind developments. It was reported, for example, that Becker *Strasse*, stretching from the Government Hospital to the city centre, as well as Wissman and Soliman bin Nasr *Strasses* (Figure 3.3), were laid out in 1907/08, and that native huts in the way of these roads had to be demolished; but that adequate compensation was paid.⁶⁹ The same must have happened elsewhere although much of the adjustment beyond the *Bazaar* area was carried out during the British period. The *Bazaar* area remained "a messy, labyrinthic triangle where the Indian dukas and dwellings mingled with Arab and African huts, a veritable slums area defying all effects of proper municipal administration and sanitation..."⁷⁰

With regard to **water supply**, use continued to be made of Majid's wells till the 1920s⁷¹. Many more were built. The use of modern well sinking methods and skilled workers from German permitted deeper wells, tapping more permanent water. Custom quickly developed that at least in the European part of town, each compound had its own water supply fitted with a hand pump worked by a houseboy⁷². Thus, even in a situation of poor water supply, the European area was well endowed. Satisfactory water prospecting was carried out in the 1900s. In 1901, excellent borehole water was found right in the harbour on the shore of Kurasini which was sufficient for the town and for ships. In 1903, plans to construct pipes

⁶⁹ German Colonial Government, *Annual Report*, 1907/08.

⁷⁰ Gillman, "Dar es Salaam: 1860-1940..", p. 15.

⁷¹ *ibid*, p. 3.

⁷² *ibid*, p. 9.

to supply Dar es Salaam were in hand. This mainly benefitted the European area.

Electricity was supplied to a limited clientele by the railways authorities after 1905. Early supply was limited to the railways itself, and to some hotels and streets in the European area.

There was equally limited infrastructure in the form of **sewers and drains**. As a result of the anti-malaria campaign, drains were constructed in parts of the European area and northward into what was later to become the Golf course. Otherwise there was no system of sewerage and drainage for the town although plans existed. In 1907 horizontal and vertical measurements were taken as a basis for Dar es Salaam's sanitation network, and a general plan was drawn but was not implemented.⁷³ A sewage and drainage network for central Dar es Salaam was not constructed till the 1950s.

It can be concluded therefore that, by and large, Dar es Salaam of the pre World War I era was a poorly serviced town. Whatever services there were, were concentrated in the European area. As a general observation too, services tended to follow development rather than vice versa. The major impact of servicing therefore was to reflect and emphasize the status quo but not to spearhead development.

3.3. Economic responses

3.3.1 Introduction

During the early colonial days, social groupings were conceived and policy implemented, on a racial basis. This kind of grouping is therefore adopted for studying this epoch, although it is realised that even within a broad racial group, there would be several subcategories, with various, and occasionally, conflicting interests. The broad interest groups that influenced Dar es Salaam's development were:

- (a) The Europeans, subdivided into (i) the government officials, and, (ii) the non officials, including private firms;

⁷³

German Colonial Government, *Annual Report*, 1907/09.

- (b) The Indians, and,
- (c) The Africans (generally referred to as "natives").

There were also a number of Arabs but German records on their holdings and behavior are scanty. Generally speaking, Arabs collaborated with the Germans against natives and the importance of big Arab landowners such as Suliman bin Nasr has been referred to.

3.3.2 The Europeans

(i) Government Officials

The situation confronting government officials was that of having substantial political power, but limited economic resources. The idea however was to create, in Dar es Salaam, an ideal environment conducive to work in, and to run the colony. Power was used to the utmost to acquire a lot of land. The European area was well laid out in large plots. Trees and other plants were abundantly grown. A botanical garden was created. The whole government area was a garden city.⁷⁴ The buildings that were put up were designed in such a way (with, for example, extended verandahs, and steep titled roofs) as to moderate their internal atmosphere, and provide a cooler environment.

While it was possible to acquire a lot of land, it was not possible to develop it immediately. A lot of land in the Government Area remained undeveloped till the British period. This was after natives and non Europeans had been ordered off that land.

Government officials took early steps to maximise their privileges in land. Besides creating a superior residential and working environment for themselves, German civil servants were allowed to acquire freehold land at half its market price. Many civil servants were thus enabled to put up substantial private property in the European residential area.⁷⁵ Thus, the

⁷⁴ J.E.G. Sutton, "Dar es Salaam: A sketch of a hundred years", *Tanzania Notes and Records*, No. 70, 1971, pp. 1-20.

⁷⁵ Weidmann, "A Short History of The Klub".

policy where government officials tune land policy to suit their own interests started during the German period.

(ii) European Non-officials and German private companies.

For successful early colonialism, migration to the colony, of white settlers and traders, was essential, and these were lured to come to East Africa. The colonial Government was anxious to see that these got land and developed it to colonial needs. Thus the land acquisition and zoning measures described above.

The response was rather mixed. The German East Africa Company, the pioneer of German colonialism in East Africa, did acquire a lot of land either along the harbour, in the Government area, and in the central area. No other commercial house acquired that much land, although several individuals and firms owned more than one plot of land. Many of the developments on this land comprised of warehouses, offices as well as residences. There were a few hotels, workshops, and factories, and residential houses.

According to the records kept by the *Custodian of Enemy Property* during the early 1920s, there were over 188 land lots owned by German nationals and firms in Dar es Salaam at the end of the German era. Most of the owners developed their plots as offices, warehouses, workshops, and factories. Many too combined residences on the same plots. Buildings were usually no more than two stories high, a reflection, not only of poor transportation facilities and poor general infrastructure, but also of the general precarious nature of incipient colonialism. A lot of land was also kept undeveloped. This was a reflection of lack of resources; but also, possibly of poor returns on property. In 1901 for example, private construction had nearly come to a stand still. Only one entrepreneur was ready to erect 3 small houses at the urge of the Government for civil servants, and even then, against guaranteed rent for 7½ years⁷⁶.

A number of Europeans took up agricultural land around Dar es Salaam and many were engaged in growing palms. Coconuts palms were relatively cheap to look after, and

⁷⁶

German Colonial Government, *Annual Report*, 1901/1902.

commanded reasonable returns, and helped to ease land speculation. There were however no really big plantations around Dar es Salaam and the small that existed, produced relatively little⁷⁷. The only really big plantation in the Kurasini area of Dar es Salaam, the *Rheinische Handel Plantagengesellschaft* was closed in 1901 for not being profitable⁷⁸. The area was later on taken over by the Government and converted into a police detachment.

In 1905/06, there were about 30 European owners of coconut plantations around Dar es Salaam most being businessmen who aimed at earning surplus incomes, again, a reflection of limited resources⁷⁹.

This kind of situation where land could be acquired but put to little development encouraged speculation. It also encouraged the unplanned occupation of land. Africans could easily occupy land on coconut plantations, paying rent to the owners, who would allow them to put up temporary shelter. The case of Kariakoo described earlier was a typical example of this land speculation/unplanned settlements scenario.

3.3.3 The Indians

Indians had established themselves in East African trade long before the advent of European colonialism. The coming of the Germans in East Africa brought some changes in the sense that traditional links with Zanzibar were weakened while the coming of the Railways weakened caravan trade. The German colonial government was quick to realise the advantages of the Indians, to the aims of colonialism. Count Leo von Caprivi, who succeeded Bismark as German Imperial Chancellor put it clearly: "We want them (Indians) because they have connexions with the interior and we should not be in a position to replace them"⁸⁰. However, German houses like W. Oswald and Co., Hansing & Co., and the German East

⁷⁷ German Colonial Government, *Annual Reports*, 1901/02.

⁷⁸ *ibid.*

⁷⁹ German Colonial Government, *Annual Report*, 1905/06.

⁸⁰ R.G. Gregory, *India and Africa: A History of Race Relations within the British Empire 1890-1935*, Clarendon Press, Oxford, 1981, p. 104; M.S. Honey, *A History of Indian merchant capital and class formation in Tanganyika 1840-1940*, Phd, Thesis University of Dar es Salaam, 1982.

Africa Company, were also interested in a major role in trade. A compromise had to be struck. Major German commercial houses made efforts to support and coexist with the Indian trader in business. Wholesaling went to the Germans, while retail trade went to the Indians⁸¹.

The Indians were faced with a situation where they did not have much money to spare for land development. The result was for them to cluster together in the central area carrying out commerce and living under primitive accommodation conditions. The situation was only rectified during the British rule (Chapter Four).

Within the Indian community, the German government preferred to work with Goans. While both Indians and Europeans found themselves in the city centre, the Europeans and Goanese concentrated in the area which came to be known as the European shopping area (Around today's Samora Machel Avenue). The Indians were concentrated nearby in the *bazaar* area (See Figure 3.3).

The situation facing the Indians was that of limited capital accumulation, but with a sympathetic government which aimed at setting them up to work hand in hand with it, to ensure the economic exploitation of the colony. The Indians were therefore under no pressure either to move, or to conform to the building (zoning) requirements yet. Many lived in simple huts. It was the British Government which later on enforced development conditions in the Indian (Commercial) Area during the 1920s and 1930s. Even then, the process to force Indians to develop their plots was a hardous one and entailed the granting them of soft terms by the colonial government.

3.3.4 The Africans (Natives)

In looking at the Africans, it is pertinent to note that some of these were "native" to Dar es Salaam i.e. they had stayed in the area long before colonialism came. These included those who stayed in the various villages around Dar es Salaam like Mzizima, Upanga, Kizingo, and Kisutu. Then there were the Africans who were slaves working on the various plantations belonging mainly to Zanzibari Arabs. Thirdly there were those who could be described as the

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S. Walji, A History of the Ismailia Community in Tanzania, Phd Thesis, University of Wisconsin, 1974, p. 124.

caravan people, the Nyamwezi and Manyema in particular, but also the Yao and the Makonde. Finally, one can talk of new migrants, people who came from outside the Dar es Salaam area, to seek new opportunities. The majority of these initially came from the Uzaramo country surrounding Dar es Salaam.

The reaction of these groups in the early days of colonialism is difficult to disaggregate given our present level of knowledge. But they all had an economic motive to come or to stay in Dar es Salaam. Sicard writes that although Dar es Salaam was situated in the traditional Zaramo territory, it was not a natural centre for the Zaramos, and the "4000 or so Zaramos had come because of attraction of employment", and that "if the Arabs with their large plantations, and the Indians with their trade left Dar es Salaam, so would the majority of Africans."⁸² The fact that these people owned no land, and had come to seek economic opportunities, affected their attitude towards investing in property.

As soon as the German administration got established in 1890, people began to flock to Dar es Salaam in search of opportunities. There was a lot of construction going on to create the new capital and this was bringing in "growing numbers of fortune seekers from upcountry and overseas, and the old peaceful backwater character of Dar es Salaam was being transformed into a bustling town"⁸³. Dar es Salaam was so attractive that even slaves or ex-slaves did not leave the town although they were given considerable freedom.

Despite their enthusiasm for coming and staying in Dar es Salaam, Africans were confronted with a psychologically demoralizing atmosphere couched in European superiority. They were moreover relatively poor. Thus, the locals had no choice but to give way to the German Government when it expelled them from the Government area. They did not go far though, deciding to settle just behind the *Bazaar* area (Figure 3.3). This was as near as they could venture towards their places of work in the harbour, and in the Government and *Bazaar* areas, and in the Railways. The *Bazaar* area is sometimes referred to as the old native town to distinguish it from the new one in Karikaoo. Africans who worked on plantations settled

⁸² von Sicard, *The Lutheran Church on the Coast of Tanzania*, p. 171.

⁸³ *ibid*, p. 83.

there laying the foundation for future unplanned settlements.

It is to be noted that in most cases the Africans built simple buildings, adhering to no pattern. This, to some extent is a reflection of the socioeconomic set up of the time including the limited resources that Africans had. de Boer argues that Africans, used to their rural village layouts, did not seriously stick to the European street pattern, while the Germans and Indians, with a completely different cultural background, were respecting the town plan layout and placed their buildings properly along the surveyed streets.⁸⁴ This deduction is not entirely correct. While it must be admitted that cultural influences were reflected in the urban form adopted by Africans, it is important to point out that government plans for African areas existed on paper but were not transformed into reality on the ground. Given the imperfections inherent in the land markets (i.e. private individuals ignoring public good land uses as well as externalities, (Chapter One), an unpatterned form of development is usually the result, where there is the absence of government intervention, or workable private contracts. A close study of Figure 3.3 reveals that where streets were instituted before settlement e.g. beyond *Neue Strasse* westwards, adherence to street alignment is noticeable. Besides, there was the question of economic resources. Even for the Indian part of town, improvement was only noticeable after substantial accumulation of resources had been realised, not before. The case of European areas should be evaluated from the angle of superior economic and social power that colonial official commanded, plus the fact that most buildings and services therein were constructed or instituted by the Government. In the case of African Areas, construction was usually self-financed.

Thirdly, it must be pointed out that Africans were usually aware of their non permanence in most locations. They were usually in occupation of either Government land, or private land owned by Germans, Arabs or other Africans. Thus there was no incentive to aim at higher levels of investment apart from the bare shelter provided by the simple huts.

On the other hand, the Government attitude towards Africans, unlike its policy towards Indians, was not promotive of property development. It was always felt by the colonial

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de Boer, *Urban Renewal and Rehabilitation in Kariakoo*, p. 30.

government that there were more than enough of Africans coming to Dar es Salaam to satisfy the city's labour requirements. In later years, policies were to be adopted to try and stem immigration to Dar es Salaam. Given a situation of limited resources, large numbers of Africans were jeopardising the standard of life that the Europeans aimed at attaining. So, the policy adopted was aimed at doing as little for Africans as was necessary to ensure law and order and public health (e.g. the layout of native areas). Colonial policy preferred the African back into his village. The Africans in Dar es Salaam were therefore faced with a government policy hostile to their interests, a policy which they had little power to control.

3.4. Overall deductions on the resulting land use structure for Dar es Salaam.

German colonial policy, acting under the influence of the historical epoch in question played a major role in shaping the land use structure of Dar es Salaam. It was colonialism that selected Dar es Salaam as a suitable colonial capital city, and it was colonialism that determined the land use necessary for its propagation. Having been thus selected, Dar es Salaam had to yield land for colonial purposes including administration, trade, import/export etc. The German East Africa Company and the German Colonial Government played a crucial role in acquiring, planning, and developing this land into office, commercial, and residential buildings; into warehouses, roads and open spaces; into transportation land; and so on. Much as resources were limited, the Government was also able to shape the government administrative area, the European residential area, the port area (including the customs) and to some extent, the commercial area. In the latter case, the existence of the old Majid town, and particularly the Indian interests therein, moderated colonial policy somewhat, into some form of compromise which saw both the Indian and the European commercial interests being represented, equally, if in somewhat separated areas, within Dar es Salaam's commercial area. Orders, bordering to the use of force, intimidation, bribery and outright purchase, were some of the methods used to acquire land mainly from Africans. This land was either used for government purposes, or was subdivided and passed over for use by the private sector. In a number of cases the private colonial sector bought land in and around Dar es Salaam mainly for agricultural purposes (the major crop being coconut palms) but also for speculative purposes.

The 1891 *Bauordnung* was the major land policy document used to ensure that Dar es Salaam conformed to some kind of zoning scheme. This divided Dar es Salaam into three zones: areas where only European type of houses were allowed; areas where commercial/residential buildings were allowed; and areas where any type of buildings were allowed. This in effect divided Dar es Salaam into European, Indian and African areas, a situation later on confirmed in the 1914 *Bauordnung*. Zoning requirements in the European area, as well as the infrastructure therein were usually implemented through government investment, while it was usually the private sector that was relied upon in the Indian and African areas. As a result the standards of buildings, infrastructure and the general environment in these areas differed immensely. Throughout, the government expended efforts to shape Dar es Salaam, which it divided into a European area, a commercial/residential area, and a native town. The construction of the central railway line in 1905 brought a lot of money and a large influx of people to Dar es Salaam. New land uses to accommodate the railway infrastructure were added to Dar es Salaam's land use structure. Moreover, with the territorial tranquility of the post 1907 era, and a home government supportive of colonial investment, more resources could be expended in Dar es Salaam. The government embarked on an active policy of shaping the town's land uses. This included the northward expansion of the European area, and the deliberate planning of the native area. In the case of the latter area, the motive was to remove Africans, from the old native area, and locate them in Kariakoo, the planning of which had reached Msimbazi Street by 1916. Future German plans for Dar es Salaam were indicated as the 1914 *Bourdnung* of 1st July 1914 with its division of Dar es Salaam's land use structure into racial land zones. Although published in 1914, it must be assumed that the planning of Kariakoo was based on this as yet unpublished *Bauordnung*.

The various actors had little choice but to conform to this pattern which, in the case of both the Europeans and Indians, was beneficial, but which was oppressive against the Africans. The Africans were getting pushed outwards, and their areas were hardly serviced. Many too had to occupy other peoples' land. It therefore appears fair to point out that it was policy that mainly shaped Dar es Salaam in the early day of colonial rule, although it must be emphasised that by the time the Germans left, a lot of Dar es Salaam's areas occupied by

Africans and Indians did not conform to these government plans and much of the European area was undeveloped

Even at this early stages, elements of inequality had already begun to show themselves. It was the "poor" Africans who were being pushed out of the city centre, separating their work places from their residencies, while for both Europeans and Indians, the work place was never far from their residential places. This conformed neither to the classical land location theory nor to the theory justifying government intervention into land markets. Land consumption per capita, was highly in favour of the Europeans. The best roads of the time, as well as water supply, and electricity infrastructure, were all concentrated on the Government area. Government officials too created a policy of land acquisition that was favourable to them. It was neither efficiency nor equity that was behind land policy and the resulting land use structure for Dares Salaam.

On 4th September 1916, the British forces occupied Dar es Salaam and the German Government was forced to move to Tabora. From then until 1919 permits were given to natives (soldiers and civilians) to build houses in Kariakoo, in a somewhat haphazard manner. It was only after 1922 that much greater interest was evinced in the town planning of Dar es Salaam. The Open Space, and the three building zones as shown in the 1914 *Bauordnung*, were defined, and the plots which had been issued without reference to any street plan were squared up and houses realigned (Chapter Four). The rulers had changed, but the principles established for the colonial capital remained the same.

INTER WAR GROWTH AND DEVELOPMENT

4.1 The British Take Over of Tanganyika and its Implications for Dar es Salaam

4.1.1 Major tenets of British Colonial Policy Towards Land and Labour

World War I ended with the defeat of Germany in 1918. The bulk of the erstwhile German colony of East Africa, soon renamed Tanganyika¹, became a Class B mandated territory of the League of Nations, administered by Britain. Part of this territory, i.e. the districts of Rwanda and Urundi was given to Belgium for administration.

The end of World War I did not signify the end of colonialism. Although Germany was vanquished and denied repossession of her former colonies, the latter were taken over by the victorious powers through a policy of mandates/trusteeships. Colonial philosophy, economics and socio-economic relationships continued to persist during this interwar period.

Major issues that broad colonial policy had to address were how to exploit the colony, and this necessitated policies on land and labour, both of which were key to production and both of which had effects on urban development.

In terms of land, British Colonial policy propagated the idea that natives held land on communal tenure, and that individual land ownership was either not known prior to the coming of colonialism, or was limited to a few areas, e.g. on the East African coast where the contact with Arab culture had led to the break down of communal land tenure norms. To the African, land had no value before colonial conquest. It had owners, though not individual ones, with rights to cultivation, and these were entitled to compensation if their land was

¹ A notice in the Official Gazette (Extraordinary) Vol. 1, No. 9, of January 20th, 1920, read as follows: Peace with Germany having been ratified on the 10th of January 1920, it is hereby notified for general information that with effect from the 1st of February, 1920, the occupied territory of German East Africa will provisionally and until further notice be officially known as THE TANGANYIKA TERRITORY. The notice was signed by R. H. Crofton, Acting Secretary to the Administration.

taken over for private or government use. But since no land market existed, African "owners" could not claim the monetary value of land².

One major purpose of this stand was to allow the colonial governments to nationalise native lands either without compensation on the grounds that land was ownerless, or, with compensation limited to "unexhausted improvements" on the grounds that Africans knew no value in unimproved land. The other purpose was to prevent the proletarianization of the African, which, it was feared, was bound to lead to trouble in the long term perspective.

The labour policy of the British colonial administration was closely related to the notion of customary tenure. The African was considered to be attached to his rural area, where land was readily available to him, and it was not the intention of the colonial governments to upset this situation by creating a working class proletariat. Much as labour was required for plantations, mines, and in urban areas, it was conceptualised that this would be only temporary wage labour, cheap, and available only when required, and back in the villages when unwanted.

At least three policy elements emanating from this policy had fundamental effects on the land use structure of Dar es Salaam. One, African needs in land were accorded little priority, since Africans were considered to be only temporary urban residents. Two, Africans could easily occupy land particularly at the urban periphery under customary tenure. Three, the colonial government could acquire land from the natives with little or no compensation, thus creating a situation of conflict between public authorities and land occupiers, a situation which has on a number of occasions led to the frustration of planning schemes.

4.1.2 The British Takeover and Early Administration of Tanganyika

In 1916, British Civil Administration was established in the conquered Northern part of German East Africa, and was based at Lushoto. Soon after the War, in 1919, this administration moved to Dar es Salaam into the buildings of the former German

² Phillips, A., *The Enigma of Colonialism: British Policy in West Africa*, James Currey, London, 1989, p. 112.

administrators, despite that the Governor's Palace had been seriously damaged and had to be rebuilt.

British Administration was formally established by the *Tanganyika Order in Council* of 22nd July, 1920. The chief representative of His Majesty's Government was the Governor and Commander in Chief, assisted by an Executive Council made up of the Chief Secretary, the Attorney General, the Treasurer and the Principal Medical Officer. There was also, an independent High Court. Save for the Colonial Secretary's general powers of disallowance, the Governor had powers to make Ordinances for good government of the territory, provided he respected existing native laws and customs. Laws and orders made before the *Tanganyika Order in Council* are generally referred to as Proclamations, and those after, as Ordinances.

By the time Britain took over Tanganyika, certain essentials of the colonial process at a national level had already been achieved by the late German administration and need not be repeated. Territorial demarcation and subjugation was complete. Much of the infrastructure had already been laid, and need only be maintained, or extended. Cash crops had already been introduced and in some cases peasant production was quite good. New cash crops like tea and tobacco were introduced without much difficulty. Minerals prospecting was intensified. There was already an administrative set up as well as laws and orders which Britain could utilise as new ones were being evolved.

The early legislation enacted included: the *Regulation for Peace and Good Order* dated 22/2/1919 under which various rules for Dar es Salaam (including those for township administration) were made; and the *Township Ordinance* of 1920. Many laws related to land were enacted in 1923. Principal among these were: the *Land Ordinance*, the *Registration of Documents Ordinance*, the *Land Registry Ordinance*, and the *Law of Property and Conveyancing Ordinance*.

The immediate post-war economy of Tanganyika was in a bad shape, with many of the former German estates in ruins and with peasant production disrupted. Public works, especially roads, bridges, urban and rural sewers and drains, seawalls, lighthouses, etc., were

in a bad state of maintenance. The British colonial policy of self-sufficiency for each colony underscored the importance of getting the former German estates going as soon as possible; and of an early introduction and streamlining of the customs, trade licences, and hut and poll taxes, all of which were functional by 1922.

Among the urgent business that the new Government had to deal with swiftly was the question of enemy property. While the War was still going on, the *Enemy Property (Vesting) Proclamation* of 1917 was passed. It created the *Custodian of Enemy Property* with duties to manage the abandoned German and other enemy property in order to support the war efforts and to keep the economy going. Later, the *Custodian* was to oversee the sale and liquidation of this property. The sale of most ex-German property was completed by 1924, and its effect on the land use structure of Dar es Salaam is discussed later on below.

A lot of latitude was given to Britain in the formulation of both land and labour policies. With the exception of the ruling that native laws and customs should be taken into account, and the rights and interests of Africans safeguarded, Britain was free to formulate land and labour policies as it deemed fit. Moreover, there was no requirement to hand back to Africans, the land acquired by the settlers, "bearing in mind the achievements of the German settlers, and the need to maintain and build upon the foundation they had laid."³ It can therefore be argued that the mandated territory status did not confer to Tanganyika, a status any better than an outright colony.

A *Legislative Council* with a majority of officials, but on which non-official Europeans and Indians were represented was formed in 1926. African interests were supposed to be represented by the Governor, the Chief Secretary and the Secretary for Native Affairs. British Governor, Sir Donald Cameron wanted Africans to sit on the *Council* but "no African could be found with sufficient command of English to take part in the debates of the Council"⁴. The non representation of Africans allowed the inequitable segregative urban land policies to

³ K. Ingham, "Tanganyika: the Mandate and Cameron, 1919-1931", in, V. Harlow, E.M. Chilver, and A. Smith (Eds), *History of East Africa*, Oxford, Clarendon Press, 1965, pp. 543-593.

⁴ quoted in, W.A. Dodd, and J. Cameron, *Society Schools and Progress in Tanzania*, Pergamon Press, Oxford, 1970, p. 39.

remain unchallenged for a long time.

Much of the envisaged development of Dar es Salaam stopped during the First World War, but resumed from 1919. As a colonial major port, Dar es Salaam's port facilities continued to have cardinal importance in the colonial set up. After the war the harbour was cleared of the German obstacles. The harbour's entrance was greatly improved by dredging, after a careful survey of the channel. Anticipating considerable cargo to/from Dar es Salaam's hinterland from the late 1920s, the government constructed a large new goods and marshalling yard as an addition to the existing terminal facilities of the railways, together with new goods sheds and a new approach line from the high ground to the wharf⁵. Dar es Salaam was thus again made into the most important port in the territory, handling between 48 and 56% of all the import-export trade between 1925 and 1929 (Table 4.1).

Table 4.1: Distribution of the handling of Import-Export trade among the various ports in Tanganyika, 1925-1929, (%).

Port	1925	1926	1927	1928	1929
Dar es Salaam	56.0	53.9	49.8	48.5	51.1
Tanga	16.1	17.9	20.7	20.9	23.8
Mwanza	8.6	9.4	8.7	6.6	3.4
Bukoba	7.3	7.1	4.5	7.4	6.0
Moshi	3.4	3.8	4.3	2.8	2.8
Lindi	3.8	3.0	2.8	3.9	3.2
Other Ports	4.8	4.9	9.2	9.9	9.6

Sources: Colonial Office, *Reports on Tanganyika Territory*, His Majesty's Stationery Office, London, (relevant years)

The State House was rebuilt in 1922, partly on the old German foundation, but with

⁵ C.C. Gillman, "Dar es Salaam 1860-1940: A Story of Growth and Change", *Tanganyika Notes and Records*, No. 20, 1945, pp. 1-23.

a large additional new wing. The Secretariat offices also received a substantial new wing, but otherwise, no new accommodation was immediately added to that left behind by the Germans. Several ex-enemy properties were simply taken over for use by the colonial Government. Later on, though, the European residential area was extended northwards.

The mid 1920s witnessed considerable economic prosperity for Tanganyika. This was reflected in the extension of the central railway line from Tabora to Mwanza in 1924, thus extending Dar es Salaam's hinterland. In Dar es Salaam itself, this prosperity was perhaps reflected in the huge demand for building plots by the natives. The native town of Kariakoo had to be extended in the early 1920s to Ilala, where, as the government noted, construction was fast. But the Depression of the late 1920s was also felt bitterly and this was reflected not only in the government's policy of discouraging town planning schemes, but also in the Indian community's protests against their being forced to take up rights of occupancy for urban land which they held on *Kiwanja* tenure (discussed below).

As the headquarters of the colonial government, Dar es Salaam continued to receive considerable attention. It was among the first towns to have one of the four government power stations in the country. It was also the beneficiary of various public schemes including public housing (for Europeans), public water supply, road improvements, etc. Nevertheless, because of the inherited situation of poverty, the colonial policy of territorial self-sufficiency and the relatively lukewarm interest that the British administration had for Tanganyika (compared say to Kenya), central aspects of Dar es Salaam's management problems were not dealt with. The port remained relatively small compared to Mombasa. The town continued to lack a system of sewerage, drainage and sanitation, till the 1950s. The surfacing of roads was still very far from even a moderate standard of efficiency in most parts of town; and sidewalks, even in the main shopping streets, were in a deplorable and dangerous state⁶.

As Africans were not represented on the *Legislative Council*, the colonial government was rarely put to task particularly, with regard to its policy vis a vis Africans in urban areas. Indian members for the most part, raised issues related to the Indian community and the city

⁶ *ibid*, p. 19.

centre. Lack of proper representation made it easy for the Government to remove Africans from their areas (e.g. Gerezani), and to minimally service "native" areas (below).

By and large, the British administration did not come up with any new approaches to direct Dar es Salaam, different from the colonial frameworks set up by the German administration. Most of their policies were similar to, or, a continuation, of those of the Germans.

4.2 Land policy impacts

4.2.1 Introduction

The process of transforming Dar es Salaam into a colonial capital had more or less been achieved by the Germans, but the British administration had to deal with a number of issues related to the town's development. One, much of the German work in shaping Dar es Salaam was incomplete. In particular, the 1914 *Bauordnung* had hardly been implemented when World War I broke out. Two, Dar es Salaam was growing both in terms of population, area, and functions, and new issues related to land development had to be addressed. Three, the British administration could not continue using German legislation, and had to pass their own, even though the purpose of this legislation was the same.

In this section, tools of land policy used during the interwar period are surveyed by analysing the philosophy behind them, and by examining their provisions, and effects on land uses. This is done in a chronological order in order to capture the various circumstances that obtained before the passage, and during the implementation, of such legislation. It must be borne in mind that these tools of land policy were conceived and implemented in a broad framework where colonialism was expected to work. The flagbearers of colonialism were the colonial officials, and in as far as they were implementing a policy aimed at subjugating and exploiting an alien people, they had to adopt policies reflecting this. Thus, many land policies had an open, or covert, element of dividing people along racial lines, an important tool of domination and exploitation. Being on foreign soil, confronted by unfavourable circumstances like the general poverty of the colonies, made worse by the British Government's policy of territorial self sufficiency; and being imbibed in notions of European racial superiority, colonial officials upheld and propagated zoning policies aimed at segregating

themselves from their subjects. Colonial policy aimed at concentrating resources on Europeans. Within townships, medical officers occupied very high positions and were regarded in considerable high esteem in the early colonial administrative set up. As has been pointed out above, the Principal Medical Officer was among the four officials who made up the territory's Executive Council during the 1920s. Medical officers had a profound impact on land uses till the rise of the planners in the 1950s.

Among the important tools of land policy adopted during this period and which had fundamental effects on Dar es Salaam were:

- o The *Township Ordinance* of 1920, together with the various *Township Rules*, (particularly the zoning provisions) made under it;
- o The *Land Ordinance* of 1923;
- o The *Town (Development and Control) Ordinance* of 1936;
- o Direct land development by government (e.g. the construction of officials' housing); and,
- o The provision of infrastructure to the various areas.

4.2.2 Implementation set up

Colonial rule was essentially a one man - Governor's - rule. This resulted into the concentration of powers for most decisions. In the immediate postwar era, the District Political Officers, and later on, the Administrative Officers (district), carried extensive powers. By 1920, power was firmly concentrated in the Governor and most decisions related to urban management particularly in Dar es Salaam, had to be referred to him. These ranged from major issues to trivial ones such as the growing or cutting of trees in townships.

The *Township Ordinance* of 1920 empowered the Governor to declare any area to be a Township and to appoint, for the running of a township, a Township Authority. Under the *Township Rules* of 1923, the Governor could appoint the President of such a Township Authority. The President had to be a Senior Commissioner or next Administrative Officer, or an Administrative Officer in charge of a District or subdistrict in which the township was. Members were to be officials from Medical, Public Works, and the Land Departments,

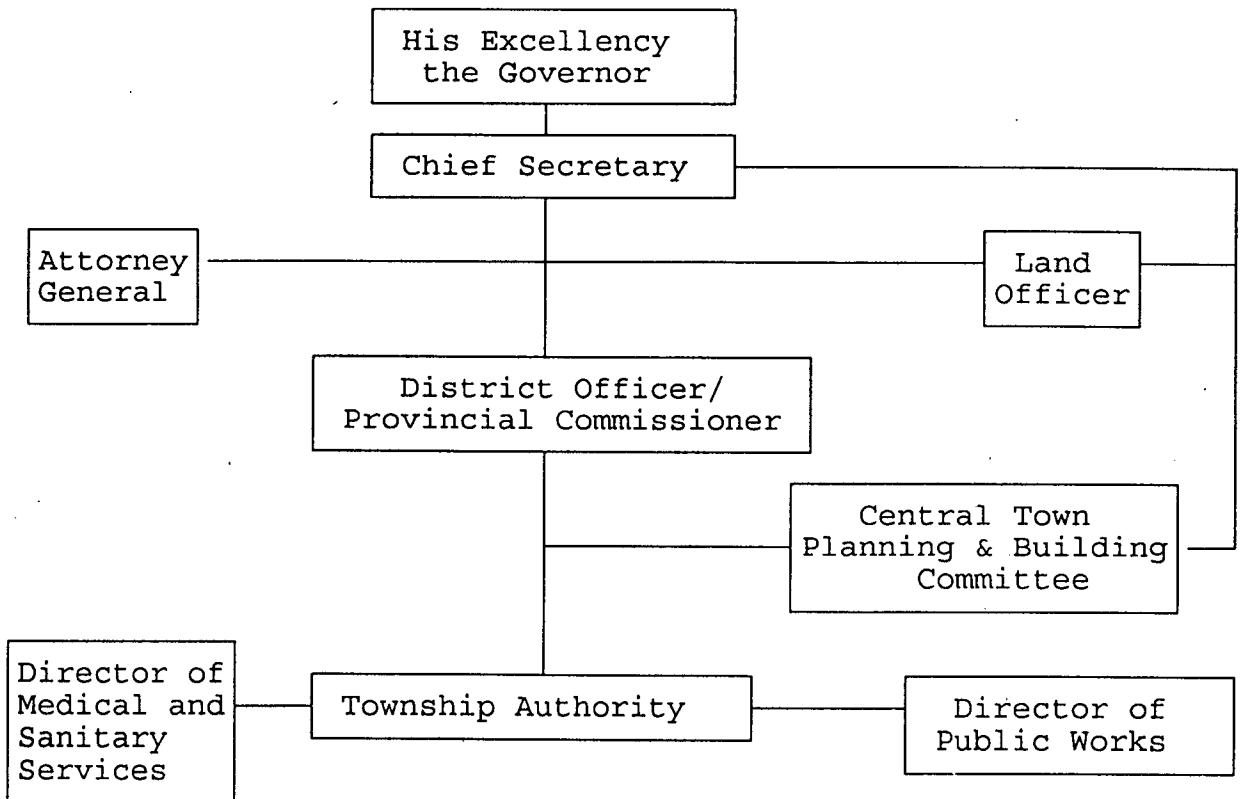
nominated by their Heads of Departments. The official from the Medical Department was to be the Township Authority's Executive Officer unless the President directed otherwise.

Issues related to township development were to be referred to the *Central Town Planning and Building Committee* created in 1922 and was made up of members nominated by Governor. The chairman was the Principal Medical Officer. Other members were: the Director of Public Works, the Land Officer, and the Senior Sanitation Officer (who was usually from the medical profession). The latter acted as the Committee's Secretary and its Executive Officer. The Committee was later expanded to include the Director of Surveys. The "Sanitation Syndrome", a major concern of early urban land policy, is apparent in the manning of this *Committee*.

Figure 4.1 is a representation of the typical flow of communication between the Township Authority and the Governor. Any of the authorities represented could initiate or raise any issue of land policy. The *Central Town Planning and Building Committee* was an advisory set up to which most town development proposals or issues were directed and its recommendations were usually sanctioned. Medical Officers, as can be gauged, were very powerful officers on issues related to urban land development. Medical considerations were usually put forward to justify racial segregation policies, change of township boundaries, land reclamation and drainage schemes, land servicing, differentiated land use schemes, building regulations, etc. In this respect, it may be pertinent to point out that the early Executive Officer of the Dar es Salaam Township Authority, from 1923 to 1930, R.R. Scott, was a doctor of medicine. He also served prominently on the *Central Town Planning and Building Committee*. In 1930, Dr. Scott was succeeded as Executive Officer of the Dar es Salaam Township Authority, by Mr. E.H. Helps who had been recruited specifically from South Africa to take up the post of Municipal Secretary, Dar es Salaam Township Authority, a position he held till 1946. The outgoing District Officer (Dar es Salaam) in 1930, Mr. T.P.S. Dawkins had also served in South Africa. Recourse for experience and advice on a number of urban development and race relation issues was usually made to Kenya, Rhodesia and South Africa.

(Under such circumstances racial segregation was possibly seen as normal and essential in land development issues.

Figure 4.1: A typical communication structure between the Governor and the Township Authority (1920's).



Source: Deduced from various Colonial Documents.

Because of the centralisation of Authority, decision making was very bureaucratic and files would be pingponged between various officials and departments for months, sometimes years, before a decision was made. For example, a request by the Dar es Salaam Township Authority for Town Planning powers to deal with land subdivisions on private lands, made in 1929 was not concluded till 1936. The request for the approval of land use layouts for the Upanga area prepared in 1929 had not been approved by 1938 and was overtaken by World War II in 1939. There was thus a lot of delay in decision making, and frustration among the officials administering Dar es Salaam, and among the aggrieved or interested parties.

4.2.3 The Effects of the Disposal of Enemy Property (1917-1933) on Dar es Salaam's land use structure

It has been pointed out earlier that the British Colonial Government took very early steps to ensure that enemy property was managed. The *Enemy Property (Vesting) Proclamation* of 1917, created the *Custodian of Enemy Property* to look after this property and the *Enemy Property (Disposal) Proclamation* of 1920 allowed the sale of enemy property through public auctions. Two factors resulting from this disposal are of importance to the land use structure of Dar es Salaam. One, many township estates were bought cheaply (at about 5% of their value) by Indians who therefore consolidated their foothold in the City Centre. Two, under the *Enemy Property (Retention) Ordinance* of 1921, some 99 ex-enemy buildings situated mainly in the European area of Dar es Salaam were removed from the list of buildings to be auctioned and were retained for government use, thus obtaining for colonial officials, superior accommodation cheaply, a policy that has been perpetrated thence. On top of that, the British colonial government acquired several ex-German *shambas* around Dar es Salaam (notable of which were Borman's *shamba*, and Busse's *shamba*) during the disposal of Enemy Property. These were later on put to pre-determined use. The conversion of Borman's *shamba* into an extension of the native town at Kariakoo, is a typical example of this policy, and is discussed later on below. Table 4.2 gives a breakdown of the liquidation of the Enemy Property among the various racial groups. Natives got very little of this land because they were not in the mainstream of the monetary sector and could not therefore compete with Europeans and Indians. Lyall⁷ notes, moreover, that the price per hectare paid by the buyers varied with their nationality. The Greeks paid £2.1 per ha; the British £2.8; the Indians, £3.6; and Arabs and Natives, £4.6! As it is unlikely that Arabs and Natives purchased the most expensive property, Lyall believes that the auctions must have been influenced somehow in order to produce such figures.

⁷ A. Lyall, *Land Law and Policy in Tanganyika, 1918-1932*, LLM Thesis, University of Dar es Salaam, 1973, p. 80.

Table 4.2: Sale of Enemy Immoveable Property, 1917-1933.

Nationality of Buyers	Total Area purchased (to the nearest ha)	Price paid (£'s)
British Europeans British Indians	249,148	705,435
Greeks	103,371	374,571
Indians in partnership with other Nationalities	58,477	122,767
Germans	20,536	55,390
Portuguese	11,231	21,007
Syrians	9005	16,280
Italians	2499	11,430
Arabs & Africans	3190	8626
Other	1851	8800
	19,846	20,299
Total	479,154	344,605

Source: Tanganyika, *Report on the Liquidation, Enemy Property Department, Government Printer, Dar es Salaam, 1933*, quoted in, Lyall, *Land Law and Policy in Tanganyika*.

4.2.4 The Township Ordinance, 1920

Background leading towards the Township Ordinance 1920

Soon after the War, besides keeping the German Administrative and legislative framework in force, the British colonial government passed an omnibus type of legislation called the *Regulation for Peace and Good Order*, dated 22/2/1919. Under the provisions of this piece of legislation, the Dar es Salaam District Political Officer issued the *Rules for the Township of Dar es Salaam*⁸ which came into effect on the 1st day of November, 1919.

⁸ Government Notice No. 6 of 1919.

These rules covered a whole range of issues, including licensing, carrying of dangerous weapons, and regulations related to: vehicles, markets, the slaughtering of cattle, bakeries, milk, entertainments, sanitation, suppression of mosquitoes, the general behaviour of people in the townships, etc. These regulations further defined the boundaries of Dar es Salaam Township and forbade the erection therein, of buildings, walls, etc., or the making of alterations thereto, without the permit of the District Political Officer. Using these rules, the Dar es Salaam Political Officer, M.A. West was able to police and regularise the native area at Karikao (below).

The *Rules* revealed a major aspect of colonial policy: that natives were aliens to urban areas. Under S.8 (of these *Rules*), no native arriving in the township was allowed to remain in there for 6 days without the written authority of the District Political Officer. The latter was empowered by S.12 to repatriate anybody to his home or district of origin. This was in consonance with the policy on labour and on land tenure outline earlier. The restriction on the natives' urban residential duration was later incorporated in the *Township Rules* of 1923.

In 1920, *Sanitary Rules for the Township of Dar es Salaam* were published and were effective from 1/9/1920. These gave the Medical Officer of Health, powers of ensuring the suppression of mosquitoes and of dealing with sanitary nuisances and insanitary premises⁹.

The Township Ordinance, 1920 and Rules made under it

Towards the end of 1920, the *Township Ordinance* was enacted¹⁰. It was a very short ordinance, with just nine sections, but it gave the Governor, powers to declare an area to be a Township, and to make rules for the health, order, and good government of the Townships. Soon afterwards, Dar es Salaam, and another 29 settlements in Tanganyika were declared to be townships.

In 1922, comprehensive *Township (Building) Rules* were published under the *Township Ordinance*. Besides creating the *Central Town Planning and Building Committee* to be

⁹ Government Notice No. 39 of 5/8/1920.

¹⁰ Proclamation No. 26 of 1920.

appointed by the Governor for any township, these rules provided building regulations applicable to Dar es Salaam and included provisions requiring that a building permit be obtained before erecting any, (including native), building. These rules were short lived and were soon replaced by the *Township Rules* of 1923, effective from 1/4/1923 for all townships in the country. These rules combined the 1919 *Rules for the Township of Dar es Salaam*, the 1920 *Sanitary Rules for Dar es Salaam*, and the 1922 *Township (Building) Rules*. The updated *Township Rules* allowed the Governor to appoint a Township Authority which would be the land development manager of a township. Section 94 of these *Rules* (shown in later documents as Section 84), gave the Governor, powers to prescribe, by notice in the *Government Gazette* in respect to any township, areas:

- (a) in which residential buildings of European type only were to be constructed;
- (b) in which residential and trading buildings may be erected; and
- (c) for native quarters only.

In 1924, *Building Areas for Dar es Salaam Township* according to the above scheme were published¹¹. The areas defined to correspond with (a), (b) and (c) in the paragraph above, were called Zone I, Zone II and Zone III respectively (Appendix 4.1). This definition corresponded in area with the zones as defined under the 1914 German *Bauordnung* for Dar es Salaam. (Figure 3.5)

The *Township Rules* were amended in 1930 by removing those rules related to buildings (i.e. Section 86-133) and re-enacting them as a separate piece of legislation, called the *Townships (Building) Rules* of 1930 (effective 1/5/1931). The "balance" of the *Township Rules* were further amended in 1933 to redefine the building areas where only native quarters were allowed, to be areas where buildings of any type were allowed. This amendment was aimed at legalising, retrospectively, and at allowing, in future, the erection of non-native types of buildings in the native areas. The amendment was necessitated by the fact that already many Indians and other non-natives were putting up buildings in native areas. The building areas (zones) for Dar es Salaam were republished in 1934 to reflect the above changes.

¹¹ Government Notice No. 160 of 11/6/1924.

Critique of the *Township Rules* 1920

These rules were too ambitious. They included so many items, ranging from the prevention of pollution to water supplies and regulating rickshaws, to regulating native behaviour, including their period of sojourn in townships, and their engagement in various forms of entertainment. The rules were also makeshift and not well laid out to flow logically.

With regard to building areas, the *Township Rules* never defined what was meant by "European buildings", "residential and trade buildings", or "native buildings". Moreover, the concern with residential buildings, say in Zone I, did not take into account the already existing, or future, office, industrial and commercial buildings. This definition of the building areas would appear to have been copied from the German 1914 *Bauordnung* without much alternation, to suit the circumstances referred to. Since the philosophy behind the 1914 *Bauordnung* was racial segregation, section 94 (later 84) of the *Township Rules* was aimed at achieving the same. That the rules were badly presented was perhaps a reflection of the heavy workload which must have confronted the law drafters in 1923. In that year alone, thirty four ordinances were enacted. Some of these, like the *Land Ordinance*, the *Native Authorities Ordinance*, the *Police and Prisons Ordinance*, and the *Customs Tariff Ordinance* were at the very core of colonial governance.

Other provisions of the *Township Rules*, and of the *Township (Building) Rules* relevant to this study were concerned with: structural safety, health, ventilation, and sanitary and public health provisions, all important and traditional safeguards during this early period of urbanisation. But these set such high standards for buildings that only a minority could afford them. The colonial answer to this paradoxical situation was to provide zones where simple buildings were allowed, and to make sure that these were always at a considerable distance, and usually separated by open space, or other lines of cleavage, from European residential areas.

While much of the 1930 zoning reflected the status quo, with its ancestry in the German period, the application of Zone I regulations northwards of the Residential area into Upanga was to cause a major problem to the Township Authorities since the area was already occupied by natives who were freeholders, and who had already constructed, and continued

to construct, native huts in this Zone I area; and used the area for agricultural purposes.

The definition of Dar es Salaam into three building areas was, as we will see later, translated into dividing the town in racial zones. This remained the case until well into the 1950s. However, Indians infiltrated both Zones I and II, sometimes causing negative reactions from the Zone "owners", both Africans and Europeans. Government provision of services varied with the three zones with a concentration, both qualitatively and quantitatively, on Zone I.

The *Township Rules* (in conjunction with the powers emanating from the *Land Ordinance*) were used to define the various zones in Dar es Salaam on the ground. In this respect, the *Rules* were used to clear the Open Space; to remove natives from the city centre, and to try to remove natives from Upanga (under the pretext of the illegality of native huts in these areas); and to remove natives from the Gerezani area (under the pretext that most huts in the area had been constructed without authority). Before describing and analysing these particular cases, a study must be made of the cornerstone of Land policy in the country: the *Land Ordinance* of 1923.

4.2.5. The *Land Ordinance* 1923 and related legislation

Provisions of the *Land Ordinance*

In all colonies it was found almost paramount to pass legislation to regulate the tenure of land. In Tanganyika this was the *Land Ordinance* of 1923. It drew a lot from the experience of British Colonialism in Northern Nigeria. It was enacted in a framework where the terms of the Mandate (though weak) had stipulated that "native interests" should prevail when passing laws related to land, but also where the colonial government wanted to control land, since this was the backbone of the economy. The result was a piece of legislation purporting to protect native interests while in effect it concentrated all powers over land in the Governor; although there was a little leeway for the few holders of freehold tenure granted or recognised by the German administration. The *Land Ordinance* was worded in such vague, and sometimes contradictory, terms, that the Governor could use its provisions to pursue any desired policy. Major provisions of the *Land Ordinance* were as follows:

- o All the land in the Territory, whether occupied or not, was declared to be public, vested in the Governor, for the use and common benefit, direct or indirect, of the natives. In exercising his powers, the Governor was to have regard to native laws and customs obtaining in the area in question.
- o Private titles to, and interests in, land, lawfully acquired before its coming into effect were recognised. However, such titles or interests had to be proved to the Governor's satisfaction within five years of the *Ordinance*.
- o The title to use land was the Right of Occupancy which the Governor could grant to both natives and non natives, but this could not exceed 99 years, and the area granted could not exceed 5000 acres without the sanction of the Secretary of State for the Colonies.
- o The rent to be charged for land being granted to non-natives for the first time, was to be the highest offer made at public auctions. Normally the land was allocated to this highest bidder.
- o Transfer of land from natives to non-natives, unless sanctioned by the governor, was prohibited.

The *Land Ordinance* gave extensive powers to the Governor and was considered vague and possibly anti-native by, among others, the Permanent Mandates Commission, particularly when it came to defining what Public Land was, since it appeared that customary tenure fell under Public Land. For the opposite to be the case, i.e. for customary tenure to be regarded as private land, lawful acquisition had to be proved and this was certainly impossible in the case of customary tenure. It appeared therefore that the *Land Ordinance* had converted customary land into Public Land under the control of the Governor. But, while this was so, holders of customary land had not originally been granted this land by way of a Right of Occupancy - the Governor's tool for granting land. In order to address this anomaly, the *Land Ordinance* was amended in 1928. Both the right of occupancy and the occupier were redefined as follows:

Right of Occupancy means a title to the use and occupation of land and *includes the title of a native community lawfully using or occupying land in accordance with native laws and customs.*(Emphasis added).

Occupier means the holder of a Right of Occupancy and includes a native, or *a native community lawfully using or occupying land in accordance with native laws and customs.* (Emphasis added)

The result of this redefinition was that there were two kinds of a Right Occupancy:

- o a granted one referring to the land directly granted by the Governor; and,
- o a deemed granted one, referring to land occupied under customary tenure.

This in effect confirmed customary land as public land vested in the Governor, but whose duration of tenure, like freehold interests, was indefinite, and which carried no covenants.

Some criticisms of the *Land Ordinance*

The *Land Ordinance* was said to fundamentally recognise the rights of the natives to the usufruct of the land in sufficient quantity to enable them to provide, not only for the sustenance of themselves, but also for that of their progeny. But, judging by its provisions, this was never stated anywhere except in the preamble which had no legal force. Provisions which could be interpreted as giving security of tenure to those holding land through customary tenure were oblique and not backed by any effective sanctions. No procedure was laid down to investigate customary rights. Native Laws and customs were never properly defined, nor were their parameters for dynamism and change ascertained.

The geographical jurisdiction of any community using land lawfully under customary tenure was never defined; nor was it made clear whether sections or individuals in a Community could move to another society or area and still use land according to "native laws and customs". No procedure was laid down to ascertain customary rights where land was to be alienated. There was no statement that land could not be alienated contrary to the wishes of the local communities. There were no provisions to specify the amount of land to be left to native communities for their current and future needs in the case of alienation.

Finally, there were no provisions for compensation in case African land was alienated¹². These important safeguards were left to Administrative Policy.

Besides, the *Land Ordinance* did not address the question of migration by natives within the territory. It left vague the question of freeholds obtained, or implied, by prescription along the coastal belt, and at the fringes of urban settlements. It was aimed at patronising the natives, but it did not address the dynamism emanating from socio-economic changes taking place over time. What for example, if natives sold their land? Would customary tenure end? If so, would the purchaser be a squatter on public land?

The non-granting of freehold tenure to natives was not meant, as might be construed, to protect native interests but to weaken them. Freehold tenure, as the case of Upanga discussed later on below shows, would have made it difficult for the colonial Government to tailor the use of land to its needs, thus the coining of the *Land Ordinance* in terms vague enough to be applied to any situation; and the denying of the natives of freehold tenurial status¹³. In implementation, only very weak efforts were made to investigate native titles in the country in general, and about the urban fringes, in particular.

The creation of a dual system of getting access to granted land, one for non natives through auctions, and the other for natives through administrative allocation, in a situation where Africans could not compete monetarily on equal footing with other races, served to exclude Africans from choice (particularly commercial) urban plots, thus perpetrating racial segregation and unequal access to economic power in urban areas.

The real functions of the *Land Ordinance* were:

- o In relation to African land held under customary tenure, to vest its legal control in the state, while inserting other provisions vague enough to be interpreted as actually doing the opposite i.e. giving security of tenure to Africans; and to justify, in legal terms,

¹² For the amplification of some of these criticisms, see Lyall, *Land Law and Policy in Tanganyika*, pp. 66-72.

¹³ A.L. Mabogunje, *Perspective on Urban Land and Urban Management Policies Policies in Subsaharan Africa*, World Bank Technical Paper No. 196, Washington, 1992.

any future shift in administrative policy towards land. It was a land grabbing act, garbed in benevolence to Africans. It gave near absolute powers to the colonial state over the tenure, use, and development of land;

- o To establish an attenuated form of private property (in the form of granted Rights of Occupancy) suitable for a small class of settlers, but whose security of tenure to land was tenuous, given the powers vested in the Governor with respect to the granting and cancelling of Rights of Occupancy, and the regulation of land use development;
- o To preserve the already alienated land in the North-east of the territory for settlers¹⁴.

The *Land Ordinance* satisfied the two conditions of general colonial policy outlined above that is, the non-privatisation of land considered to be owned by natives, and the non-proletarianisation of the African. It also created a framework where land could be acquired cheaply by the governor, and the occupiers replaced.

The issue of African freeholders of land, acquired, for example, by prescription (below), and the difference between this and customary tenure was left (and still is) vague.

Other Legislation related to land tenure

As was the case in other colonies, the British Colonial government enacted the *Registration of Documents Ordinance* 1921, early in its administrative era. It was meant in particular to have people with claims in land to come forward and register them with view of minimising/reducing claims and counterclaims. The *Ordinance* was later on repealed and re-enacted as the *Registration of Documents Ordinance* of 1923 whose section 21 prohibited dealings in land between natives and non natives without the sanctioning of the Governor. This provision was also enacted as Section 11 of the *Land (Law of Conveyancing) Ordinance* of 1923, and also as Section 8 of the *Land Ordinance*.

While as a general rule, colonial policy did not recognise freehold land tenure among

¹⁴ Lyall, *Land Tenure and Policy in Tanganyika*, p. 64.

natives, there were areas where it was considered that customary tenure had broken down and individual tenure was the norm. Such areas were seen as the whole coastal belt (though not precisely defined) and around inland towns like Tabora. Section 11 of the *Land Registry Ordinance* of 1923 allowed natives who could prove that they, or their ancestors, had been in continuous occupation of the land for 30 or more years prior to the coming into effect of the *Land Ordinance* (i.e. since 1893 or earlier) to claim freehold title. This did not apply where land was held under customary tenure, but it will be observed that: (a) 30 years continuous occupation was arbitrarily determined; and that, (b) proving this occupation was difficult. At any rate, as was the case during the German administration, no effective policy was undertaken to investigate these African titles.

The Effects of the *Land Ordinance* on Dar es Salaam's Land use structure

Several actions undertaken by the colonial government in shaping Dar es Salaam were based on the *Land Ordinance* and are described below. These included: the removal of Africans from the central area and directing them to Kariakoo and Ilala; the clearing of the Open Space; the use of the grant of a Right of Occupancy as a way of enforcing development conditions e.g. during the conversion of *Kiwanja* tenure into Rights of Occupancy; the allocation of short term rights of occupancy to Africans in urban areas thus discouraging them from developing permanent structures; and the offering of choice urban plots through public auctions to non-natives.

4.2.6 Shaping Dar es Salaam's land use structure through land policy

The German Legacy

The Dar es Salaam that the Germans left behind was partly well ordered, as in the case of the Government area and parts of the central area; but was partly chaotic, especially in the *bazaar*, and the "old" native area. The new native town, Kariakoo, had been planned by the Germans to Msimbazi Street, but its development particularly during the War period, had not gone in accordance with what had been planned for.

The Dar es Salaam District Political Officer was anxious to get the German 1914 *Bauordnung* for Dar es Salaam. Once this was obtained, the authorities went ahead to shape

Dar es Salaam according to the provisions of this *Bauordnung* whose building areas (zones) were published under the *Township Rules* in 1924 (Appendix 4.1). Thus, the major tool of urban land policy during this period was the zoning scheme for Dar es Salaam prepared in 1914. It was faithfully adhered to by the British administration. First of all, they tried to slot the various races in their proper zones, although as time went by, this practice proved difficult to maintain. Second, within the zones, efforts were made to regularise and direct land uses internally. Thirdly, consideration had to be given to the question of new land to cope with demand for urban land (Figure 4.2). In all these processes the issue of public health was usually put forward to justify racial segregation. In the following paragraphs the various steps taken to adhere to the zoning scheme for Dar es Salaam are presented.

The Clearing of the Open Space, 1921-1932.

As has been pointed out above, the German government had prepared a *Bauordnung* in 1914 which divided Dar es Salaam in three zones. Zones I and III were to be separated by a Neutral Zone (later on known as the Open Space) in which there would be no buildings. Having obtained the German *Bauordnung*, the first major British undertakings were: regularising and extending the native zone in Kariakoo and Ilala, and clearing the neutral zone of existing, (mainly native) buildings. It should be stated at the outset that the hitherto propagated view that the Open Space was cleared as a result of fire outbreaks¹⁵ seems to discount the fact that it was deliberately planned by the German colonial government.

According to some British colonial officials, the neutral zone was planned by the Germans: (a) as a lung; (b) to separate those classes who use WCs, from those who use more primitive methods of disposing waste matter; and, (c) to provide an open space for fire protection. These reasons are given in a document written in 1930 and are based on hindsight¹⁶. It is suggested that these reasons were considered but were not the most crucial. The sanitation standards between Indians and Africans, for example, could not have been much different since all lived at extremely high densities and relied on pit latrines as a

¹⁵ see for example, J. Campbell, "The State, Urban Development and Housing", in, N. O'Neil, and K. Mustafa, *Capitalism, Socialism and the Development Crisis in Tanzania*, Avebury, Aldershot, England, 1990, pp. 152-176.

¹⁶ See Tanzania National Archives File No. 10477, Compensation for Houses removed by Government.

major mode of sanitation. This was later on confirmed by colonial administrators in respect of the commercial area¹⁷. The main reason why the Open Space was planned to be between the commercial and native zones (not, as was more common elsewhere, between European and native zones) was that the Germans wanted a stake in the commerce and property in the commercial area which was already colonised by the Indians as well as natives. The Indians however were prominent in trade, and were being groomed to be even more so, while natives were not. If natives were removed and separated from the Indian (Commercial) area, they (natives) would, indirectly be separated from the Europeans in the commercial area. Moreover, the European residential area was at some considerable distance from the commercial area, and between these two areas, was a European shopping area and functional buildings and factories (e.g. the Brewery, see Figure 3.3) and a north-west/south-east thoroughfare.

The Open Space had originally been planned to be 300 yards wide although for some reasons this was reduced to 150 yards. From 1921, the Administrative Officer for Dar es Salaam took steps to prevent the erection of new buildings in the area earmarked for the Open Space, although its width was not fixed and settled till 1924¹⁸. In order to remove people from this area, the Township Authority decided to apply the *Township Rules* of 1923 in a curious manner. Under the provisions of these rules, permission was required to erect a building. "Erection" of a building was defined by the Township Authority to include rebuilding a wall that fell down, on the argument that if each wall that fell was rebuilt, a new building would result. Therefore, whenever the wall of a house in the earmarked open space collapsed, or fell into such disrepair as to necessitate major reconstruction, the Township Authority refused to grant permission to repair, and then could come in and demolish the building as being unfit for human habitation (rules 98 and 107, *Township Rules*). So, gradually buildings disappeared from the Open Space, although natives were in most cases unwilling to move. No compensation was paid to those required to move since they had built on public land. The purpose of denying the natives permission to repair was to let their

¹⁷ See Tanzania National Archives File No. 4/15, Housing in Zone 2, Dar es Salaam Township, where, in February 1945, the Medical Officer, G.A. Wilson, described the pit latrines in the Commercial (i.e. Indian) Area as the last word in filthy disposal, and where people lived up to 11 in one room.

¹⁸ Tanzania National Archives File No. 12589, Dar es Salaam Township Layout.

on public land. The purpose of denying the natives permission to repair was to let their buildings to run down and thus allow the authorities to take land without compensation.

In 1926, after complaints against the denying of permission to repair, and the obvious danger to public health that this policy entailed, the Governor set up a Commission of Inquiry. This recommended that rather than refuse permission to repair, each house should be given a "remaining life" period not exceeding 10 years. Permission to repair could be given provided this did not affect the "remaining life" of the building in question. This approach upheld the principle of wanting to take land without compensation, but avoided the adverse public health effects emanating from denying permission to repair. Most of native houses were arbitrarily given a remaining life of 3 years from July 1927 and notices to quit were issued. Some 170 native houses were affected. Realising the futility of fighting with the government, most natives had moved by mid-January 1930. They were no doubt aware of what had befallen the natives in Gerezani Village (below). However, some 63 houses whose owners had ignored the demolition notices served from 1927, remained in the area. These belonged to Swahilis (21), Arabs (10), Indians (31), and Goans (1). The District Officer and the Director of Medical Services were urging for the immediate removal of these houses, arguing that there should not be discrimination in implementing the law, since it was mostly natives who had obeyed the orders to move while those who remained behind were mainly non-natives. In the wrangle that ensued, the Provincial Commissioner, Eastern Province, inspected these buildings and found them still physically fit, so their "lives" were extended for another two years. This was simply a way to favour the non-natives and to avoid confrontation with them, for, as long as permission to repair continued to be granted, buildings would continue to be fit. It had however been agreed, in 1926, that the buildings' lives would not be extended beyond the "remaining lives" as originally determined.

But even after the expiration of that extra period, these people were still unwilling to move citing, *inter alia*, the World Depression. The Governor however, got tough and would not accept any pleas for extension of time, or for compensation. Even the case made by the District Officer on behalf of five Africans who were elderly, infirm, very poor, incapacitated, (in two cases, blind) and without wherewithal to demolish let alone to rebuild their houses,

were not entertained¹⁹. After March 1932 the government decided on a court action to remove the remaining, mainly non native occupiers.

By the mid-1930s the Open Space had been cleared of all buildings. Natives, and others were removed from this area because the land was public and was earmarked to serve colonial zoning interests. The alternative plots that were allocated to some, were distantly located in Ilala. The investment which the natives had made in their houses was deliberately made to deteriorate and condemned to demolition without compensation. The fixing of the "remaining lives" period was done arbitrarily considering that house repair was originally prohibited. Only hardship could have been caused to natives in the process of clearing the Open Space since they had to undergo costs of demolition and rebuilding. This was indeed admitted by some colonial officials. Commenting on the growth of Kheko Settlement to the south of Gerezani, (Figure 4.2) the Dar es Salaam District Officer, W. Fryer, summed up the situation by pointing out that:

During the past 12 months, several hundred natives houses have been removed from the Open Space area and Gerezani Village. When it is realised that the average house was one of 4 or 5 rooms and that each room housed a separate family, the amount of inconvenience to which natives have been put, and the extreme difficulty many experienced in getting accommodation sufficiently near their work, can readily be realised²⁰.

Conversion of *Kiwanja* Tenure into rights of Occupancy 1926-1932²¹.

As will be recalled, much of the commercial area had been acquired by the government during the German era but occupiers, both natives and Indians, were left unmolested for the time being. They continued to construct haphazardly in any materials. This kind of rather indefinite tenure on government land, and akin to squatting, came to be known as *Kiwanja* tenure. It was permissive occupation, though, since occupiers paid rent to the government, and tenure was terminable at 6 months notice. Once the Open Space had been defined the

¹⁹ Tanzania National Archives File No.10477, Compensation for Houses removed by Government.

²⁰ Tanzania National Archives File No. 52/A/1, Kheko Village Settlement.

²¹ Tanzania National Archives Files Nos 12248 and 94/A, *Kiwanja* Tenure, Conversion to Rights of Occupancy.

colonial government turned to the commercial area, in order: (a) to remove natives from there, and, (b) to force Indians to improve their buildings and the general environment of the commercial area. Two methods were used. One was to deny natives permission to repair their houses, and later serve them notices to quit as was the case with the clearing of the Open Space. The other was to force Indians to take up Rights of Occupancy, which incorporated expensive building and land use covenants.

Kiwanja tenure existed in other urban areas in the territory so that *Circular No 31* of 1926 was issued by the Chief Secretary to all Provincial Commissioners to the effect that all non-natives occupying land on *Kiwanja* tenure be given, before October 2, 1926, notices to quit ending their tenancy within six months i.e. on 31st March 1927. For some legal and administrative reasons, the deadline to convert these tenancies was extended to 1932. The aim of ending *Kiwanja* tenure was to get higher land rents, to improve building and environmental conditions in the commercial area without the government itself spending the money, and, to remove natives from some areas. The government was willing to negotiate with the affected non-native land occupiers to remain in occupation (without necessarily abiding by the expensive building conditions) provided economic rent was paid. The tenancy would then be converted into a year to year one, terminable at six months notice, until converted into Rights of Occupancy. The *Land Ordinance* required that Rights of Occupancy could be obtained by non-natives only via public auctions, but permission was being sought from the Secretary of State to waive auctions in the case of non-native holders of *Kiwanja* tenure. It was later decided that those occupiers who had complied by the notice to quit and had applied for Rights of Occupancy before 31 December 1927, or those in occupation of the land since 1923, would be granted Rights of Occupancy without going through auctions. This meant that those people were naturalised at where they were, although they had to pay higher rents and abide by building covenants.

In 1926, some 537 non-native *Kiwanja* tenants in the commercial and Kariakoo areas of Dar es Salaam were issued with notices to quit²². Most ignored these notices. By mid 1931, some 500 still held over. The Indians, who were most affected by this move,

²² Tanzania National Archives File No. 94/A, *Kiwanja* tenure, conversion to Rights of Occupancy, Dar es Salaam.

protested vehemently to the government, claiming that they had no money to pay the higher land rents and to abide by the expensive building covenants. A *Kiwanja Tenure Holders Committee*, with one D.K. Patel as its Secretary, was formed in October 1931, to protect Indian interests. The *Committee* made various representations to the colonial government, as a result of which, land rents were reduced, the period in which new buildings specified in the Rights were to be completed was extended from two to four years, compensation for existing building was increased to reflect disturbance, and in the case of hardship, each case was to be considered sympathetically. Because of their economic importance, and as they were better organised, the Indians were able to extract concessions from the colonial administration, a privilege that was not usually accorded to natives.

While some categories of Indians were granted Rights of Occupancy without going through auctions, and, as shown above, the government was prepared to be flexible with regard to rents and building covenants, no privilege of the sort was extended to natives. They were simply required to move out of the commercial area and go to Zone III. Some 334 native house owners were affected. The case of Huyura bint Islam²³ illustrates the plight of the natives. She was a widow and her family had lived at No. 4 Kitumbini Street, for over 55 years by 1951. As the government did not want native houses in the area, she had been denied permission to repair her house and was under notice to quit. Although she had a lucrative offer for her plot from a non-native buyer, since she could not herself meet the building conditions required for the area, the authorities would not let her sell the plot since the land belonged to the government and could only be disposed of via public auction, which she could in no way win, in which case she could only receive the value of her unexhausted developments, i.e. the value of her house which she had been denied permission to repair for years. This is what befell the majority of Africans in the commercial area. They were forced to leave, often empty handed, to start a new life in the native zone.

On the other hand, despite their earlier protests, the Indian community by and large complied with the requirements of the Rights of Occupancy, particularly after the Depression. Gradually the central area was regularised, and rebuilt. In 1936, the Land Division pointed out

²³ Tanzania National Archives File No. 255, Land: Transfer of Property, natives to non natives.

that there were no more plots in Dar es Salaam held on *Kiwanja* tenure:

The period of grace for demolishing condemned buildings and for carrying out the necessary improvements to convert existing buildings into approved buildings expired during the year and it is noticed that there has been a large addition to the number of modern, habitable and sanitary buildings in the *bazaar* area of the township²⁴

The effect of this process was two fold. One, it outlawed continued native residence in the commercial area, and the few remaining natives, like Huyura binti Islam mentioned above, were always under pressure to move to the native area in Kariakoo and Ilala. Two, the Indians got cemented in the commercial area. This slotted in very well with the zoning designs of the 1914 German *Bauordnung*, as later on reproduced under the *Township Rules* of 1923, made under the *Township Ordinance* of 1920.

The Kisutu Improvement Scheme, ca 1928²⁵

At about the same time as natives were being removed from the Gerezani area (below), an improvement scheme had been prepared for Kisutu, an inner city area between the Open Space and Bagamoyo Street (currently Morogoro Road). The scheme entailed the preparation of a layout for 34 commercial residential plots. The existing occupiers had to be removed. Because these were mainly Indians, the Governor, while expressing satisfaction with the whole scheme, saw no justification for evicting the occupiers in the arbitrary manner proposed, and ordered that they should be paid compensation for their properties, plus 50% of the compensansation to reflect disturbance. The total compensation bill amounted to 21,000/= (Compare to just over 1,000/= for the Gerezani natives, below). He further ordered that these Indians should be informed that the Government proposed to prepare a layout for the land and to sell it, and that they should be given alternative plots upon which to build. The term and conditions of the sale of the plots were given as 99 year leases with buildings whose value was to be no less than 20,000/= for plots facing the Commercial Street and 15,000/= for all others. Such conditions excluded all natives.

²⁴ Tanganyika Territory, Land Division, *Annual Report for 1936*, Government Printer, Dar es Salaam, 1937, p.9.

²⁵ Tanzania National Archives File No. 29/A/163, Rights of Occupancy, Kisutu Area.

Thus when it came to Indians, government policy was considerate, but when it came to natives it was absolute. This unfair treatment of some races was in fact pointed out by officials during the clearing of Gerezani. Officials noted that those being moved from Kisutu were being compensated, while those being moved from the Open Space were not, and that this could incite trouble²⁶.

Dealing with early native spontaneous settlements in Dar es Salaam

Together with the efforts to abide by the zoning provisions for Dar es Salaam, the authorities addressed their attention to the development of spontaneous native settlements within or about the township boundaries. Three examples are dealt with here. They all reveal various, sometimes contradictory, facets of colonial urban policy. The Gerezani settlement was swiftly dealt with and removed because it was contagious to a new European residential area. The Kheko one was ignored because it was far from the nearest European settlement. The Upanga one pitted the Town Authority against the Central Government and could not be removed partly because the residents put up a protest.

(a) Removing the Native Settlement at Gerezani, 1929²⁷

Early in 1929, Senior Health Officer, Dr. H.B. Follit, wrote to the Executive Officer, Dar es Salaam Township Authority, expressing concern over the development of a native settlement at Gerezani (Figure 4.2), which had grown from a few scattered huts to over 106 of these, covering a wide area of private land, extending, on the one hand to the banks of the Gerezani Creek, and, on the other, to within a few yards of the compounds of the European Railway employees' housing: "The conditions are thus almost ideal for the production of a malaria outbreak among Europeans".

He complained that the huts were constructed of any materials, and sanitation was very bad. When natives needed mud, he went on, they would scoop it from anywhere. There were therefore, several borrow pits along the banks of Gerezani Creek: "in a situation best calculated to nullify the efforts of the anti-malaria staff". He called for an urgent policy to

²⁶ Tanzania National Archives File No. 12589, Dar es Salaam Township Layout.

²⁷ Tanzania National Archives File No. 12589, Dar es Salaam Township Layout.

determine the boundaries of this native village and particularly: "the distance from existing and prospective Railway European houses within which no native huts should be permitted".

In their recommendations to the Chief Secretary, both the Dar es Salaam Township Authority and the Provincial Commissioner supported the removal of the natives from Gerezani. The Township Authority Executive Officer, Dr. R.R. Scott, believed that natives should be evicted at three months notice and that the area should be properly laid out for native habitation, provision being made for roads of access etc. He, added however: "the proximity of the area to the new European railway quarters ---- makes it undesirable to permit natives to occupy it."

In mid-1929, the Governor approved the demolition of the native huts in Gerezani as soon as alternative sites could be found. He promised compensation should this be necessary. On 10th November 1929, a meeting was convened by the authorities in the Gerezani area and all natives were given three months notice to move. Only two huts were not to be removed: that belonging to Halimi binti Fundi (who with her half-sister Mwanaasha binti Fundi, was one of the two freehold owners of the Gerezani land), and that of Hemed bin Said (husband of Mtumwa binti Ally, who was the other of the Gerezani land owners). The rest of the huts, 132 in all, were to go. Only 37 hut owners who had constructed before the passing of the *Township Rules* of 1923 (which required that a permit be obtained before constructing a hut in a Township) were judged as being entitled to compensation. The amount of compensation for these 37 hut owners was calculated by the District Officer to be only shillings 1,197/= (see Appendix 4.2 for the list of the payees). No compensation for disturbance was paid. Alternative land was offered much to the west of the township, beyond the offensive factories sites (Figure 4.2)

That the whole exercise was unfair, is reflected in the Governor's fears, when he queried whether the Gerezani settlers had accepted the removal orders and compensation "at these rates". He was however confident that trouble could be dealt with:

If there is opposition, there is ample means of overcoming it under the law, but it is always safer in these cases to find out before hand if the settlement is agreed upon.

Fortunately for the administration, all natives accepted compensation and all had moved before August 11, 1930. However, only 47 of the 132 people who were allocated plots west of the offensive factory site accepted them. This reflected the distance of these alternative plots from workplaces for these natives which were mainly in the harbour. It also reflected the natives' inability to meet the building conditions required by the Township Authority (even for native type of buildings).

It was however sad that the natives did not put up any protest. This might have been partly because, as the District Officer observed, the majority were "strangers to Dar es Salaam". At least two grounds of protest were in order. One, the area occupied was private (freehold) land occupied with permission from the owners to whom rent was being paid, and, as the Upanga case (below) shows, natives were entitled to stay there. Two, the area was *actually in Zone III* earmarked by the Government for native settlement (Figure 3.5). The problem would appear to be the intrusion in this native area, of European Railway Housing, and this necessitated the removal of natives to keep them far from Europeans! If the Authorities were unhappy with the quality of the huts that the natives were putting up, the solution was not to remove them, but to collaborate with them to improve these huts as well as the general environment of the settlement.

During the Gerezani saga, an issue was raised whether the colonial government was obliged to provide land for natives wishing to build in Dar es Salaam. It appeared to some officials that the government was not under any such obligation. In practice, however, since some natives were required in urban areas, many could not be repatriated anywhere, and many more kept coming to the township, there were restricted efforts to provide demarcated plots to the natives, in the interests of health and sanitation, although these had to be some distance from European residential areas. Colonial policy was always caught in a dilemma. It wanted only a highly limited number of natives in the townships, but it could not control the natives' movements. Thus the hostile policy toward the natives' land needs.

The Gerezani case demonstrates how medical reasons were invoked to achieve racial segregation. The same reasons were used unsuccessfully to try to remove natives from

Upanga area, and also to extend the Dar es Salaam township boundaries in the area near the high income residential area of Oysterbay.

(b) Khoko Village Settlement²⁸

This Settlement grew up near the southern boundary of the Dar es Salaam township, on high ground, East and South of Gerezani Creek (Figure 4.2). The area consisted of freehold land owned by Akida bin Mzee²⁹ and Suleman bin Nasr, and of government land, and of land whose ownership was unclear to the District Officer in 1930.

As was the case with Gerezani, the Township Authority expressed concern that new native huts had been erected, or were in the process of being erected at Khoko without permit as required by the *Township Rules*. There were 27 huts on Akida bin Mzee's land, 15 of which were new, i.e built during 1929 or thereabouts. Only 5 however, belonged to newcomers. The other 10 owners had upgraded their houses from the small *bandas* they had occupied previously. On Suleman bin Nasr's land were 53 native buildings, 38 of the owners having been on this land since before 1929. The number of new houses was 38 belonging to 15 new comers, and 23 old residents. On public land, there were 13 huts of which 4 had been constructed since 1929. Occupiers on Suleman's land were paying ground rent of between 3 to 6 shillings. On the land west of the Creek, whose ownership was unclear, there were 9 new huts built by people evicted from Gerezani Village. The total number of buildings was 107. They ranged from simple *bandas* to a good proportion of 3 to 4 roomed houses costing between 500/= and 800/= to build. There were signs everywhere of intended building activity (despite the Depression).

According to the District Officer, there were various reasons why Khoko was popular: it was near to the docks, wharves and railways where many natives worked; there were no building plots in Kariakoo, while Ilala (where plots were available) was fairly distantly located. Finally, rooms could be let at 5/= a month, a very excellent return on any capital invested.

²⁸ Details taken from Tanzania National Archives Files No. 52/A/1, Khoko Village Settlement.

²⁹ Today, part of Khoko is still known as Keko Akida.

The District Officer suggested that the area be Zoned "Zone III Extension", and that steps be taken to regularise the buildings, and to deal with those natives who had constructed since 1923 without permits. It is of interest to note that the District Officer, W. Fryer, who had overseen the removal of the Gerezani native settlement (above), and who was adamant against natives in Upanga (below), was the same and one advocating a somewhat liberal attitude with regard to Kheko. The reason for this was because Kheko was:

approximately a mile from the nearest European or non-native dwellings. Gerezani Creek forms a well defined line of cleavage and is the natural physical barrier separating the settlement from the already zoned areas in town.

Therefore, no action was taken. With the exception of an area redeveloped after Independence, Kheko is still an unplanned settlement. The above, however demonstrates that colonial policy was only interested in native settlements where it conceived that non-native life could be adversely affected.

(c) The Abortive Attempt to remove natives from the Upanga Area, 1931, 1935³⁰

Having triumphantly removed natives from Gerezani, the Open Space, and from parts of Dar es Salaam's town centre, the colonial authorities addressed themselves to the question of natives occupying the Upanga area, to the north of the Government and European Residential Area. Upanga was within Zone I of the Township and abutted the Ocean (Figure 4.2). It was not just natives who were living there. There were many Indians, Arabs, and Europeans, but the Town Authority's attention was vented on the natives.

In May 1931, the Dar es Salaam District Officer, W. Fryer, issued an order that natives should demolish their houses and remove themselves from Upanga area. He promised, where possible, to find alternative plots for those interested, in the extension of the Native Zone in Ilala.

Unlike the Gerezani case, this order was not taken meekly by the affected natives. Seven

³⁰ Tanzania National Archives Files Nos 81/85, Petition by Mwinyi Waziri bin Mwinshehe and others of Upanga, and 12589, Dar es Salaam Township Layout. Unless otherwise, shown information in this subsection is taken from the above two files.

of them: Mwinyiwaziri bin Mwinshehe, Mwinyikheri bin Akida, Mohamed bin Tambaza, Kidato bin Mwinyi Abdallah, Abdallah bin Mfaume, Mwinshehe bin Mwinyikondo and Mmanga bin Mwinyimkuu, on behalf of themselves and of others, submitted a petition to the Chief Secretary with copy to the Provincial Commissioner protesting against the removal order. They argued that Upanga was their birthright, that they could not see any reasons why they should be ordered out, that they would be unable to replace what they had already developed in the area, etc. Much as they revered the Chief Secretary, calling him the "Father of the people", "King of the whole Country of Tanganyika", and "elder of the town", and much as they referred to themselves as being stupid, they were firm in their message that they would not move (see Appendix 4.3 for the petition).

Contacted for his reaction on the petition, the District Officer put up a strong case for the removal of these natives from Upanga:

- o Erection of native houses was not allowed in Zone I of Dar es Salaam Township, in which Upanga was;
- o Many huts had been built without the permission of the Township Authority, but with permission of *shamba* owners;
- o He had sent for *shamba* owners to see him but many had not turned up;
- o The interests of non-natives had to be protected so that property values did not depreciate because of proximity to native huts;
- o There was the danger of fire spreading within the native huts and to non-native property; and,
- o *Township Rules* should not be breached so openly.

He nevertheless considered it unfair to prevent natives from building on their own land since they could not afford putting up a European house. Moreover, their *shambas* had valuable coconut trees. As an interim measure, he had allowed only one hut per native *shamba*, so that owners could keep an eye on their coconuts, but the development of the conditions as they were in Upanga could not be tolerated in Zone I.

In his advice to the Chief Secretary, the Provincial Commissioner, E.F. Brett, pointed out

that the petitioners were African freeholders living on the land, long before it was declared Zone I in 1924. They kept their *shambas* and had built and allowed to be built by their relations, native houses in the area. The Township Authority as well as the District Officer feared that another Gerezani Village was in the making, although these landowners had no means of building new houses elsewhere, and removing them would appear to be illegal without recourse to the *Land Acquisition Ordinance*. Yet the Provincial Commissioner seemed to contradict himself when he added that none of them (natives) had any right to remain where they were.

The central government, on advice from the Attorney General, decided that removing existing natives from Upanga under section 84 of the *Township Rules* (which empowered the Governor to declare building areas in townships) was illegal. As the law did not apply retrospectively, only construction undertaken subsequent to the passage of the *Township Rules* in an area demarcated as Zone I had to be of European Type. Hardship was only likely to befall the natives when their huts fell in such a disrepair that to repair them would amount to erecting new buildings.

This central government outlook differed from that of the Township Authority, which understood the rule to exclude natives from Zone I areas altogether. Because of this government ruling, natives were not removed from Upanga in 1931 as alleged by Fimbo³¹. Indeed some, like Mwinshehe bin Mwinyikondo and Kidatu bin Abdallah, both signatories of the protest petition to the Chief Secretary, were still in the area in 1950 and were actually bought out by Indians³².

In December 1935, the local colonial authorities again raised the issue of continued native residence in Upanga where already there existed 99 huts, and 60 native owned plantations. In his memorandum to the Chief Secretary, the Provincial Commissioner, G. Webster, pointed out that Health Officials wanted the huts to be removed, "in the interest of

³¹ G.M.M.Fimbo, *Law and Urban Housing: a Study of State intervention in Urban Housing in Tanzania*, Phd Thesis, University of Dar es Salaam, 1988.

³² Tanzania National Archives file No. 255, Land: Transfer natives to non-natives

public health with the least possible delay". Much as he was aware that the natives derived livelihood from their land in Upanga and had no other possessions, "the methods of life of these natives are a constant menace to the health of the non-native community", and that this was no doubt realised when, "the entire area was placed within the European residential zone in which residential buildings of European type only may be erected".³³

The Township Authority suggested that natives be allocated alternative plots, on Government land on Busse's *Shamba* on the Pugu Road, much to the west of Ilala and that recourse should be made to the *Land Acquisition Ordinance* to effect the getting rid of natives from Upanga. Not only were natives entitled to generous terms, the Provincial Commissioner went on, "but also the importance of accommodating them justifies them". The Health authorities, he wrote, were again pressing for the "urgent removal of these people".

Upanga natives were however not removed and it should be of interest to wonder why this should have been the case while the natives in Gerezani were swiftly removed.

The Attorney General's advice, that removing natives under section 84 of the *Township Rule* was illegal was only partially correct. The District Officer had pointed out that many huts had been put up without permission *after* the area had been declared Zone I in 1924. Thus, some of these had been "illegally" erected (ie without the permit of the Township Authority). One, therefore, cannot see any legal difference between the situation in Upanga and that in Gerezani. The reasons why the central Government chickened out of removing Africans from Upanga was because in the first instance, these people did put up a strong protest which could not be ignored easily, coming as it did from this kind of people (the Shomvis), who had settled in Dar es Salaam for over four centuries. Any attempt to remove them would have caused trouble. The colonial central government administration would have preferred a voluntary solution. In his note to the Attorney General on the Upanga issue,

³³ The *Township Rules* however, did not overtly define any area as "the European residential zone" as asserted here by the Provincial Commissioner.

Assistant Chief Secretary, G.F. Sayers, doubted whether at that time (June 1931),

a purchaser could be found by native residents of Upanga who would be prepared to pay a reasonable price for the land, and build a European type house. There is also the fact that a native is not necessarily tempted by financial inducement to abandon land which his father and forefathers had owned and cultivated.

In the Gerezani case, the Government had simply produced compensation money and did not dilly dally with legal niceties.

Secondly it was becoming apparent that Upanga would mainly be an Indian and non official European settlement. Many non-natives had already acquired freehold interests in the area. Government officials did not want a major stake in Upanga, having leapfrogged it and started a European officials' settlement at Oysterbay since the late 1920s. Commenting on a proposal made in 1927 by the Acting Governor to sell or lease out government properties at Seaview (part of Upanga) and create a residential suburb at Msasani (Oysterbay), the *Central Town Planning and Building Committee*, which favoured the scheme, ruled out the purchase of land West of Upanga Road for an officials' settlement since "this is the only available land for the non-government community"³⁴. At the same time, non-native plot owners in Upanga (particularly the Indians), were urging the Township Authority:

that land situated to the West of Upanga Road should be laid out in building plots and streets should be demarcated ----- so that owners know what is required of them, and prospective buyers be in position to acquire building plots.

It was obvious that natives in Upanga would sooner or later be replaced, and the central Government did not want to complicate matters for itself and to remove natives on behalf of Indian and other non-native land speculators, although the local authorities appeared to be bent on achieving just that.

Thirdly, as will be shown below, the Government was during this time resisting pressure to introduce a comprehensive town planning legislation, pressure which emanated in a large

³⁴ Tanzania National Archives File No. 20399, Proposed Suburb at Msasani.

measure from the continued haphazard development of Upanga. Removing natives from Upanga would have exposed the Government to the whole issue of Town Planning for Dar es Salaam which at that moment the Government was not prepared to address. For the time being therefore Upanga was to be left unmolested. All the same, the attempt to remove natives from Upanga reflected the prejudices that European officials had, and how they viewed the solution of the native problem in terms of segregation and distance from non natives, which was the basis of implementing the zoning provisions for Dar es Salaam. At the same time, the Upanga case revealed the contradictions between the two echelons of Government ("local" and "central"), and the independent use of Government power sometimes in a contradictory manner and not necessarily in the interests of private capital.

Internal reorganisation and extension of the zones

Although Dar es Salaam's zoning mainly emphasized the types of buildings allowed, it divided the town into three areas on a racial and functional basis. Zone I became mainly a European Residential area, although the freehold land in Upanga was owned and occupied by natives, Indians, Arabs and a few Europeans. We have seen above, the attempts to remove natives from Upanga. Europeans in Zone I were mainly officials although there was a number of non officials as well, engaged in private business. Zone II was occupied as a commercial/residential area by Indians and a few Europeans, all engaged in commerce, trade and some manufacturing. Zone III, also referred to as the Native Quarter or Native Town, was occupied by natives although there was an increasing number of Indians taking up trading plots, and (later) renting rooms in native houses, although this latter was illegal unless sanctioned by the Governor.

This section reviews how the three zones developed till 1945 bearing in mind the processes described earlier of moving natives from various parts of the town.

Zone I

This can be divided into roughly seven parts. (a) The area by the harbour front and east of the commercial area which comprised of the port and its appurtenances (including warehouses); (b) The area put to Government offices; (c) the area put to officials' residences and generally referred to as the Residential Area. It was generally south of the Golf Course and included the botanical gardens; (d) the Golf Course, which had been laid by the Germans

and included grounds for other sport and non native cemeteries; (e) the Upanga area, which was by 1935, largely freehold land put to coconut plantations; (f) the European residential area at Seaview; and, (g) the European residential area at Oysterbay across the Msimbazi River, (Figure 4.3). Land put to government buildings, officials' residences, and recreation grounds had, in the most, been earlier acquired by the Germans.

British officials simply took over former German residences, but as these proved insufficient for the existing requirements, some ex German private properties were "nationalised" by getting them withdrawn from public auctions during the sale of the Enemy Property in 1922, and by buying them at administratively determined prices. As demand for officials' housing was considerably high, another 12 houses were constructed in the late 1920s on Government land at Seaview. On advice from one Dr. A. J. Ornstein, an American who had worked as medical adviser for the German colonial government, and who, since 1913, had been working for the South African mines, Oysterbay was selected as a European settlement, although it was then outside the township boundaries. Writes Dr. Scott, then Executive Officer, Dar es Salaam Township Authority:

I did not meet Ornstein until 1927 when he introduced me to his mine hygiene in Johannesburg. After that, he visited us on several occasions and advised us to build our new residential extension at Oysterbay on the sea front, north of the old township, a breezy site which has proved a great success but which in 1919 had to be reached by canoe³⁵.

In 1927 a serious accommodation problem was facing government officials in Dar es Salaam. A scheme was thus drawn up to erect a number of quarters in a "pleasant and healthy site, at a distance, two or three miles from Dar es Salaam", at Oysterbay. The scheme, which cost £169,600 was funded from surplus balances, i.e. from general taxation.³⁶ Construction started in 1928 and by 1932, 40 units laid out at super low densities with a lot of open space and greenery were ready for occupation. A bridge³⁷ was

³⁵ R.R. Scott, "Public Health Services in Dar es Salaam in the 1920s", *East African Medical Journal*, Volume 40, No. 7, 1963, pp. 339-353.

³⁶ Colonial Office, *Report on Tanganyika Territory 1928*, His Majesty's Stationery Office, London, 1929, p. 85.

³⁷ Named "Salander", after the first Director of Public Works in Tanganyika.

Figure 4.3: Details of part of Zone I and Zone II, Dar es Salaam, 1940



Source: Gillman, "Dar es Salaam, 1860-1940"

constructed across the Msimbazi Creek in 1929 to replace an earlier temporary one, and this facilitated the northward extension of Dar es Salaam.

While it was a medical officer who suggested the extension of the European settlement to Oysterbay, it was medical reasons that were put forward to demand the extension of Dar es Salaam's boundaries to include Oysterbay. In a letter addressed to the Chief Secretary in April 1931, the Township's Authority's Executive Officer, E.H. Helps, on behalf of the Authority, and having obtained the approval of the *Central Town Planning and Building Committee*, requested the extension of Dar es Salaam's boundaries for two reasons³⁸:

- o One, the Medical Officer of Health had reported that there were prolific breeding places for anopheline mosquitoes in the area just outside the township boundary infesting the Government quarters at Oysterbay, but he had no jurisdiction over it, so, "it is considered to be essential, in the interest of public health, that the area should be brought within the Township for administrative purposes."
 - o Two, native huts were cropping up indiscriminately in the area and there was no authority to control the situation. Moreover, "Malaria carriers have been discovered in some of these huts and they cannot but be regarded as a danger to public health".
- In August 1931, the governor approved the extension of Dar es Salaam's boundaries North of Salander Bridge to include Oysterbay. (Figure 4.5)

Early Oysterbay was not popular with the officials. The Acting Director of Medical and Sanitation services, Dr. H. Owen, noted in July 1931 that the suburb was overgrown with grass and had many borrow pits. Proposals were made by both the Medical Officers and by a *Committee of Ladies* set up to look into the issue, that a small native village or common sleeping quarters for natives be erected within walking distance of Oysterbay to ease the problem of domestic servants, since it was observed that most workers did not want to sleep

³⁸ Tanzania National Archives File No. 19825, Dar es Salaam Township, inclusion of Oysterbay.

in the servant quarters provided. The idea was however not approved by the Governor³⁹, although later o "boys' villages" to serve Oysterbay were planned for, at Kinondoni and Msasani (see Chapter Five).

Beyond the township boundaries, the Oysterbay area was put to various uses including the quarrying of building stone, sisal plantations, saltworks and native cultivation. Various documents show that European Officials wanted to keep non Europeans out of Oysterbay. The views with regard to making Upanga an Indian area in order to prevent Indians from living in Oysterbary are presented later, but the case of Honourable Kassum Sunderji Somji, Member of the Legislative Council, an Indian tycoon of the late 1930s, illustrates the European officials' attempts to keep Oysterbay for themselves⁴⁰. Kassum was the owner of a salt factory at Oysterbay which he surrendered to the Government in 1938 in return for a plot of land with a 33 year lease on which to build a residence. The plan that Kassum submitted to the Authorities for his intended residence was beyond the wildest expectations of the European officials who described it as "terrifying", "likely to spoil the best site in Dar es Salaam", "unsightly", "Tower of Babel", "obstructive", etc. Besides, it was feared that Kassum might elect to live in Oysterbay, in a dwelling that dwarfed the existing European officials edifices. The view of the Central Government expressed by the Acting Governor and Chief Secretary, D.M. Kennedy, (who incidentally was wont of making overt racist statements), was that Oysterbay should be kept free for occupation by persons of a European standard of living. Officials tried to convince Kassum to cut the scheme down and the government offered to rent his house at £250 p.a; and to take it at the end of the lease with compensation at valuation. Furthermore, Kassum was offered an extension of the lease from 33 years to 99 years if he submitted plans for a single storey house acceptable to government. So anxious was the government to keep Kassum away from Oysterbay!

Throughout this period, Zone I remained more or less as described above, but with Upanga providing a scene of contention between the natives, the non natives, and between

³⁹ Tanzania National Archives File No. 19825, Dar es Salaam Township, inclusion of Oysterbay; and File No. 26177, Native Quarters North of Salander Bridge.

⁴⁰ The following is taken from Tanzania National Archives File No. 25555, Utilisation for the Area formerly occupied by the Salt Factory at Oysterbay.

the Township Authority and the Central Government. To solve this problem special legislation had to be passed in the late 1940s (Chapter Five).

Another interesting observation was the creation of a new European cemetery at Kinondoni (but just outside the township boundaries) in the late 1930s (Figure 4.5). The area was occupied by natives who were removed protesting against the unfair compensation given to them, and based on unexhausted improvements. In the case of one Saida binti Fundi who had been in the area for 15 years, compensation did not even cover her own input in clearing and tilling the land⁴¹. Her case clearly illustrates that the basing of compensation on unexhausted improvements was not aimed at preventing speculation, but at making it possible of the Government to acquire African occupied land at below its value. This was justified by the colonial philosophy which upheld that Africans knew no value in bare land, and were therefore not entitled to it; and in later practice that all land was either publicly owned, or was held under customary tenure.

Zone II

The conversion of *Kiwanja* Tenure into Rights of Occupancy described above, improved the environmental conditions of the commercial area. However, the triangle between Market Street, India Street and Kitchwele Street (Figure 4.3) remained highly overcrowded and insanitary. A number of small scale industries e.g. soap making, soft drinks manufacture, and mill grinding, had also been established in the commercial area in the 1930s. This was not unusual since the Germans had, for example, a brewery in this area (Figure 3.3). Medical Officers however insisted on the separation of industry from commerce and residences, so an offensive factories area was laid out beyond Ilala native settlement (Figure 4.2). Various notices to quit were issued to Indian factory owners to move from Zone II. Many refused to move. The policy was inconsistently enforced, some Indians being forced to move to the offensive factories area, others being allowed to remain behind (see Appendix 4.4 for a typical petition). The tendency was therefore for all to remain in the commercial area. The offensive factories area failed to take off mainly because it was distantly located and lacked the necessary infrastructure. Zone II however, was getting overcrowded and an outlet to relieve this pressure was urgently required. This was to be found in the native zone and in Upanga.

⁴¹ see Tanzania National Archives File No. 488, New European cemetery, Dar es Salaam.

Zone III (Kariakoo and Ilala)

With the British military occupation of Dar es Salaam in 1916, proper control of the erection of buildings could not, until 1919, be enforced. Construction was haphazard and did not necessarily conform to the German plan. From 1919 to 1921, the Dar es Salaam District Political Officer, M.A. West, with two assistants, undertook the task of realigning the houses in Kariakoo⁴². This was done partly through persuasion, and partly through denial of permits to build, or to repair or complete buildings. Many houseowners were forced to move without compensation. The authorities however were not sympathetic to these native developers and were capitalising on their non aggressive behaviour:

Although the native population may be regarded as exceptionally docile, and as willing to regard as an order, what may more accurately be described as persuasive positions, we must not lose sight of the fact that the land belonged to the Government, had been acquired for the purpose of building a model township of which the plans were in existence, and to which the existing street confirmed, and that the plots were held on one year's lease - the much discussed *Kiwanja* tenure, now regarded as terminable by six months notice.

At the same time, since it was obvious that the number of plots earlier demarcated in Kariakoo was insufficient to cope with demand, the land west of Msimbazi Street up to the Msimbazi River valley, was demarcated into plots. By August 1923, 600 of these were ready for issue. The market, disused since the War when it served as a Carrier Corps Depot, as well as the non-native trading plots around it, were formerly opened for business by the Governor at that time (Figure 4.4).

By 1929, there were so many native applicants for building plots that the government agreed to demarcate and issue some 600 plots on Borman's *Shamba*, a 500 acre ex-enemy property acquired for the government at auction for about £4,000, "for public purposes". This was yet another example of continuity with German policy. It will be recalled that the German government had purchased Schoeller's *Shamba* in Kariakoo in 1914 for settling natives. The new suburb, seen as the extension of the native Town, was named "Ilala" by

⁴² Unless otherwise shown, information in this subsection is taken from Tanzania National Archives File No. 12589, Dar es Salaam Township Layout.

the Governor, after the district in Rhodesia in which Dr. Livingstone died⁴³. A market square and some trading plots were demarcated at the site, and a small temporary market shed erected (Figure 4.2).

The colonial policy of segregating natives in Dar es Salaam had a built-in functional contradiction, for at the same time, the policy encouraged Indians to run trade in the native area. This was done by including a "non-native trading area" within the native zone. This, according to a government document, was necessitated by "various administrative, sanitary, and aesthetic reasons". This trading area included a large piece of land around, and near the new market in Kariakoo, and along Kitchwele Street, and other main thoroughfares carrying good frontages. Plots were allocated by way of auctioning Rights of Occupancy. The rights included expensive building covenants. A group of plots round an open square was set aside as a "native trading area". But none of these were taken up by the ordinary native. Rather than conceding that natives were facing unfair competition (since the prime sites were given to non-natives, for example), the government thought the native did not have the trading instinct, "sufficiently developed to run the business of a shop in competition with the non-native already established"⁴⁴.

Besides, as a result of overcrowding in their own zone, and as a way of looking for business openings, many Indians were seeking accommodation in the native area, accommodation which they could in some cases convert into shops. Some Indians were actually buying houses or plots from natives. Seeing the futility of fighting this process, the government decided to amend the *Township Rules* with respect to building areas to legalise the *de facto* construction of non-native houses in the native zone. The argument given was that zoning provided minimum, but not maximum standards. The terminology of the building areas for zone III was therefore changed to read: "an area into which buildings of any type could be built", provided authority was obtained⁴⁵.

⁴³ General Notice no. 1088 of 4.10.1930.

⁴⁴ Tanzania National Archives File No. 12589 Dar es Salaam Township Layout.

⁴⁵ General Notice 14 of 11/1/1933.

Broader Town Planning Issues for Dar es Salaam in general, and the attempts to plan Upanga in particular, 1929-1945

The late 1920s and early 1930s witnessed the world depression and adverse economic circumstances in Tanganyika, but it was during that time that two personalities, John H. Pashen and E.H. Helps, took up employment in Tanganyika. The former came as a Government architect who at the same time turned to town planning. The latter was employed as a municipal secretary for Dar es Salaam. Both came with considerable enthusiasm for developing Dar es Salaam: Pashen, as far as town planning was concerned, and Helps, with respect to both town planning and municipal status.

Realising that Dar es Salaam was growing without any kind of planning save for the implementation of zoning and building provisions, Pashen prepared a comprehensive planning scheme for the town but with particular emphasis on, and reference to, the Upanga Area. The scheme was placed before the Governor in 1929. The governor found it good but, "in advance of the present wealth and credit of the country"⁴⁶. However, he sent it to the *Central Town Planning and Building Committee* for further scrutiny, and Pashen was made *Committee* member. While the *Committee* commended the principles underlying the scheme, it was realised that town planning powers were required. The *Committee* was asked to prepare a draft *Town Planning Ordinance*, but in the meanwhile the Government was requested to make Pashen's scheme for Upanga, legal, as it would take long before a *Town Planning Ordinance* would be ready. This latter proposal however was opposed by the Attorney General. In 1930 the Governor, most unenthusiastically approved portions of the layout for Upanga: "they may certainly govern themselves accordingly", he wrote, but the surveying of land in accordance with this approved layout hit major obstacles. As the Land Officer pointed out, Upanga originally was, and to some extent still remained, owned by natives "with the result that the plots are very irregularly shaped, the boundaries following the limits or vagaries of the cultivation as it existed in each case when the plots were demarcated". Legislation was required to deal with this situation. Inquiries were sent to

⁴⁶ Tanzania National Archives File No. 13483, Town Planning Scheme for Dar es Salaam, Volume I.

Kenya for advice on the implementation of the *Mombasa Town Planning Scheme* since it was similar to that being proposed for Upanga. From Kenya it was learnt that the Mombasa *Scheme* involved the pooling, readjustment and redistribution of plots with the landowners surrendering portion of their land for the necessary roads. Mr. H.E. Fitzgibbon, planning engineer from Kenya, was invited to Dar es Salaam in September, 1930, to advise on the planning of the town. He had glowing words for Pashen's scheme for Dar es Salaam and proposed how to go about implementing it. Nevertheless, no support was forthcoming from the central government⁴⁷. Recourse was also made to the *Bombay Town Planning Act* of 1915, plus other documents related to the planning of Bombay. Indeed, the Governor suggested reference to the then recently passed Nigerian legislation which had made it adequate compensation, the return to the owner of a reduced portion of his land which had been acquired compulsorily and improved by the laying of streets, open spaces etc. Yet, he (the Governor) was against a comprehensive scheme for Dar es Salaam. He directed the *Central Town Planning and Building Committee* to constrain itself to the Pashen Plan as far as it related to Upanga, arguing that it was impossible to put the larger scheme into effect wholesale in the old areas without setting up a costly and large organisation and providing it with funds, "which for the present might be spent in a more productive manner"⁴⁸.

But even in the case of the proposed limited Upanga Scheme, legislation was necessary. Seeing the futility of proposing a comprehensive *Town Planning Ordinance*, the *Central Town Planning and Building Committee* drew up new *Township Rules* in 1932 to give the Township Authority powers to deal with new layouts, particularly to control, the subdivision and the laying down of streets, and incidental questions, on private land. These rules however were not acted upon by the law officers who claimed to be very busy throughout 1933⁴⁹. By mid-1935, the Attorney General had not acted on these rules, and on being reminded by the *Committee*, he continued dilly dallying, refusing to contemplate general town planning

⁴⁷ Tanzania National Archives File No. 19350, Report of the Municipal and Town Planning Engineer (Mr. H. E. Fitzgibbon) Kenya, on the procedure for carrying into effect the Town Planning Scheme for Dar es Salaam.

⁴⁸ *ibid.*

⁴⁹ Tanzania National Archives File No. 23243, Town Planning, subdivisions of Plots and Roads.

Figure 4.4: Details of part of Zone III, Dar es Salaam, 1940.



Source: Gillman, "Dar es Salaam 1860-1940"

legislation, but proposing that the scope should be limited to just the existing schemes like that of Upanga, because,

the danger with such comprehensive legislation is that unless it is framed in relation to existing schemes it sets up an ideal which is beyond the means of the government or the local authorities to realise.⁵⁰

From the central administration's point of view, the town planning issue in Dar es Salaam was chiefly Upanga which was under considerable pressure for development. It was moreover the first major freehold land within the township faced with the problem of how to develop. The existing legislation i.e. the *Township Ordinance* and its *Township Rules* were mainly building regulations and did not contemplate town planning or street planning with consequent readjustment of private properties necessitated by an approved scheme.

In March 1936, *Township (Amendment) Rules* were made under the *Township Ordinance*, "to avoid the imminent danger of an important area of land in Dar es Salaam township being ruined by uncontrolled development". These *Rules* prevented the laying out of streets on land, or its subdivision, fencing, hedging or demarcating, without authority. The *Rules* however were challenged in the Courts by would-be developers as *ultra vires*. As a result, the government hurriedly prepared and passed the *Town Development (Control) Ordinance* of 1936, as a control and preventive measure, but not an actual instrument of development. The *Ordinance*, applied to Dar es Salaam in 1937⁵¹, required that building plots on private land should not be subdivided without prior approval, and that private streets giving access to public streets should not be constructed without approval. It, moreover, regulated the use of land and buildings in designated building areas.

In January 1938, the Township Authority raised once more the issue of the Dar es Salaam planning scheme, particularly in relation to Upanga in the light of the 1936 *Ordinance*, and since, with respect to West Upanga, "owners were clamouring to the Township Authority

⁵⁰ *ibid.*

⁵¹ General Notice, 242, 1937.

wanting the area planned so that they can place plots on the market"⁵².

The Acting Governor, D.M. Kennedy, who, as Chief Secretary had on previous occasions opposed Pashen's planning scheme for Dar es Salaam, had by 1938 changed his mind, praising Pashen as being well grounded in town planning and agreeing that every day that passed without proper planning trouble was being stored up. The reason for his change of heart, however, was because he wanted Upanga planned, otherwise Indians would go to Seaview and Oysterbay, "areas which we have decided should be kept as far as possible for persons of a different standard of living"⁵³.

He decided that Pashen should be made a Town Planning Advisor, and directed that his salary be raised. He pointed out that Pashen had been crying in the wilderness for years, and, if opportunity arose, the government should get on with rectification of past mistakes. Small schemes already approved should be executed as funds became available, while proposals of replanning schemes for Dar es Salaam were welcome.

The Acting Governor had opened up a Pandora's box. In June 1938, six proposals for widening and improving parts of central Dar es Salaam, as well as the Upanga scheme, were submitted for approval and funding. The government was alarmed. It noted that the schemes were "bezerk", and that the Township Authority "flies rather high". It was also noted, rather gratuitously, that the submitted schemes did not cover the native and the bazaar areas which were a "disgrace" to Dar es Salaam. As a result, all these schemes were shelved and nothing really got going till after World War II. That was the farthest the *Pashen Plan* ever got to implementation. Dar es Salaam's development remained therefore ad hoc during this period.

⁵² Tanzania National Archives File No. 13483, Townplanning Scheme for Dar es Salaam, Volume I.

⁵³ *ibid.*

Agitation for Municipal Status for Dar es Salaam⁵⁴

Towards the late 1920s there were proposals and agitation that Dar es Salaam should be given municipal status. Thus the appointment of Mr. E.H. Helps of the Administrative Office, Cape Town, as Municipal Secretary for Dar es Salaam township. Mr. Helps arrived in Dar es Salaam in 1931 and the outgoing Governor, Sir Donald Cameron, wanted him to set up a municipal board for Dar es Salaam as well as for the towns of Arusha, Moshi, and Tanga, "if my successor agrees".

Immediately, there was opposition against municipal status from various officials. The Treasurer lamented the high cost of setting up such establishments. There was also the issue of a Common Roll and representation of non-British Europeans. Mr. Helps was therefore warned not work on the assumption that there could be a radical change from administering the townships in the near future. According to Acting Governor, D. J. Jardine, a municipality was never likely to be a success in a place like Dar es Salaam because not sufficient members of unofficials would be able to spare the time for municipal work and because of the fear of increased taxation. Besides, "the whole issue bristles with racial and other difficulties". Preparing a reply to a question posed by Hon. S.B. Malik in the *Legislative Council* in October, 1931, the Provincial Commissioner, Eastern Province, F. Brett, agreed that a municipality for Dar es Salaam was premature.

In mid-1934, Mr. Helps, sent notes to the Chief Secretary on the question of establishing municipal governments for certain towns in the territory. The views were influenced by South African practice, and recommended suffrage restricted to Europeans only. The issue was shelved as the government had no intention of establishing municipal governments. Helps was thanked and consoled that his paper had been "read with great interest"⁵⁵.

In early 1936, the Township Authority pressed for the establishment of an autonomous municipality for Dar es Salaam. Again the Treasurer opposed it for financial reasons. The Deputy Chief Secretary, G.F. Sayers, put up a bravado, that the government was not wary

⁵⁴ Tanzania National Archives No.13834, Dar es Salaam, Municipality, General.

⁵⁵ Tanzania National Archives File No. 22307, Municipalities, Establishment of,.

of unofficial majority in a municipality, but was worried that Dar es Salaam had a floating population lacking civic spirit. The Chief Secretary, D.M. Kennedy, put it more bluntly. Not only did he agree that Dar es Salaam had a floating population, but also he was "afraid of control by persons whose wealth may be great, but whose standard of living was low".

Nevertheless, as was usual with the government when under pressure, it was agreed in mid 1936 that the Municipal Secretary, H.E. Helps, should prepare a *Draft Local Government (Municipalities) Ordinance*. This he did, and his proposals were sent around for comments, but were not acted upon. Helps was also allowed to visit East London and Cambridge in S. Africa, as well as Nairobi and Mombasa in Kenya, and to get views from North and South Rhodesia, on issues relating to municipal administration. These efforts however did not bear any fruits.

In the late 1937, the Government was again questioned on a date for a municipality for Dar es Salaam. The Government said this was still far off, but the Deputy Chief Secretary, G.F. Sayers, advised on a slow process beginning by increasing the number of nominated officials, devolving powers to the township authority to make township rules and to have a say in expenditure. Powers for rating as well as elected representation could be given later. Nevertheless, the Governor decided in early 1939 that the issue of a Municipality for Dar es Salaam was pre-mature.

It is therefore important to note that in issues of urban and land administration, Dar es Salaam was, throughout this period, under the control of central government which tended to be conservative and slow in acting while the Township Authority was all for speed and action. The procrastination with granting Municipal status was chiefly a result of racial prejudice by colonial officials against the bulk of the residents of Dar es Salaam.

Infrastructure and Services provision: general observations

As a broad generalisation, the Government was not in the forefront of providing infrastructure to guide new development or to encourage efficient land usage. Dar es Salaam, as shown earlier, remained poorly serviced. Roads were poorly surfaced, and there was no comprehensive sewage or drainage network. Native areas remained poorly serviced as the

example of Ilala Native area (below) illustrates. Figures for water supply (Table 4.3) between 1933 and 1938, Europeans in Dar es Salaam consumed, per capita, between 31 and 43 gallons of water per day. By contrast, the Africans consumed only between 0.68 and 0.88 gallons per day per capita.

Table 4.3 The Supply and Consumption of Water by the Various races in Dar es Salaam, 1933-1938.

Years	Consumption p.a. ('000 gallons)	Population served	Gallons per capita per day
Europeans			
1933	16,675	1350	34
1934	15,223	1350	31
1935	15,752	1350	32
1936	16,208	1350	33
1937	16,458	1350	33
1938	18,651	1350	43
Asians			
1933	24,466	8900	7.5
1934	25,203	8900	7.8
1935	28,304	8900	8.7
1936	33,477	8900	10.3
1937	49,382	8900	12.5
1938	46,631	8900	14.5
Africans			
1933	6393	22,700	.75
1934	6368	22,700	.77
1935	5636	22,700	.68
1936	6296	22,700	.76
1937	7490	23,550	.87
1938	7551	23,550	.88

Source: Tanganyika Territory, *Annual Reports of the Public Works Department*, Government Printer, Dar es Salaam, relevant years

Even policing, essential for property development and safe urban residence, was inequitably provided. For example, it was stated in the *Legislative Council* in November 1935, that the number of night police patrols, exclusive of inspecting staff, in the three zones of Dar es Salaam was: 34 for Zone I; 28 for Zone II; and only 17 for Zone III (Table 4.4) Thus, the number of night patrols in Zone I was twice as many as the number in Zone III,

despite the fact that Zone III was badly lit.

The status of the roads in the three zones of Dar es Salaam is reflected in the Township Authority's road maintenance programme for 1938 (Table 4.5). Only 30.2% of the budgetted expenditure was earmarked for Zone III which had only earth roads and a limited length of metalled roads. While nearly 14,000 feet run of colas roads were budgetted for resurfacing in Zone I, there were no such roads in Zone III. While 12,000 feet run of earth roads were earmarked for maintenance in Zone III there were no such roads in Zone I.

Table 4.4: Police Patrols at night, Dar es Salaam, 1935

Area	No. of Patrols
Zone I Non-native residential area excluding Seaview and Oysterbay	24
Seaview and Oysterbay	10
Zone II Commercial area	28
Zone III Native Area including Ilala	17

Source: *Government Gazette, November, 1935*

Table 4.5: Dar es Salaam's Road Maintenance Programme, 1938.

Type of Roads	Road Length for maintenance (feet)		
	Zone I	Zone II	Zone III
Colas Roads	13,800	1,700	-
Metalled Road ³	13,950	11,600	5,800
Earth Roads	-	-	12,000
Total Budgeted Expenditure (Tshs)	13,700	14,420	12,170

Source: Tanzania National Archives File No. 18835, Dar es Salaam Roads, Volume I.

The relatively high expenditure per unit of road for Zone II is a reflection of the agitation that was going on at that time (and expressed by the Indian Members of the *Legislative Council*, for example) for better roads in the commercial area. While by 1939 the general status of the roads in Dar es Salaam was bad, roads and drains in the African area were the most neglected (Appendix 4.5).

The above are just examples of how native zones were generally neglected by the colonial administration and this was admitted on a number of occasions by the colonial officials themselves, as the following two examples show:

- o In 1944, Governor, Jackson, in a letter to the Secretary of State for the Colonies, Oliver Stanley, pointed out that houses in Zone III had neither piped water supply nor waterborne sanitation, and in almost all cases, no electricity⁵⁶.
- o Noting that the Native Municipal beer Hall had made profits totalling £2332 over the three years to 1939, the Chief Secretary, D.M. Kennedy, suggested that these funds (profits) should not be taken to General Revenue (as was the practice). Instead he advocated the setting up of a *Native Welfare Fund* which should be used to improve amenities for the native population who lived in native towns. This was not a bad idea since the capital expenditure in native zones for the previous *five* years was only £2200 i.e. less than the profits made by the beer Hall in *three* years. Commenting, one official wrote:

I do not know whether any plans for the betterment of the native township have ever been worked out or whether we have any idea of what we want...It is up to government to provide at least the minimum amenities for the native township of Dar es Salaam, and this, in my opinion, we have failed to do.

His suggestion for betterment, however, were: the clearing of the Open Space, and the improvement of the beer Hall!⁵⁷.

⁵⁶ Tanzania National Archives File No. 24387, Vol. II, Improvement to Native Houses.

⁵⁷ Tanzania National Archives File No. 26602, Dar es Salaam Township, Native Welfare Fund.

Another official expressed similar sentiments:

The problem of Dar es Salaam Township can be stated simply. It has been governed for years by gentlemen the interests of the majority of whom have been confined exclusively to the non-native commercial and residential areas with the result that the native areas have been sadly neglected⁵⁸.

The question of poor provision of infrastructure and services to native areas is further illustrated by the case of Ilala native area.

Infrastructure and Service Provision: The Case of Ilala Native Area

Thus a notable feature of land policy with regard to native areas was the usually limited level of services and infrastructure in these areas. In 1932 for example, there was just one stand pipe to serve the 600 houseowners of Ilala. There was only one public toilet in the area. There was no refuse collection service. There was no streetlighting or police patrols so that theft was common. In the light of this situation, native residents of Ilala submitted a petition to the Provincial Commissioner requesting: police patrols, piped water, electricity, and toilets. (see Appendix 4.6 for the petition). The Provincial Commissioner's reaction was generally hostile: "They have no hope of getting electric light I suppose", he wrote to the District Officer (Appendix 4.7).

The introduction of a municipal tax of 10/= for every native hut owner in Dar es Salaam in 1932 brought about a difference of opinion between the District Officer, who felt that natives in Ilala should be exempted until the normal municipal services were made available, and the the Provincial Commissioner, who, insisted that Ilala residents should pay; and that every endeavour would be made to ensure they got the services for their money. Ilala natives were therefore made to pay the municipal tax. But none of the promised services were made available for a very long time. In 1939, another petition was presented to the Provincial Commissioner,

demanding paved roads, a post office, and a hospital (Appendix 4.8). This again was not acted upon. Only in the early 1950s when native zones had been located very near European

⁵⁸ *ibid.*

residential areas (e.g. at Kinondoni) were officials alarmed at the possible adverse effects of keeping native areas unserviced. Commenting on the concern expressed by some officials on the non servicing of new African areas in 1951, the Member (Minister) for Lands and Mines wrote to the Member for Social Services:

This is no new problem, it has always been with us in areas such as Ilala, but no one has worried much owing to its remoteness from contact with low density housing⁵⁹.

Thus not only was Dar es Salaam poorly unserviced generally, but also, native areas suffered the worst from poor servicing. Native areas were deliberately located at a distance from European areas in order to make it easy for them to be denied of the usual infrastructure and services, although as the case of Ilala demonstrates, natives paid their taxes.

4.2.7: The Impacts of Land Policy on the Land Use Structure of Dar es Salaam (1918-1939)

The first two decades of British colonial administration in Tanganyika were characterised by a generally lukewarm and hostile attitude to urban development. The colonial government was, as a broad generalisation, contented with doing what it considered to be the bare minimum to ensure what it regarded as a liveable environment, particularly from its own point of view. In this respect it is noteworthy that the very first laws passed by the colonial administration were the *Peace and Good Order Regulations* of 1919 and the *Township Ordinance* of 1920, both meant to ensure that there was some kind of organisation and control in urban areas, since this was where the administrators lived.

However, there was no dynamism whatsoever in urban development in general or with regard to Dar es Salaam in particular. It was sufficient to abide by the zoning provisions of the late German administration. This was partly because of Tanganyika's status as a mandated territory. Colonial administrators were in Tanganyika to do a job of governing and go back home. Indeed, until the late 1940s, the terms of tenure in Tanganyika for most administrators, did not exceed four years.

⁵⁹ Tanzania National Archives File No. 41949, Health and Sanitary Measures, Dar es Salaam.

The land use structure of Dar es Salaam was profoundly affected by the British colonial government's policy of implementing the zoning provisions left behind by the Germans. These provisions were basically racist. As a result, Dar es Salaam was divided into the European area; a Commercial/residential area (mainly inhabited by Indians); and a native area. The latter two were separated by an Open Space, cleared of native and other structures in the 1920s and 1930s. The planning of all these areas predated the British Administration, but the native town had to be regulated internally, and extended from Kariakoo into Ilala. The European area was extended northwards by the Ocean, to Oysterbay. For the European area, the Government inherited most of the buildings but constructed new ones at Seaview, Oysterbay, and Gerezani. The Commercial/Residential area underwent fundamental transformation when the Government forced Indians to take up Rights of Occupancy, and to abide by building covenants therein. Limited improvement schemes (like that of Kisutu) were undertaken for the central area, although most improvement was left to private action.

Abiding by zoning provisions had two advantages: One, the government could be seen to be doing something to manage the urban areas. Two, by separating the races, the administrators were able to distance themselves from natives who were not only feared as disease carriers, but also, their manner of life (including their wealth) was seen as a danger to European races. Segregation allowed the concentration of the meagre resources on European and other non-native areas, and allowed this to be justified on an ideological framework of variable standards of living to which the various races were used and entitled. Anything outside this, as proposed for example by the Township Authority on several occasions, was opposed by the central government. Only a highly limited amount of resources was considered justifiable to be spent on urban development. Regulatory, control and directive measures were seen as being sufficient and cost-effective.

In this scenario, where resources from the central government were limited, and where the local and central administration was hostile to natives, it was the native majority urban dwellers who suffered most. They were pushed from various areas, and were directed to areas set out for them. These were both relatively and absolutely very poorly serviced, and inconveniently located. There, poverty could reproduce itself and be perpetrated. Petitions by natives to have the government service their areas usually met with cold response.

Unplanned development was also taking place as government policy was slow and sometimes, inappropriate to cope with the problems that manifested themselves. Upanga, for example, remained a bone of contention between the Township Authority, the Central Government, and native and non-native freeholders. The problem of Upanga was not solved till the 1950s. The Gerezani native unplanned settlement was removed, but that at Kheko was spared. The basis of policy in both cases was racism. The whole policy was geared at achieving and perpetrating racial segregation. Medical, but occasionally economic and social reasons were used to justify racial segregation. Comprehensive town planning was however, highly discouraged by colonial officials so that development control in Dar es Salaam was adhoc.

The moderating effects of the central administration against some of the excesses proposed by the Township Authority was not so much to favour natives as to avoid being drawn into situations of confrontation, or, where resources would have to be spent on urban development. Thus the refusal by the central government, to accept various townplanning schemes for Dar es Salaam, or to pass comprehensive town planning legislation. There thus lacked, in the overall administration of Dar es Salaam, a central concept as to how the town should develop.

The policy of allocating land by auctioning it to non-natives ensured that natives were kept out of choice, particularly trade, plots. Access to, and consumption of, most public service infrastructure was inequitably distributed over the township's space with native areas getting the very least servicing. The whole policy was inequitable, not only in terms of servicing, but also in other aspects of land policy. For example, native holders of *Kiwanja* tenure were excluded from being considered for conversion to Rights of Occupancy even where the terms of offering these Rights could be (and, were indeed), varied to suit individual or group circumstances of non-natives. Another example was the choice of the locations for areas zoned for native occupation. These did not consider the distance factor from workplaces.

A major result of colonial land policy for Dar es Salaam was a township segregated along racial lines although Indians had penetrated both Native and European areas by the end

of the period under review. Moreover, the policy initiated a ribbon land use pattern, along the Ocean northwards for Europeans and along the Central Railway line and Pugu Road for natives. It may be pertinent to point out that while European settlement was being planned to grow northwards to take advantage of the moderating effects of the Ocean, the native area was being pushed south westwards away from the Ocean. Near this latter area, moreover, were planned the offensive factory sites. This made the cost of overcoming distance particularly burdensome to the natives. Some chose to set up unplanned settlements in areas like Kheko and Gerezani, which were near their places of work; only to be removed by the Government in the case of Gerezani. Besides, this deliberate policy of urban sprawl made the provision of services very expensive. Both water (tapped at Gerezani) and electricity (from a power plant at Kurasini) had to cross long distances, bypassing native areas, before being distributed to European areas like Oysterbay. Natives who were living at high densities and therefore cost effectively using land were the ones denied most services, while Europeans living at low densities, were lavished with most, if not all, the services then available. The per capita cost of servicing European areas must have been very high indeed. Moreover, officials paid neither house rent nor rates. Neither did they pay for services like water and electricity lavished on their areas. The observation that the Germans had laid out Dar e Salaam oblivious to costs (Chapter Three) was being repeated during the British Administration.

4.3 Economic Responses

4.3.1 Framework of Interest Groups Affected by Land Policy

As in the pre-War period, government policy was implemented within a racially segregated framework, so that it is pertinent to continue identifying interest groups in terms of races. These groups were:

- (a) The Europeans, subdivided into officials and non-officials;
- (b) Other non-natives, particularly Indians who were mainly traders, although there were a number who were government employees. Others in this category were the Arabs (although in a number of legal and government documents these were classified as natives).
- (c) The Africans (natives) most of whom were employees in the docks, wharves, and

railways; and on coconut and other plantations belonging to Europeans, Arabs and Indians. Many too were employed as domestic servants, and some, as junior government officials. Others were small traders, subsistence farmers, and fishermen.

The interests of the various social groups were expressed through social associations and clubs, trade unions, and adhoc groups. The Europeans had their own club. There was an *Indian Association* as well as an *Arab Association*. A *Tanganyika Territory African Civil Service Association* was formed in 1922 and was active in Dar es Salaam between 1925 and 1928, championing the interests of African clerks. A quasi political *African Association* was formed in 1929, carrying with it most members of the *Tanganyika Territory African Civil Service Association*. As a result, the latter collapsed, but was revived as the *Tanganyika African Civil Servant Association* in 1944. A *Railways African Association*, was founded in 1929 but was most effective during the War in 1945. An *Association of Cooks and Houseboys (Chama cha Wapishi na Mabo)* was formed in Dodoma in 1939, and opened a branch in Dar es Salaam in 1941.

The first Tanganyikan Trade Union as opposed to Staff Associations was formed by Asians in response to a *Trade Union Ordinance* enacted in 1932. It was called the *Union of Shop Assistants of Tanganyika*⁶⁰. Registered in 1933, this Union lapsed in 1940. In 1937, the *Asiatic Labour Union*, an organisation formed mainly by Sikh carpenters, organised the first serious strike in Dar es Salaam. Labour action started in the 1920s among Civil Servants. It went through the service and transport sectors and reached the industrial workers in the 1950s. Thus, during this period, there was agitation for, and expression demanding, better living conditions. This had considerable effects on Dar es Salam's land use structure particularly during the post-1945 era.

4.3.2 Europeans

Europeans Officials

Unlike their German counterparts, British colonial Officials were, until 1947, forbidden

⁶⁰ Information on trade unions is taken from, J. Iliffe, "Wage Labour and Urbanisation", in, M.H.Y. Kaniki, (Ed.), *Tanzania under Colonial Rule*, Longmans, London, 1979, pp. 278-306.

from taking up land and property in the territory. Officials had therefore to depend on their employer, the Government, for their land use requirements, particularly housing and land services. The government took care of these interests by constructing housing estates for its officials e.g. at Seaview, Oysterbay and Gerezani and by taking over various German properties some of which were previously privately owned. While shortage of accommodation among officials was expressed on several occasions, and while several officials had to share houses, or had to be housed in private estates, the colonial government, by and large, took care of its officials.

The separation of officials from land ownership adversely affected their interests in land development. This would, for example, help to explain the government's nonchalance with regard to the orderly development of Upanga. As was to be the case later, officials were as yet not worried about the racial effects of allocating land to non-natives through public auctions. This was to change when officials got interested in acquiring land in Tanganyika. The *Land Ordinance* had to be amended in 1947 to suit the needs of these officials (Chapter Five). On the other hand, officials got accustomed and addicted to obtaining land services cheaply and this has continued to afflict land policy.

European non-officials

Little information has been obtained about the behaviour of these. It would appear that many took up agricultural estates. Several acquired freehold land within and about the Dar es Salaam township, either by way of purchasing Enemy Property, or through private negotiations. Important landowners who ran agricultural operations outside the Dar es Salaam township boundary and who affected the town's development in the 1950s, included the owners of Helvetia and Victoria dairies; one John Zavellas, a Greek, who ran a Sisal Estate on government land at Msasani; and Ursino and Regent, both Greeks who owned freehold estates just outside Dar es Salaam. The colonial government later on allowed them to subdivide these estates into high class residential areas. European non-officials may not have been active players in the shaping of the land use structure of Dar es Salaam within the township boundaries of the 1930s. Perhaps, partly because of this, government policy concentrated in its interaction, on Indians and natives.

4.3.3. Indians (and Arabs)

The main government policy was directed towards Indian land holdings, but during the process, a number of Arabs were affected as well. The following discussion is concentrated on Indians. Arabs are mentioned where they affected or were affected by land policy. Response to policy is analysed in relation to (a) the Commercial area (b) The Upanga Area, and (c) Other Areas.

(a) the Commercial Area

Like their German predecessors, the British Administration regarded the Indians as an important social group, for its role in manning the commercial sector in the territory. There were some 23,800 Indians in Tanganyika in 1931. Writing in 1934, one Tanganyika Colonial Official noted:

On the whole, the Indian of the frugal, petty shop keeping class which is the most numerous, serves as a useful and necessary link between the European and the Native. Dealing, as he does, mostly in cotton piece goods and in hardware, he acts as a retailer for the manufactured products of Europe, which are distributed by the large firms on the coast and elsewhere⁶¹.

Indians were therefore seen as indispensable by the colonial government, although they were hated by both the Africans, and the European settlers, as underhand fellows. Promotion of the Indian meant the maintenance of an alien (and hence, politically more amenable) group to perform functions which would otherwise have been carried out by Africans in commerce, skilled trade and the civil service, a phenomenon unwanted at the time since it would have hastened the challenge to colonialism. Besides, Indians had predated colonialism in East Africa. The colonial government therefore adopted policies averse to the participation of Africans in trade in competition with Indians. The *African Credit (Restriction) Ordinance* of 1923, for example, ensured that Africans could not be advanced sufficient credit to allow them to compete with Indians. The colonial government also favoured Indians traders, by demarcating important commercial plots in the native zone of Dar es Salaam e.g. around the market and along the major thoroughfares, into a "non-native trading area". Indians were also favoured during the allocation of long term Rights of occupancy in the central area of Dar es

⁶¹ E. Reid, *Tanganyika without Prejudice*, London, 1934, p. 144.

Salaam, during the conversion of *Kiwanja* tenure, at the very same time as natives were being removed from there to go to Kariakoo and Ilala.

Moreover, Indians were allowed early representation on the *Legislative Council* in 1926 while Africans were not represented till two decades later in 1945. Besides being favoured, Indians had a capacity to organize themselves and defend their group interests especially since they were aware of their indispensability to colonial designs. In 1922 for example, they successfully fought off government efforts requiring them to pay more taxes, and to keep proper business books in English, by refusing to open their shops until the colonial government withdrew the new taxes and other conditions.

In terms of reactions to government land policy, Indians (and Arabs) were among the very last persons to move from the Open Space, and only moved when the government had resorted to legal actions. Indians too, by and large, ignored the government notice of 1926 requiring them to take up Rights of Occupancy by 1927. Only when a second deadline was approaching in 1932, did the Indians form a *Kiwanja Tenants Committee* under the auspices of the *Indian Association* to protect the interests of *Kiwanja* tenants. In their presentations to the Governor, the *Committee* argued that the rent required upon taking up a Right of occupancy was too high; and that the period for putting up the required structures was too short. They wanted this extended from two, to ten years. Besides, they pointed out that compensation for existing buildings was too low. Finally, they wanted the deadline to end *Kiwanja* tenure extended. As a result of these protests, land rent was reduced, the period in which the required building had to be completed was extended from 2 to 4 years, and compensation was raised to reflect disturbance. The deadline for ending *Kiwanja* tenure was however not extended, but individual cases of hardships were entertained by the Governor and individual decisions given. Several Indians were allowed to keep their plots without going through the procedure set out in the *Land Ordinance*, that required land rent for non native plot allottees to be determined by the highest bidder through public auctions.

It is of interest to ponder as to why Indians should have objected at being required to take up long term Rights of Occupancy of highly valuable city centre plots. Apparently the Indians wanted to keep their valuable city centre plots, and to continue making money at

those locations, without, at the same time, having to invest in expensive buildings commensurate with the value of that city centre land; and without having to share the benefits of this high land value with the government, in the form of higher land rents. Indians too have been observed elsewhere to be highly reluctant to invest in immovable property, until they have utmost confidence in the socio-economic system in which they are operating, and even then, until they have accumulated adequate, surplus capital.

On its part, the government was determined to ensure that Dar es Salaam's Centre area did not develop into, or remain, a slum. The public health factor was a major aim behind requiring Indians to take up long term Rights of Occupancy. The colonial government wanted Dar es Salaam's central area reorganised, ordered, and redeveloped to acceptable standards, but without itself spending the money. The government was also aware that the Indians had sufficient, or could get access to sufficient, capital to redevelop the central area. It was aware, for example, of the way the Indians had bought many of the township's ex Enemy Property (some of which had been resold at considerable profit). Besides, the land in question was government land and the government felt entitled, and under obligation, to have it developed to standards it considered appropriate.

Thus, while several conditions in the Rights of Occupancy were eased and while several individual cases were presented and considered favourably, the Government, later on, got tough against recalcitrant *Kiwanja* owners who refused to take up longterm Rights of Occupancy. The Land Officer advised the government to give no further concessions since many of the petitioners were not necessarily poor people and many had other properties which they let. He pointed out that Dar es Salaam was likely to improve in the following 16 years, while rents could only be revised after 20 years (i.e. in 1952 or later). Despite their earlier protests, the Indians took up the Rights of Occupancy and invested in modern buildings, giving Dar es Salaam's city centre, a major facelift. The Land Department was happy to report for the year 1938 that:

During the year, in accordance with the terms of conversion of *Kiwanja* Tenure into Rights of Occupancy, the demolition of old unsuitable premises continued with even greater celerity than previous years. The results are striking, and anyone who knew the *bazaar* area of the township a few years ago cannot fail

to be impressed by the altered appearance of that area with its towering buildings of modern design in place of the low, ramshackle and unsightly buildings of the past⁶².

As it is unlikely that the Indians constructed these buildings with their personal savings, there must have been some financial arrangements to help with land development. The Indians realised soon enough that the colonial government was working in their favour, although the economic problems of the early 1930s, and uncertainty over the future of Tanganyika, were genuine reasons working against capital investment in fixed property, and were invoked by the Indians against their being forced to take up longterm rights of occupancy. From the mid-1930s, however, the Indians embarked on rebuilding the commercial area.

(b) the Upanga Area

Although Indians in East Africa are known to live at very high densities, the commercial area was proving too small for them as their numbers grew, particularly since, as British citizens, they could move to Tanganyika very easily. (Overcrowding in the commercial area is discussed in Chapter Five). Several Indians, Arabs, and a few Europeans had bought or otherwise obtained freehold land in the Upanga area since as far back as the German era. According to a study made by Land Officer, A.R. Cotton in 1936, (at a time when the Township Authority wanted natives out of Upanga), the following Indians (including Goans) and Arabs had their records of land tenure in Upanga traceable to the German *Grundbuch* or other land records: Suleiman bin Nasr, Saleh bin Abdallah, P. de Souza and C.S.C. de Souza, Ramji Gulamali, Abdulhussein Mulla, Adamji and Sons, Muni Abdallah, the Patel Brotherhood, Rahim Abdullah, Rajibhai Rajibhai, Abdullah Shariff, Jafferli Nurmohamed, de Souza Junior and Co, R.F. and J.C. Noronha, Musaji Daudbhai, Gulamhussein Mohammedbai, and Karimjee Jivanjee and Company. These however were only some of the plot owners whose records could be easily traced in 1936. In addition there were many natives but whose interests in land were not recorded⁶³.

⁶² Tanganyika Territory, *Annual Report of the Lands Department, 1938*, Government Printer, Dar es Salaam, 1939, p. 37.

⁶³ Tanzania National Archives File No. 12589, Dar es Salaam Township Layout.

It would therefore appear that Indians and other non-natives had already penetrated Upanga by the mid 1930s, yet, as seen above, the Township's and the District Authority's anger was vented against Africans (natives). Therefore, it appears plausible to conclude that the authorities' insistence on removing natives from Upanga was aimed at promoting Indian and other non natives' land and property interests. Because the central government was not coming forward with a clear land development policy for Upanga, a number of owners decided, in the mid 1930s, to subdivide the land and to sell or develop parts as they deemed fit. The Township Authority was put in an awkward position where it did not want Upanga to develop haphazardly, but where the central government was not forthcoming with any relevant town planning legislation or layout for the area. It is these pressures to redevelop Upanga by Indian and other private individual land owners, which brought about the enactment of the *Town Development (Control) Ordinance* in 1936 which has been discussed above.

(c) Other areas

Other non native Dar es Salaam landowners appearing in the records include Ahmed Abed, Sulliman Daya and Abdallah Shariff, all in Ilala; Gulamhussein Mohamed Nasser Jidani in the Kurasini area; Hannah Nassif in the Kinondoni area and Ali bin Said in the Pugu Road area. The land held by some of these persons was invariably later on developed haphazardly and in most cases, the localities have retained the names of these former land owners (e.g. Ilala Shariff Shamba, Buguruni kwa Daya, Kinondoni Hanna Nassif). Ali bin Said (an Arab) appears in the records as a person who subdivided and sold a lot of Industrial land along the Pugu Road (Chapter Five).

4.3.4 The Natives (Africans)

(a) Africans in General

While the general colonial policy towards Indians was positive, that towards natives was hostile, or, at best, lukewarm. Government policy was perhaps best expressed by the District Officer, Dar es Salaam, in October, 1928, when he made a request to the *Central Town Planning and Building Committee* for plots to accommodate natives who were under notice to move from the Open Space. He thought such natives were really entitled to government plots, and if these plots were to be granted the government would have met its obligations, and:

I do not ask for more. The Native Township is now quite large enough for the accommodation of what I term the legitimate needs of native occupation together with the labour requirements of the town⁶⁴.

According to the District Officer, many natives were not wanted for the township's good governance or servicing. His idea was that labour villages or compounds could be established at accessible and convenient positions which would be outside the township, but near enough to be controlled by the Administration, and would therefore come under the *Sanitary Rules for Minor Settlements*. (Such a labour village was established at Kigamboni, in the 1950s. See Chapter Five)

It is this kind of negative attitude that natives faced from colonial officials. The docile African reaction to hostile government land policy when removing natives from the Open Space, the central (Commercial) area, and Gerezani, has been described, as has the protest against removal of the natives from Upanga. The petition by the natives of Ilala for some land servicing has also been described. The investment in the Kheko unplanned area by natives, some of whom were expellees from Gerezani, the Commercial Area, and the Open Space, has also been dealt with.

Africans, however, were keen to invest in urban property, if only the policy was positive. The demand for plots in the native zone had already led to the extension of this zone to the valley of the Msimbazi in the 1920s, and to Borman's *shamba* (named Ilala by the Governor) in the mid 1930s. Despite the lack of services in the native areas, and the distance from employment opportunities, a colonial report noted:

the erection of native houses has proceeded at a rate so rapid as to cause one to ponder where the capital comes from to enable natives to build such good houses in so short a time⁶⁵.

The observations made in respect of Kheko (above) that Africans occupying freehold land

⁶⁴ Tanzania National Archives File No. 12589, Dar es Salaam Township Layout.

⁶⁵ The Report is entitled: "Notes on Building Plots in the Native quarter of Dar es Salaam", in Tanzania National Archives File No. 12589, Dar es Salaam Township Layout.

were putting up new expensive houses, or upgrading the old small *bandas* (huts), lends credence to the view that hostile government policy and precarious security of tenure over land, were as much a cause of Africans putting up temporary huts, as was sheer poverty. The ideology of native rurality and backwardness should be seen within this framework. Since, moreover the government provided only limited number of plots, many Africans chose to settle outside the town's boundaries, mainly on private land.

(b) African Government Officials

The *Tanganyika Territory African Civil Servants Association* attempted to champion the interests of African government officials in getting a stake in land development but with dismal results.

The *Association* started in 1926 by requesting the government to help its members acquire houses in the township by way of a government sponsored housing scheme to be acquired on terms of tenant purchase, by clerks earning not less than Shs. 140/= a month, who would be given a loan of up to 75% of the cost of constructing the houses. The *Association* suggested houses with corrugated iron sheets roofs as opposed to thatched roofs. Reacting, the Governor formed a *Committee*, chaired by the District Officer. The Medical Officer of Health, and a nominated educated African, were members. The *Committee* was to consult with the Honourable Treasurer and the Land Officer, to see if the *Association's* proposals could be acted upon. He hoped the *Committee* "will not raise hopes in the minds of Africans which it may be impossible to realise." He further observed that Africans built only in mud, wattle, and thatch; houses that could not be insured against, so there would therefore be no security against advances of public funds. The District Officer (T.P.S. Dawkins) did not approve the *Swahili* house (which the African was expected to build if given a chance). It required frequent repairs; was insanitary; and was difficult to be rid of pests. He, instead, proposed the construction of modern houses by government to be rented by Africans.

At the *Committee's* meeting in November 1927, attended by African clerks, B. Madalito, and S. Chiponda, and three other senior clerks, it was agreed that a pilot scheme involving five type "A" houses for married men, and one block type of houses for single men, be erected and should be provided with water and electricity. These would be for renting to

Africans, as the tenant purchase scheme seemed impracticable, given the cost of these buildings and the low wages of the Africans. A site was proposed in what was later on to be the Open Space. The scheme was quite modest but the Governor considered and rejected it: "It is not proposed to proceed with the scheme which is considered too ambitious and costly".

The governor, instead, suggested that members of the *African Civil Servants Association* be helped to get plots as near government offices as possible. The *Association* followed this up, and in July 1928, wrote to the Chief Secretary, asking the government to assist them to secure plots near their offices. The Provincial Commissioner (E.F. Brett)'s advice to the Chief Secretary stated that there was no chance of these African Government Officials being allocated plots even in Zone III, since all plots were (to be) allocated to natives being moved from Zone II and the Open Space. The existing plots would not suffice for this purpose, let alone for new applicants. In any case he did not think it was fair to allocate the African clerk with land, just because he was a government employee since he could leave government service any time. His suggestion was that Government should acquire land across the harbour at Magogoni for a native residential area. (This proposal was to be implemented later on in the 1950s)⁶⁶.

Thus, the early efforts by the African Civil Servants to get preferential treatment in the acquisition of land and property in the township failed, sabotaged by the Governor in the case of housing scheme, and by the Provincial Commissioner in the case of building plots. This was not perhaps surprising since colonial officials themselves were not allowed to own land in the territory and must have regarded their junior co-civil servants as getting too ambitious, too soon. Let it be noted as well that the *Association's* request was not in favour of all Africans but was limited to the interests of Civil Servants in general, and those earning over 140/= per month, in particular. Seeds of division within the African ranks, particularly the drive for preferential treatment in land matters by civil servants, were being planted. Most members of the *African Civil Servants Association* joined the *African Association* when it was

⁶⁶ Tanzania National Archives File No. 12589, Dar es Salaam Township Layout, and File No. 4/3 Housing Accommodation, African Government Employees.

born in 1929. This later became the *Tanganyika African National Union (TANU)* which championed the cause for independence and whose members formed the post colonial government. These people must have looked back with nostalgia to the colonial era, and must have determined to set matters related to the Civil Servants' acquisition and development of land, "right". This is discussed in Chapter Six.

4.4 Overall deductions related to the evolution of the land use structure of Dar es Salaam during the interwar period

The British colonial government was possibly not as interested in the overall development of Dar es Salaam as were the Germans, and this may have been in part a result of the stringency policies adopted after the War. The British government did not therefore propose or undertake any land development schemes for Dar es Salaam which were substantively different from those left behind by the Germans. Their scope was limited mainly to fulfilling the 1914 *Bauordnung*, save for the extension of Zone I to encompass Oysterbay, and the extension of Zone III to Ilala. They also opposed any comprehensive town planning approach, and would not provide any legislative framework to achieve this. Their argument was usually that town planning was premature and too costly for Tanganyika. Any direction towards Municipal status for Dar es Salaam was opposed for a number of reasons which included the cost of running the municipality, as well as a racial bias against the residents of Dar es Salaam. The Dar es Salaam harbour was only slightly improved. It remained and operated as a lighterage wharf till the late 1950s. The Depression and the German claim for colonies in the 1930s added to the British colonial authorities' lukewarm approach to Dar es Salaam. It is thus probable that had the Germans not left, Dar es Salaam would have experienced a more dynamic land development policy.

Lack of African representation on the *Legislative Council* as well as the colonial attitude towards Africans (whom it regarded as backward and best suited to the rural areas where land for subsistence and economic undertakings was available), caused the colonial government to address land development issues concerning Africans in Dar es Salaam negatively.

However, despite this lukewarm government attitude to Dar es Salaam, the major

impact on Dar es Salaam's growth emanated from government policy through the implementation of the Dar es Salaam building areas scheme planned by the Germans and published in 1924 under the *Township Rules* of 1923. This implementation involved the sifting and sorting of Dar es Salaam's population into three major racial groups of Europeans, Indians and natives, a policy already pursued by the Germans. Direct government undertaking e.g. the construction of Quarters (mainly for Europeans), the provision of roads, and the distribution of water and electricity networks added and facilitated racial fine tuning in terms of land uses. Colonial officials, though forbidden to take up land, used land policy to enhance their interests e.g. in terms of living comfortably, in quality housing, on choice plots, but free of charge.

The responses of the various interest groups operated within a government determined land use framework. Most actors were forced against their will to adopt certain land use/development decisions. The Open Space was cleared and the evacuees resettled against the will of its occupiers. Certain native settlements were forcibly removed. Attempts were made to remove others. Natives in the commercial area were compelled to move out to areas reserved for them in Ilala and Kariakoo. But even in such areas, commercial plots were reserved for non-natives. Indians in the city centre were forced to take up Rights of Occupancy and to redevelop the commercial area. Market forces of supply and demand were hardly the determinants of the resultant land use structure. In the case of Upanga where the demand for land was being overtly expressed, the government buried its head against facilitating the working of the market which it could have done, e.g. by adopting or providing planning proposals for the area. Theoretically (as explained in Chapter One), it was the duty of government to assist Upanga to develop regularly, but this it avoided doing.

The impression obtained from the above discourse is that both the central and township authorities had fairly narrow goals for Dar es Salaam. They saw the town as a settlement in which Europeans and Indians had to stay and in which some natives had to be tolerated. The general approach to land use was negative. It was mainly confined to defining who should live where and what should or should not be constructed where, within a general framework of public health and sanitation considerations. Dar es Salaam was not seen as a living socio-economic entity in which various social groups, and various economic opportunities had to

be integrated. Apart from the original German policy, British land policy was, on the main, reactive, determined by adhoc responses to crisis situations. The general urban economy (if Dar es Salaam was so conceived) was seen in fairly narrow terms of employment for Europeans, Commerce for Indians and menial and casual jobs for natives. The two powerful social groups (i.e. the Europeans and Indians) were only marginally committed to Dar es Salaam, while the natives who would have been committed to the town were powerless.

The general level of infrastructure standards in Dar es Salaam was low, and was not equitably distributed among the town's residents. Europeans took the lion's share, while Africans got the least.

Important issues like employment, social integration, and political and civic development, were only marginally considered. Thus, Dar es Salaam was a phenomenon devoid of central dynamism or of a longterm perspective. It was a town made up of social and geographical entities encased in a kind of parochialism, couched in terms of different needs for different races. Metropolitanism expected of an urban area, with social and economic integration and interaction, was not there. Officials did not, for example, care that natives lived near their place of work because the issue of employment was marginal to colonial policy. It was sufficient that natives were in their own zone with some minimal land ordering, and away from the Europeans.

In the broader theory of colonial exploitation and domination, Indians were favoured because they were a positive asset in this process. The racial group that was oppressed most by government policy was the natives (Africans). These were removed from various locations, and denied the privileges that were made available to other races. This oppression was justified under an ideology purporting that natives were a health hazard to other races and were not used to high standards of living. The colonial policy of straitjacketing people into racial groups was not progressive. Complemented by lack of dynamism in the overall conceptualisation of land development, this policy led to overcrowding in both the Indian and native areas; and to social strife between the various races; like when the Indians "overflowed" into the native areas (Chapter Five). Lack of dynamism affected both the Indians and natives adversely in certain aspects. Much as it was realised that the city centre

was getting overcrowded, no efforts were made to regulate Upanga; although it was clear that Upanga would be the area for expansion of Indians from the city centre. The native areas were even more adversely affected. No building plots were provided for Africans outside the areas of Kariakoo and Ilala, both prepared before 1930. Between them, these two areas comprised just over 2000 plots. This was all that was provided for the thousands of natives in Dar es Salaam during the 60 years of German and British colonialism till 1950. The plots that were demarcated were to cater mainly for those already in the town. For the newcomers, the policy kept but a blind eye. This led to overcrowding, and to the occupation of available land haphazardly.

The vision of natives as a backward lot did not match the realities that natives were coming in large numbers to Dar es Salaam. The 1940s were to witness various demands from natives for better standards of living. A new post-war phase was ushered in, dominated by the decolonisation process and the planning for the post colonial era. Land policy was to play its part by embracing town and country planning legislation, direct active government land development, attempts to address the question of African urban employment and residence, and so on. These and other factors that shaped the land use structure of Dar es Salaam in the post war era and discussed in the following Chapter.

As narrated earlier, Dar es Salaam was growing, and by the mid-1930s, its boundaries had to be varied from those inherited from the Germans, to encompass new areas particularly Oysterbay, as shown in Figure 4.5.

POST WAR GROWTH AND DEVELOPMENT (1940-1961)

5.1 Colonial Philosophy on Post War Development and its effects on Dar es Salaam's growth

Urbanisation in most African countries began to grow at high rates during the 1940s, in response to further capitalist penetration of the rural areas, as well as the declining living and economic conditions in the countryside. By the end of World War II, colonial policy had already been redefined from one of territorial self sufficiency, to one of Colonial Development and Welfare. This change was necessitated by the impending decolonisation and, the need to prepare for the future relationships after independence, between the former coloniser and the former colonies.

Moreover, there was need to create a new impression of concern against socio-economic backwardness, and to meet some demands of the restive colonised populations. Investment in Development and Welfare in the colonies was seen as the answer.

Britain as the colonising power put up the Colonial Development and Welfare Funds and colonial Governors were encouraged to draw up Ten Year Development Plans for their territories. In Tanganyika, a document known as "*An Outline of Post War Development*" was published in 1944. This was followed, in 1946, by a "*Ten Year Development Plan for Tanganyika*" (hereinafter referred to as *The Plan*). This guided Tanganyika's development until superseded by the *Vassey Plan*, in 1961. The *Plan* had considerable impact on urban development in Tanganyika in general, and on Dar es Salaam in particular. It provided for investment in urban infrastructure like roads, drains, sewers, public buildings, housing, airports, ports, and water, electricity, and sewage networks, social infrastructure (like schools and health centres) and so on.

Everywhere, but particularly so in urban areas, the African was aspiring to, and demanding better living conditions. There was agitation for independence by the colonised peoples.

Labour problems were acute, and workers easily allied themselves with nationalist movements to fight colonialism. In Tanganyika, a nationalist Party, the *Tanganyika African National Union* was formed in 1954 out of the former *Tanganyika African Association*¹ and went about mobilising the population to demand independence.

While Dar es salaam's population was 25,000 in 1939 it had more than doubled in 1949 to 69,277. This growth, mainly through immigration, undermined living conditions and threatened jobs and housing. Moreover, housing supply had fallen somewhat during the War, due to retrenchment measures. A report of the Dar es Salaam District Commissioner and District Officer submitted to a meeting of the Native Affairs subcommittee held on 22/7/1947, noted that there were in Dar es Salaam 45,000 Africans as opposed to 33,000 before the War. There were however only 3127 native houses, all privately provided, in the town (Table 5.1). The occupancy rate per house of 10 persons before the War had therefore gone up to 15, leading to serious overcrowding.

Table 5.1: Native Houses, Dar es Salaam, 1947

Area	No. of Native Houses	Remarks
Zone II, Kariakoo, Ilala	2084	Plots demarcated by both German and British Administrations.
Zone II, Upanga Kisutu	173	Natives unwanted in these areas and earmarked for removal
Unzoned, Keko, Chang'ombe & outlying areas	866	Unsurveyed
Total	3127	

Source: Tanzania National Archives File No. 24387, Improvement of Native Houses, Vol. II.

¹

In September, 1931, the Governor approved the grant of a Right of Occupancy in terms of *Circular No. 4* of 1926, over the plot at the corner of New (now, Lumumba) and Kariakoo Streets to the *Tanganyika African Association* at a rent of 6/= p.a. for use as a Library and as a meeting place. This later on became the TANU headquarters. See Tanzania National Archives File No. 29/A/192, African Association.

A 1942 report of inquiry into the wages and cost of living of low grade African government employees found that 87% of government employees in Dar es Salaam received a wage on which they could not subsist.² Thus, there were various industrial actions, the most serious being the Dockworkers strike of 1947, which resulted into the Government addressing itself to issues of wages, shortages of essential commodities, urban squalor, and housing. In October 1955 the *Tanganyika Federation of Labour* was formed.

There was no more denying of the existence of a wage labour problem. Workers in permanent employment became increasingly restive against colonial rule and supported nationalist movements. Labour strife, high rates of urban growth, together with the new postwar colonial strategy based on "development" necessitated government action with respect to urban land development and African housing. In Dar es Salaam, action ranged from the panicky constructed temporary African housing of 1947, (below) to a more concerted effort of providing government quarters for renting by Africans; of provision of demarcated plots for self-construction; and of instituting financial provisions to assist Africans desirous of being house owners.

Moreover, by the late 1940s, capital accumulation among the Indians had reached proportions allowing them to invest in industry. At the same time, a new strategy of capitalist relationships between the colonisers and the colonies were evolving, envisaging import substitution industrialization. In terms of land uses, it was deemed necessary to create, or expand "Industrial Areas" in townships. In Dar es Salaam, an Industrial area was thus laid out along the Pugu Road, to take advantage of Pugu Road itself, and of the railway line.

Nevertheless, the colonial state still believed in its civilising mission as well as in the racial superiority of the colonising and non-native races over Africans. At the political level, the principle of the racial parity in political representation that was being advocated in Tanganyika was not so much as a measure of equality, but of superiority of the minority races. At a land use development level, racial segregation of the foregoing decades was still being advocated in the 1950s. Europeans still considered it within their prerogative to determine the location

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Tanzania National Archives File No. 30598, African living Conditions in Dar es Salaam.

of African areas, the kind of infrastructure to be provided therein, as well as the type of housing appropriate for the African's pocket and mind. Investment in housing and other infrastructure continued to vary according to race, with Europeans consuming the most, and Africans, the least.

Continued racial prejudice against Africans was perhaps a reflection of the misjudgment by Europeans of the speed of the decolonisation process. But it served to intensify the nationalist struggle and to identify the colonising races as "the problem" to be dealt with. After Independence, the new rulers stepped into the shoes of the former colonisers and continued with the previously entrenched socio-economic relations.

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5.2. Land Policy Impacts

5.2.1 Key Policy Tools used in the Post War Era

The situation described in the preceding section produced a mixture of policies that had fundamental effects on the land use structure of Dar es Salaam. For the first time, the Government addressed itself seriously to the issue of native housing in urban areas. Broader cognizance was taken of wider issues in town planning and land development. A comprehensive Town and Country Planning legislation was enacted. Dar es Salaam was given municipal status and a considerable amount of public funds was invested in the town in public infrastructure and services, public buildings, and housing. Land was demarcated and made available for private construction under various planning schemes. Access to land and land services however, continued to be along racial lines.

Notable among the policy tools that affected Dar es Salaam's land use structure were: the *Land Ordinance*, the various planning schemes made under the *Town Development (Control) Ordinance* of 1936, and the *Town and Country Planning Ordinance* of 1956. The other major tool was direct government intervention through provision of infrastructure, construction of housing and public buildings, provision of land for private development, provision of finance, control of overcrowding in residential areas, and cooperation with the private sector. Investment undertakings of a national character like the construction of trunk roads and airports and the expansion of the harbour, also had considerable effects on Dar es

Salaam's development.

5.2.2 Details of Policy Tools and their effects

The *Land Ordinance (Amendment)*, 1947.

The *Land Ordinance* of 1923 continued to be the major piece of legislation governing land tenure. However, in December 1947, it underwent an important amendment which removed the necessity to have public land allocated to non-natives through public auctions. This had important connotations for the future access to land by non-natives (particularly European government officials) in Dar es Salaam.

Presenting the Bill to amend the *Land Ordinance*, the Director for Lands and Mines outlined before the *Legislative Council*, the reasons which had necessitated the amendment:³

- o Allocating land by auction was inequitable and farce since a person could undergo considerable expenses and trouble to look for land only to be later on outbid by another person;
- o Collusion was possible, (and possibly rife) during auctions particularly among established traders in townships;
- o A lot of people (particularly Indians) had made money during the War and had no way of using it except inflating land prices. Many would-be property owners with money to build might not get land continued to be sold through auctions.
- o If land became too expensive, house rents would unnecessarily go up;
- o Land auctioning was not operating in the best interests of the native. Allocating land administratively allowed the Governor to scrutinise each case of applicant individually;
- o Mere bidding (especially in the case of agricultural land) did not ensure that land was

³ see Hansard, *Proceedings of the Legislative Council*, 21st Session 1947/48, Government Printer, Dar es Salaam.

developed.

In order to demonstrate that land prices had gone through the roof, the Director cited various examples of how plots sold at auctions fetched prices that far exceeded the Government's wildest expectations as shown by the upset rents (Table 5.2).

Table 5.2: Upset rents compared to Rents obtained at auctions, selected areas, 1947

Town	Type of Plots	Upset Rent	Rent at Which sold at auctions
Mbeya	Commercial	180/= - 240/=	3700/=
Dar es Salaam	Godowns	130/=	1750/=
Dar es Salaam	Commercial	109/= - 320/=	2000/= - 2625/=
Arusha	Residential		5-6 times upset rent.
Arusha	Commercial		10 times upset rent.

Source: Tanganyika, *Proceedings of the Legislative Council (Hansard)*, 21st session, 10th December 1947, Government Printer, Dar es Salaam, 1947.

To those who may have favoured the retention of the system, the Director pointed out that the public auctioning of land was not being abolished altogether, but the Governor's hands were being untied so that he could have some discretion in deciding on the mode of land allocation appropriate for the circumstances.

Some of the shortcomings of the land auctioning system presented by the Director had been pointed out as problems way back in the 1920s. The land "discoverer" problem had been presented before Governor Cameron by the Provincial Commissioner, Northern Province in April 1928. The Governor had dismissed it as a serious problem although he had directed that future land for pastoral and agricultural use to be offered for auctioning should be

identified by the Government and not by individuals. Apparently this had not been done.⁴ Again the problem of collusion among buyers had been pointed out earlier in July 1928 by the Chamber of Commerce, Dar es Salaam. The Government had however insisted then that it would stick

to the system of land auctioning.⁵ Thus, there was a fundamental reasons why the colonial government sought to change the system at that particular time.

Discussing the Bill to amend the *Land Ordinance*, it immediately became apparent that the Honourable Members of the *Legislative Council* were divided along racial lines, all Indian members opposing it (in favour of continued land auctioning); and all European and African members supporting it (against land auctioning). (See summary of views, Table 5.3).

The pattern of views shown in Table 5.3 supports the contention that the Indians had the money to buy up all auctioned land. That is why they were all for land auctioning. The position of Europeans was different. In the 1920s, colonial administrators had seen themselves as temporary residents in Tanganyika and cared the least whether or not the Indians bought all the land. In the late 1940s, many European officials could see the end of colonialism (and their own careers) coming sooner than later. Indeed many would be retiring and could see their future being in Tanganyika rather than back in the United Kingdom. Thus their need to acquire land in the territory. But they could not, in this respect, compete with Indians to buy land if it was offered at public auctions. It is also suggested that as far as social status was concerned, Africans were slowly rising (at least politically), while Europeans were on the decline, thus the coincidence of interests of these two social groups against the Indians.

The colonial government's proposal to amend the *Land Ordinance* went hand in hand with the creation of conditions under which Government Officials could acquire land in Tanganyika, which they had hitherto been forbidden to do. *General Order 460(e) (Amendment slip No. 134)* provided conditions under which officers might, with the approval of the Governor in

⁴ Tanzania National Archives File No. 12203, Land Ordinance, Bidding by Auction.

⁵ *ibid.*

Table 5:3 Stand of Legislative Council members with regard to the *Land Ordinance(Amendment) Bill, 1947*.

Member	Stand Taken	Summary of Reasons given
INDIAN MEMBERS		
Hon. V.M. Nazerali	Against	.Auctions had worked well thus far .Development conditions existed in Rights of Occupancy (to prevent speculation)
Hon. I.C. Chopra	Against	.Auctions had worked well thus far. .How was the Governor going to select the right man for a piece of land? .How about those already paying rents determined at auctions? Were these rents to be revised downwards?
Hon. A.M.A. Karimjee	Against	.The Bill discriminated against the Indian community
EUROPEAN MEMBERS		
Hon. the Rev. R.M. Gibbons	For	.Auctions shut out natives and were subject to collusion
Hon. M.A. Carson	For	.Auctions gave land to the wealthy. In India, they were trying to break up big landowners.
Hon E.C. Phillips	For	.Land values had gone through the roof. .Bill would help those not so wealthy and especially demobilised soldiers to be able to own a house. .Opponents of the Bill had benefitted immensely from the War and were then very wealthy. .Land ownership should not be related to wealth.
Hon. Major S.E. duToit	For	.Bill gave something to demobilised soldiers who gave up every thing while away in War while those left behind made bags of money and would buy up all land.
Hon. J.H.S. Tranter	For	.(no further views given)
AFRICAN MEMBERS		
Hon. Chief M.H. Abdiel Shangali	For	.(no further views given)
Hon.Chief K. Makwaia	For	.(no further views given)
Hon. Adam Sapi	For	.(no further views given)

Source: Tanganyika, *Proceedings of the Legislative Council, (Hansard)*, 21st session, 10th December 1947.

Council, acquire land in the Territory subject to assurances, and the Governor's satisfaction that the land was to be acquired *bona fide* for purposes of residence or farming, and not for speculative purposes.⁶ *Circular Letter No. 27* of 1947 expounded on the terms of land development by officials, which would normally be limited to preparing for the relevant

⁶ Information in this paragraph is taken from Tanzania Archives File No. 12481/42, Acquisition of Land by Government Officials, Details of the Executive Council's Approval.

official's retirement by such measures as the building of a house and farm buildings, the planting of trees and the establishment of a herd of cattle. Written permission from the Chief Secretary was required before the officer could engage in the production of crops or animal produce for sale prior to retirement. *Staff Circular Letter No. 153* of July 1951 loosened matters somewhat when it allowed officials to apply for permission to acquire small holdings for residential purposes at any time during their service (not just before retirement) though the approval of the Governor in Council had to be sought. This encouraged many officials to apply to be allocated rural or urban land⁷.

Despite the Indian members' objections, the *Land Ordinance (Amendment) Bill* of 1947 was carried. Section 14 of the Principal Ordinance was varied thereby empowering the governor to allocate land to both natives and non natives at any rent he deemed reasonable. In most instances such rent was lower than what could be fetched in the market.

In the case of Dar es Salaam, this *Amendment*, as well as the relaxation of conditions by which officials could acquire land, coincided with the availability for allocation to would be developers, of plots in the Oysterbay and Msasani areas towards the end of 1947. A Committee appointed to advise the Government on the disposal of residential plots in Oysterbay suggested that these plots should be allocated administratively rather than through auctions. Thus there is reason to believe that the amending the *Land Ordinance* in 1947 was geared towards making it possible for European Official to acquire land in those choice areas of Dar es Salaam (but also elsewhere), in the light of the changing circumstances under which they were economically disadvantaged.

It is of immense interest to note that as soon as Oysterbay was allocated, the land office issued a circular in April 1948 directing that in future, all Rights of Occupancy over building plots offered for disposal in Townships, Minor Settlements and Trading Centres must be advertised calling for tenders in terms of premiums. The government fixed the annual rent to be charged, but the premium was to be determined through tendering. Only in "special

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For example, Mr. L. Sylvester White, Chief Town Planning Officer, applied to the Chief Secretary in November 1951 for consent to acquire land in Lushoto in order to establish a "*pied-a-terre*" to which he could eventually retire. Approval of the Governor was obtained the following month. See Tanzania National Archives File No. 12481/42, Acquisition of Land by Government Officials, Details of the Executive Council's approval.

cases", and where it was in the public interest to do so, would Rights of Occupancy be disposed of other than by the tender system. In June 1948 another circular was issued by the land office directing that even short term Right of Occupancy be disposed of through a locally advertised tendering system.⁸

The tendering system however appears to have been mainly confined to commercial and industrial plots. Residential plots in the planned schemes of the late 1940s and 1950s continued to be allocated administratively.

The Town Development (Control) Ordinance, 1936

Although the *Town Development (Control) Ordinance* was mainly a preventive measure and not actually an instrument of development, its Part III concerned zoning plans and building areas, and allowed the preparation of planning schemes. It was brought into operation over a number of towns including Dar es Salaam after the War.⁹ Various schemes were prepared for Dar es Salaam using this legislation. For example the proposals to vary and extend the boundaries of the Dar es Salaam Commercial Area (Zone II) in 1951, were approved by the Governor in Council under section 24, sub-section (4) of this *Ordinance*.¹⁰ The *Upanga Area Planning and Development Scheme* was prepared and approved under the *Ordinance*. Planning Schemes for Parts of the Pugu and Kilwa Road Industrial area were prepared and gazetted under this *Ordinance*.¹¹

All the same, being a product of the era when the government was averse to town planning, the 1936 *Ordinance* was very much inadequate, and did not give authorities sufficient powers to deal with issues like the acquisition of private land in order to effect exchanges and to adjust claims. Thus the passing of a special *Ordinance* for Upanga area, (*Upanga Area (Planning and Development) Ordinance, 1949*). The *Town Development*

8 Tanzania National Archives File No. 205, Vol. II, Land Alienation Policy.

9 Tanzania National Archives File No. 23831, the Town Development (Control) Ordinance (Cap 103).

10 Government Notice No. 152 of 23/5/1952, Town Development (Control) (Approval of the Dar es Salaam Commercial Zone Planning Scheme) Order of 1952.

11 General Notice 863, 13/4/1956.

(Control) Ordinance of 1936 was repealed and replaced by the *Town and Country Planning Ordinance* of 1956. It is however proposed that most planning schemes for Dar es Salaam conceived in the 1950s were influenced by ideas incorporated in the *Town and Country Planning Ordinance* of 1956 since it was already drafted in 1949 but was not made law till 1956. The *Town Development (Control) Ordinance* continued to be used as an expedient by the proposers of planning schemes some of whom were the drafters of the *Town and Country Planning Ordinance*.

The Town and Country Planning Ordinance, 1956

The *Town and Country Planning Ordinance, 1956*, is currently the principal Town planning legislation in Tanzania. It is therefore considered pertinent to delve into it in more details.

(a) Background

It will be recalled that as early as the 1930s, it had been realised that a comprehensive town planning legislation was necessary for the proper urban land development and management (Chapter Four). The Government however, was against such a comprehensive town planning approach which it regarded as an expensive undertaking and a luxury which the Territory could hardly afford. For partly the same reasons, the colonial government opposed the granting of municipal status to urban areas in the country. Dixon notes that up to 1947, town planning in Tanganyika was rudimentary. The *Township Rules*, the *Town Development (Control) Ordinance*, as well as Land Laws, were all applied to provide little more than the orderly layout of plots within the separate zones which were maintained partly by administrative regulation of building types and conditions under which leases could be held. Increased rural urban migration, land tenure laws that restricted non-natives to Crown Land within the urban boundaries and bad siting added to the growing congestion in the African and Indian areas, and as a result, "periurban growth developed, usually a collection of native huts lying just outside the boundaries without health or sanitary controls, only administered by nominally responsible native authorities". All these led to the urgent need for comprehensive town planning¹².

¹²

A.J. Dixon, *The Evolution of Indirect Rule and the development of rural and urban local government in Tanganyika, 1940-1961*, B. Letters Thesis, University of Oxford, 1969.

In 1944, the future of Dar es Salaam's development was discussed. At a third meeting of the Dar es Salaam Township Development subcommittee held on 19th June 1944, it was agreed that comprehensive town planning was essential for Dar es Salaam, and that a town planning engineer be appointed as a matter of first priority. It was further agreed that a £12,000 native housing scheme be embarked upon without delay; that a source of water supply to Dar es Salaam be investigated; and that a *Municipalities Ordinance* be enacted at an early date. Finally, it was agreed that a *Town Planning Ordinance* was necessary to allow the preparation of a new town plan.¹³

In 1947, a London firm of Engineers, Sir Alexander Gibb and Partners were engaged as advisors to the Town Planning Unit which was set up under the Director of Lands and Mines. Mr. Harry L. Ford of this firm was invited to Tanganyika to act as a Town Planning Advisor on various town planning schemes for Dar es Salaam (and to advise on the planning of Kilwa and Mtwara). Among Ford's undertakings was the preparation of a *Plan for Dar es Salaam* (discussed later). He also circulated a *Draft Town Planning Legislation* which was later on modified and enacted as the *Town and Country Planning Ordinance* of 1956.

(b) Major Provisions of the *Town and Country Planning Ordinance* 1956, as amended in 1961

The *Ordinance* gives powers to the Minister responsible for Town Planning to declare an area to be a Planning Area (S.13). For each planning area there is an Area Planning Committee which in the case of a municipality or city like Dar es Salaam is a Municipal or City Council. The Minister is responsible for the preparation of the development scheme for a planning area but may delegate his powers to the Area Planning Committee. A scheme prepared by the Area Planning Committee must be approved by the Minister. Copies of schemes must be placed before the public for their comments and objections in writing, before approval by the Minister.

Powers are given under section 26 and Schedule I for the preparation of planning schemes to provide, *inter alia* reservation of areas, zones and sites for various uses for residential, industrial, commercial, institutional and agricultural uses. Part IV of schedule I allows the

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Tanzania National Archives 27/8, Townships and Minor Settlements Development Scheme.

regulating and controlling of the density of development in any area either by limiting the number of buildings of any type which may be constructed on, or in any area or plot, or by limiting the number and size of plots in any area.

Two major types of schemes are provided for: a general planning scheme and a detailed planning scheme. Planning schemes may make provisions for all or some of the following: Roads, public services, use of land, building or structures regulation, and amenities. No development is allowed in a planning area without a planning consent given by the Area Planning Committee which is also responsible for the controlling of development in a planning area.

Section 27 and the Third Schedule allow land in a chaotically developed area to be pooled together, replanned and redistributed among the owners. The President (S. 45) may acquire land in a planning area in order to have it developed according to a planning scheme. Compensation is payable. S.50 awards the compensation as being the value of such land on the date of declaration plus the value of any development carried out thereafter with planning consent, determined according to existing land compensation laws. Section 78 empowers the Minister to prepare regulations for the better carrying out of the provisions and purposes of the *Ordinance*. Under this section, *Town and Country Planning Use Classes Regulations* were made in 1960 specifying the various use groups to which land is to be developed in the form of buildings, including dwelling and other residential buildings, shops, offices, public buildings, warehouses, industrial buildings, etc.

The *Town and Country Planning Ordinance*, provided new bases of differentiating between land uses, away from the crude zoning (building areas) of the *Township Rules* but had sufficient provisions to allow the continued differentiation of urban dwellers along racial or social-economic status lines (e.g. by varying the densities for different areas) as had the *Township Rules*. ▽

The 1956 *Town and Country Planning Ordinance* created a national *Town and Country Planning Board* to maintain control of all future urban development. The *Board* however, was abolished in 1961 as it proved unworkable and its duties were taken over by the Minister

responsible for Town Planning. The bad relations between the Chief Town Planning Officer, (L. Sylvester White) and the local authorities accelerated the abolition of the *Board* (see Chapter Seven). Town planning was up to 1947 put under the Public Works Department. Then it moved to the Department of Lands and Mines, and in 1956 it was put under the Minister responsible for Local Government. Until 1956, the *Town and Country Planning Board* lacked legal powers, but it influenced most planning schemes for most urban areas in Tanganyika, including minor settlements. Provisional planning schemes existed for 30 centres by 1955, dividing their land use pattern into residential, commercial, and industrial zones, with sites for public buildings, open spaces and land for future development. These schemes accommodated the many thousands of new plots surveyed between 1949 and 1955.¹⁴

(c) Some Criticisms of the *Town and Country Planning Ordinance* 1956

Several criticisms can be levelled against the *Town and Country Planning Ordinance*. These include the concentration of planning powers in the Minister; the slow speed provided for the preparation and approval of planning schemes; and the failure to address the issue of land ownership.

Table 5.4 summarises the procedure and time schedule envisaged by the 1956 *Ordinance*, with respect to planning schemes. From the schedule, it can be deduced that the *Town and Country Planning Ordinance* provides a snail slow process of preparing planning schemes. The most optimistic time for preparing a scheme is one and half years, but as shown in the schedule, most steps, particularly those involving the Minister, have no time limit so that the preparation and approval of planning schemes takes an indefinite period.

The *Ordinance* provides a highly centralised and bureaucratic system of preparing and approving planning schemes. Most powers are vested in the Minister. This is a reflection of the centralised authority system operating during colonial rule. It is difficult to see why it should be the Minister who must decide that a certain area should be declared a planning area, and not the local authority or the inhabitants of the area doing so in consultation with the Minister. The Minister has the final say on an area's planning scheme despite the opinion of

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Dixon, *The Evolution of Indirect Rule and Local Government in Tanganyika*.

Table 5.4: Time Schedule Envisaged by the *Town and Country Planning Ordinance 1956*, in respect of Planning Schemes

Step/Action	Time Span	Remarks
1. Preparatory period. Minister, in consultation with Local Authority, declares area a planning area	Unspecified	It takes very long before a Minister can decide to declare an area a Planning Area
2. Preparation of a general Planning Scheme for a Planning area by the Minister or if he has delegated his powers to it, by the Area Planning Committee	Unspecified	It takes very long. Misunderstandings and lack of communication between Minister & the Local Authority can occur
3. Approval for publication of a General Planning Scheme by the Minister	Unspecified	It takes long before the Minister decides on the issue
4. Publication of a General Planning Scheme and its deposit for public inspection	Unspecified	It takes long for Minister/Area Planning Committee to publish the scheme or makes it open for inspection
5. Receiving objections	2 months	
6. Depositing copies of objections for further public scrutiny and representations	1 month	
7. Submission of the scheme plus objections to the Minister for his decision	1 month	
8. Minister approves general planning scheme with/without modification	Unspecified	It takes very long for the Minister to make up his mind
9. Decision by Minister, or by the Area Planning Committee to prepare a detailed planning scheme for a planning area	Unspecified	Can take very long
10. Informing land owners of intention to prepare detailed scheme. Land owners may prepare their own scheme	6 months	
11. Preparation of a detailed planning scheme for a planning area (by the Minister or by the Area Planning Committee)	Unspecified	It takes very long for detailed planning schemes to be prepared
12. Approval for publication of a detailed planning scheme by Minister	Unspecified	It takes long before the Minister decides on the issue
13. Publication of a detailed Planning scheme and its deposit for public inspection	Unspecified	It takes long before Minister/Area Planning Committee publishes the the scheme or avails it for public inspection
14. Receiving objections	2 months	
15. Depositing copies of objections for further public scrutiny and representations	1 month	
16. Submission of scheme plus objections to the Minister for his consideration and decision	1 month	
17. Minister approves detailed planning scheme.	Unspecified	It takes very long.

the Area Planning Committee, or, the various objections submitted. Such concentration of power is typical of the colonial era where the Governor's consent had to be sought even for

such trivial decisions as the cutting or planting of trees in townships. While concentrating the powers, the *Ordinance* gives no sanctions against a Minister or other Authority who takes long to give a decision, or gives an inappropriate or an incompetent decision. It is significant that most steps involving the Minister have an indefinite time schedule in which the Minister must act. Moreover the whole process is bureaucratic and does not provide for decentralised operations. Plans must be published in the *Gazette* (which, for example, has a very restricted circulation and is not read by most urban residents); must be deposited somewhere for inspection; and objections must be made to somebody in writing. It all implies that the authority is fixed somewhere and the afflicted should go to it. The *Ordinance* does not provide for the authority itself to go out and consult the people and make decisions *with* them.

The slow speed at which the bureaucratic set up responds to changes and needs of urban development is largely to blame for today's unplanned development and the continued failure of the local authorities to manage rapid urban development in a city like Dar es Salaam.

The other criticism of the *Town and Country Planning Ordinance* is the failure to address and appreciate the issue of land ownership within, and about the boundaries of urban areas. Planning areas are usually declared over land which is occupied. Under the *Land Ordinance*, all land in Tanzania is public unless private ownership was proved by 1928. We have argued above that theoretically even customary tenure is public land since rights of occupancy are deemed to have been granted. Yet most land in urban areas is occupied by people who need not fall squarely into customary land tenure. Referring to the whole colonial period Dixon¹⁵ notes that the colonial administration failed to give sufficient attention to the land tenure problem so that valuable urban freeholds lay undeveloped for the whole of this period, while the more basic reforming of customary rights upon which the organic growth of towns with settled African populations was never tackled. While the *Town and Country Planning Ordinance* provides for the preparation of planning schemes, it hardly addresses itself to the question of land on which planning must be done. The question of land ownership between public and private domains remains vague.

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ibid.

Drafters of the *Town and Country Planning Ordinance* 1956 were perhaps addressing a slow growing well endowed situation addressed by the United Kingdom's *Town and Country Planning Act* of 1932, on which the 1956 *Ordinance* was based. They were not addressing a situation of rapid urban development and change, coupled with unstable administrative set ups and limited resources.

On the other hand, the criticism levelled against the *Town and Country Planning Ordinance* in Tanzania, that it does not give room for consultation particularly with those occupiers of land which is to be planned or upgraded, needs to be moderated. Section 24 for example, allows the occupiers of land which has been declared a planning area to submit *their own* planning scheme to the Planning Authorities.¹⁶ In practice, this opportunity is hardly afforded to those occupiers. In most instances too, planning schemes are not made public to invite objections (see Chapter Eight). Land pooling and redistribution provided for under section 27 and the Third Schedule, has possibly not been used outside the *Upanga Planning Scheme*, which predated the 1956 *Ordinance*. In some respects, therefore, the "top down" and non-consultative approach adopted by the officials responsible for town planning today does not have its basis in law, but rather in administrative practice. If the consultation provided for in the *Town and Country Planning Ordinance* was to be applied fully, and much as the *Ordinance* itself has its own shortcomings, a good number of the problems currently encountered in urban planning in Tanzania could be ameliorated. Given the widespread violation of consultation and public participation provisions of the *Ordinance*, it is likely that a number of planning schemes prepared by the Ministry of Lands for Urban Tanzania are illegal. The *Ordinance* is nevertheless weak in that it does not clearly give the public, powers of redress against planning authorities. However, it enhances the powers of public authorities over land uses, powers which have been used to advance the interests of those in authority.

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It is suspected however that this provision was put in to allow European and Asian freeholders within, and at the fringes of urban areas, to be able to propose their own planning schemes and thus avoid the complications of land acquisition and compensation.

Direct intervention by Government

(a) The Ten Year Development and Welfare Plan for Tanganyika

During the period under review, the government was able to intervene directly and affect land use, using funds provided for under the *Colonial Development and Welfare Acts*, and the *Ten Year Welfare and Development Plan* for Tanganyika. This intervention involved: the provision and improvement of infrastructure; land acquisition for various planning schemes; direct development of European, Asian and African housing, and of various public buildings; and cooperation with the private sector by the provision of plots for the construction of residential and industrial buildings, establishing housing finance institutions, and encouraging and advising private landowners to subdivide their land. Investment decisions of a national character (e.g. the construction of the Dar es Salaam- Tanga Road, under which scheme a bridge was constructed across the Msimbazi River at Jangwani in 1953 (which in turn opened up the Magomeni area for development), affected Dar es Salaam's land use structure. The construction of a new airport and its appurtenances at Ukonga (in 1954) also affected the development of Dar es Salaam. The town's harbour which was until 1956 only a lighterage wharf was expanded in capacity by the construction of three deep water berths.

The *Ten Year Welfare and Development Plan for Tanganyika* (1947-1956) (hereinafter referred to as the *Development Plan*), earmarked considerable expenditure on urban development. According to Dixon¹⁷, urban areas took more than their fair share of capital investment during the duration of the *Development Plan*. Table 5.5 summarises the proposed expenditure during the 1947-56 period and as revised in 1950 to take account of higher prices.

A new *Colonial Development and Welfare Act* made available extra funds p.a from 1956. As a result a new schedule for planned expenditure for the period 1955-60 was prepared (Table 5.6). It will be seen from both Tables 5.5 and 5.6 that urban areas were allocated substantial sums of money under the various categories of expenditure.

¹⁷ *ibid.*, p. 23.

Table 5.5: Earmarked Expenditure (£'s) *Ten Year Development and Welfare Plan for Tanganyika*

Category of Expenditure	Original Plan (1947-1956)	Revised (1950) Plan
Conservation and Development of Natural Resources	2,958,500	4,355,191
Communications (including Railways)	6,944,800	8,783,000
Social Services	5,250,500	2,934,000
Township Development	1,129,500	3,573,000
Public Buildings and Works	1,000,000	3,480,000
African Urban Housing	300,000	1,230,000
Miscellaneous	300,000	115,000
Total	17,883,300	24,450,191

Source: Tanganyika, *Revised Development and Welfare Plan for Tanganyika 1950-1956*, Government Printer, Dar es Salaam, 1951, p. 10.

Between 1950-1955, £370,000 was spent on Township roads and surface drainage. Out of this, £140,000 was spent in Dar es Salaam. The new airport (opened in 1954) cost £880,000. Some £2,010,000 was spent on improving Dar es Salaam water supply. The supply of water doubled to 2,000,000 gallons per day, although this was still insufficient to meet the Municipality's demands. Thus it was decided to proceed with the plan to tap water from Ruvu, 45 miles from Dar es Salaam, which would supply 3,500,000 gallons per day. The cost of this was expected to be £1,500,000. The sewage scheme for Dar es Salaam was approved in 1949. By 1956 it was already constructed and operational. It covered the central area of the Municipality and cost some £450,000. Industrial site development was also seen as being important. £100,000 was earmarked to provide serviced areas for industrial sites. The money was to be recovered from premia. £40,000 was earmarked for the drainage of the Msimbazi Creek as an anti-malarial measure. Large areas were to be reclaimed in the

Msimbazi Valley, to be utilised as playfields. The area was also intended to provide a permanent parade ground for use on ceremonial occasions. Construction of the Dar es Salaam Group Hospital had cost £690,000 by 1955 and required another £234,000. A medical training centre and hostels were to be built in Dar es Salaam at a cost of £190,000, while a

Table 5.6: Earmarked expenditure (£'s), *Ten Year Development and Welfare Plan for Tanganyika, 1956 - 60.*

Items of Expenditure	Amount (£'s)
Development of Natural Resources	4,950,000
Communications	7,470,000
Urban Development	3,215,000
Electricity	2,000,000
Social Services:	
- Medical	1,400,000
- Education	3,793,667
- Broadcasting and Films	100,000
Public Buildings	1,950,000
African Urban Housing	970,000
Total	25,848,667

Source: Tanganyika, *Development Plan 1955-60: Capital Works Programme*, Dar es Salaam, 1955.

clinic at Magomeni was to cost £22,500. The Dar es Salaam Technical College was to be built at a cost of £280,000. £2,075,000 was earmarked for the Railways and Ports. Besides, the Government planned to spend £7m between 1948-1956 on Dar es Salaam Harbour. Work was undertaken on 3 deep water berths, and was completed in 1955. Some £25,000 was spent on constructing the maternity wing at Dar es Salaam Hospital; £100,000 on Dar es Salaam Council Chamber Offices; £35,000 on the Government Press and £250,000 on

relocating the King's African Rifles barracks from the harbour area to Lugalo. A small proportion of the £1,230,000 spent on the Dar es Salaam-Tanga road was expended in Dar es Salaam.

As of 1955, £3,000,000 had been spent on staff (European) housing since 1948. Another £1,000,000 was earmarked. The new expenditure (1955-1960) on Public Buildings (under which staff housing was) was £1,950,000, and most of it (about £1,600,000) was earmarked to be spent in Dar es Salaam.

(b) Inequity in allocating the *Development Plan* Funds

It should be pointed out at the outset that the funds of the *Development Plan* were inequitably allocated between the races, with Europeans getting the most, and Africans, the least. The example of the expenditure on housing and schools illustrated in Table 5.7 illustrates this point.

The unit cost for European housing for example, was between 10-30 times the unit cost for African Housing, and between 2-5 times that of Indian housing. The cost of the Indian Primary School at Upanga was three times that of the African Primary School at Mnazi Mmoja, while the cost of the European school exceeded by 5 times, the cost of the African Middle School. This was despite the fact that Africans were much more numerous than the other two races so that the investment per capita for Africans was extremely low. This kind of inequality was perpetrated to the very eve of Independence.

Table 5.7: Select Expenditure on various races in Dar Salaam, 1950s.

Year	Area	Type of Construction	Earmarked race	Unit Cost (£'s)
1955	Ukonga	53 Quarters and 2 shops	Africans	180
1955	Ukonga	6 "O" Type Govt Houses Grade "A"	Europeans	2150
1955	Ukonga	5 "E" type Govt Houses Grade "A"	Europeans	3440
1956	Upanga	Indian Primary School	Indians	58,412
1956	Mnazi Mmoja	African Primary School	Africans	18,506
1956	Ilala	200 Quarters	Africans	177
1956	Kinondoni	96 Quarters	Africans	185
1956	Kinondoni	3 "F" Type Govt houses Grade "A"	Europeans	4800
1957	Chang'ombe	4 Type VI Quarters, Housing "B"	Indians	1150
1958	Magomeni	African Middle School	Africans	7539
1958	City Centre, Burton Street	European School	Europeans	37,755
1959	Chang'ombe	Asian Primary School	Indians	24,417

Source: Tanganyika, *Annual Report of the Public Works Department*, Government Printer, Dar es Salaam, relevant years.

(c) Major Housing Schemes Undertaken

European Housing

During the late 1940s, the housing situation for government European Officials was desperate. A total of £4,000,000 was spent on European housing (referred to as staff housing) during the period under review. The houses were mainly located in the Kurasini area and at Oysterbay in Dar es Salaam.

Asian Government Housing

A total of 500 units of Asian Government housing, each costing £1,000 was projected. About 350 of these were to be in Dar es Salaam. Most were constructed in the Chang'ombe area.

African Housing

From the early 1940s the Government accepted the provision of housing for Africans. This was conceived at four levels:-

- i. African Government Housing: This was meant for Government employees in outer stations and not in townships.
- ii. African Urban Housing: This was meant for all Africans and not just government employees. The colonial government did not appear to want to favour its African staff, since we have seen earlier how it refused to help them with access to housing or building plots (Chapter Four). Experimental buildings were carried out in order to produce a cheap, economic house in permanent materials. The types and kinds of rents charged for these buildings are discussed later, but such "*quarters*" as they became to be known, were constructed in the Ilala, Temeke and Magomeni areas of Dar es Salaam. As a result of the Dockworkers strike of 1947, the Government was catapulted into conceiving a plan to put up, by April 1948, 1000 temporary houses for Africans in order to relieve overcrowding, and force down house rents. These houses were expected to last 5-10 years and cost each, £45. The plan backfired miserably. Only 79 houses were ever constructed at Ilala, but to such low standards that conflict soon arose between the central government which, in view of the accommodation shortage in Dar es Salaam, defended these houses but loathed to maintain them, and the Municipal Authorities who found the houses unfit for human habitation and considered them the responsibility of the central government. By the end of 1953, the temporary housing scheme was in shambles, but even demolishing these ignominious structures became a cause of conflict between the Municipal Council and central

government.¹⁸

A total of £2,200,000 was spent on African Urban Housing during the duration of the *Development Plan*. Some £1,600,000 was possibly spent in Dar es Salaam since it had been planned to provide African Housing in a ratio of 5 for Dar es Salaam to 2 for other urban areas. African urban houses cost around £216 on average, compared to £1,000 for Asian houses, and to between £1,500 - £3,000 for European houses. Besides, funds for African urban housing were to meet all the expenditure connected with such schemes including expenses of administration, construction, internal roads, site preparation, land acquisition, and installation of water supplies and other incidentals.¹⁹ Therefore, the amount spent on actual African Housing was highly limited.

iii. Sites and Services Plots

Although the concept of sites and services is usually related with the World Bank in the 1970s, it has been shown in Chapters Three and Four that both German and British Colonial governments demarcated plots in the Kariakoo and Ilala areas of Dar es Salaam, where construction in any materials by Africans was allowed. These were the early sites and services schemes in Dar es Salaam. Such policy was continued in the 1950s in areas of Temeke, Magomeni and Kinondoni and across the Harbour at Kigamboni. In these areas, plots were demarcated and issued to Africans on short term tenure, for self construction. Nearly 8,000 plots were demarcated during the 1950s on both government land, and on land acquired from its owners. It was hoped that land would be fully serviced before allocation, but in most cases, plots were allocated with rudimentary or no services.

iv. The African Urban Housing Loan Fund

The fourth level at which African housing was conceived was for the better off

¹⁸ Tanzania National Archives File No. 36707, African Housing Scheme, Dar es Salaam Temporary Housing.

¹⁹ Tanganyika, *Revised Development and Welfare Plan for Tanganyika, 1950-1956*, Government Printer, Dar es Salaam, 1951.

Africans who wanted or were encouraged to construct permanent houses in urban areas to be provided with financial assistance, and longer security of tenure. For this reason, the *African Urban Housing Loan Fund* was set up in 1953 to meet this need. With a deposit of £75, applicants could borrow up to £500, to be repaid over 20 years at a flat rate of Shs. 12/50 per £100 per month.²⁰ By 1954 only a few loans had been sanctioned but it was hoped that applications would pick up. By 1960, the demand for loans had grown to exceed the available funds. The maximum amount borrowable was raised to £1,000 and the interest rate was to be raised to 6% (from 4% in 1953).²¹ Certain areas in Dar es Salaam (e.g. Block W in Magomeni) were set aside for allocation to beneficiaries of this loan fund.

(d) African Urban Housing and Changes in Colonial Policy

It may be wondered why during the 1940s, colonial policy accepted the policy of African Urban Housing, which was before then just not on the agenda, and housing was not considered outside the labour lines provided for under the *Master and Servants Ordinances*. The acceptance of African Urban Housing was an offshoot of the acceptance of African labour as a permanent phenomenon in urban areas as compared to the earlier period when African labour was seen as casual and migratory and therefore entitled to just temporary shelter.

The second reason leading to the acceptance of African urban housing was to cultivate the goodwill of the Africans towards the colonial government, particularly after the labour disturbances of the 1940s, and in the light of the impending decolonisation. There was a feeling among colonial officials that the Africans regarded the colonial government as uncaring, as far as their problems were concerned. A *Memorandum on Housing in Dar es Salaam* written for the Executive Council in the mid 1940s argued that the Government should put up 30 modern houses for Africans in Zone III of Dar es Salaam:

²⁰ Tanganyika, *Development Plan 1955-60: Capital Works Programme*, Government Printer, Dar es Salaam, 1955.

²¹ Colonial Office, *Tanganyika Report for 1960*, Her Majesty's Stationery Office, London, 1961, p. 121.

One of the difficulties at present in Zone III is that the African is convinced that the Government is not interested in his housing; this feeling makes for political unrest ... If the building of these 30 houses cost £12,000, it will be a cheap price to pay to preserve peace and good order in the African Community during the next five years.²²

Commenting on the necessity of the temporary African Housing Scheme in October 1947, the Provincial Commissioner, Eastern Province, impressed upon the Chief Secretary that:

the scheme will have immense goodwill value and will convince many Africans that Government is making real effort to solve their present difficulties.²³

It is notable as well that in the *Ten Year Development and Welfare Plan*, African housing was prominently categorised, while European housing was "hid" within Public Works and Buildings.

The third reason was to tackle overcrowding which was then rife in both Zones II and III. In Zone III it was made worse by the influx of Asians who took up the best properties that there were, and who could pay higher rent for any accommodation they desired. According to the *Tanganyika Standard* of 15th February, 1945, Africans could hardly pay 10-15/= a month as rent for a room, while Asians were willing to pay 20/= . A letter of 5th February 1945, by the Honorary Secretary of the *Tanganyika African Government Servants Association* to the Chief Secretary complained of bad housing conditions for Africans pointing out that all good housing in the African quarter was being taken up by Asians, replacing Africans. He suggested the provision of temporary housing for Government employees; the expulsion of Asians from the native area; the control of house rent in the native area and the provision to African employees, of "quarters". The Chief Secretary brushed these suggestions aside, but hoped that the then already sanctioned experimental programme for the construction of permanent houses for Africans would ease the situation somewhat. The problem was formidable and growing, especially as a result of Dar es Salaam's rapid increase in population

²² "Memorandum on Housing in Dar es Salaam", in, Tanzania National Archives File No. 32982, Shortage of Housing in Zones II and III.

²³ Tanzania National Archives File No. 36707, African Housing Scheme, Dar es Salaam Temporary Housing.

which had grown from 41,000 people in 1939 to 55,000 in 1945.²⁴ The Government could no longer ignore this issue.

There were various discussions and deliberations concerning the issue of African urban housing. In October 1943, a meeting took place between various high ranking officials in the Tanganyika Government including the Chief Secretary, and Mr. A.C. Jenkins, Director, Native Lands, Southern Rhodesia, who had studied native housing from Kenya southwards. Views were exchanged on the whole issue of native housing in Tanganyika. It was agreed that Native housing in urban areas was desirable and that the problem of resources would soon be solved by the provisions of the *Colonial Development and Welfare Fund*. It was agreed to insert £2000 for an experimental native housing scheme in Dar es Salaam in the 1944 Territorial estimates.²⁵

In 1943 the Labour Office proposed the control of natives moving to Dar es Salaam, but at the same time urged the Township Authority to expand the native town and extend to it, medical, educational and recreational facilities (including a better and more hygienic native beer hall!) and to institute a proper native housing scheme.²⁶ Among the views circulated concerning the native housing scheme were those of Municipal Secretary, Dar es Salaam, E.H. Helps, who supported the idea of constructing "garden villages housing" for natives as was being advocated by one Mr. Hutton who had designed and constructed a garden village in the Makongeni Area of Nairobi. He suggested that Kariakoo should be relaid piecemeal into a garden village.²⁷ Unfortunately Mr. Helps' views were just p.a.'d.²⁸ by the District Commissioner but this goes to prove that the idea of native housing had caught on.

24 Tanzania National Archives File No. 32982, Shortage of Housing in Zones II and III.

25 Tanzania National Archives File No. 4/12 Native Housing Scheme, Dar es Salaam: Minutes of a meeting convened to discuss matters with Mr. Jenkins, and other matters related to Native Housing, Dar es Salaam.

26 Tanzania National Archives File No. 27/8, Township and Minor Settlements Development Scheme.

27 *ibid.*

28 p.a. (put away) and n.f.a. (no further action) were common abbreviations used by officials who did not intend to deal with the issues presented to them.

Besides accepting to construct completed houses, the government accepted to provide demarcated, and, hopefully, serviced plots, where Africans were to be encouraged to become house owners by constructing traditional or modern type houses. Unlike the previous era, better amenities, i.e. roads, water supply, markets, schools, recreational grounds and so on were being stressed. It was also proposed to set up an *African Housing Company* to take up the functions of housing development from the central government. The Company was never formed, though.²⁹

Thus, African Urban Housing was conceived under three major concepts: the economic, the political, and that of public health. These concepts affected the location of the earmarked African residential areas in Dar es Salaam (refer to Figure 5.2).

The **economic concept** aimed at providing planned areas for African housing in relation to labour supply to the economy of Dar es Salaam. Africans were conceived to have three areas of employment.

- o The Docks, for which a settlement was planned at Kigamboni;
- o The Industrial areas along Pugu Road, for which a settlement was planned at Temeke; and
- o The High Income Areas of Oysterbay for which a settlement was planned at Kinondoni.

In the above three areas, plots were earmarked for allocation to employers, as well as to individual builders.

The **political concept** aimed at getting the goodwill of the Africans towards the colonial government. This was centred on the Government providing complete houses for Africans - the so called "quarters" - in Ilāla, Magomeni and Temeke, and on providing plots in Magomeni, Temeke and Kinondoni for self construction in traditional materials without financial assistance; or in permanent materials, with the help of the *African Urban Housing Loan Fund*.

²⁹

Tanganyika, *Development Plan, 1955-60*.

The **public health** concept centred upon the drive to reduce overcrowding in the native zones of Kariakoo and Ilala. The area earmarked to take surplus African population was Magomeni where over 3000 plots for self construction were provided.

5.2.3 Institutional Set Up for Implementing Land Policy

Much of the land policy during the 1940s and 1950s grew out of, and was closely knit with, the *Ten Year Development and Welfare Plan* which was handled by the Development Commissioner. A major implementing agency of the *Development Plan* was the Public Works Department, under the Member (Minister) for Development and Works. This Department was responsible for the construction or supervising the putting up of public building (including Government, and African housing); as well as of much of the infrastructure e.g. roads, bridges, water networks, and drains and sewers. Typically, the Department would construct or oversee the construction of such infrastructure and then hand over the completed works to the Municipal Council for management.

The Member for Lands and Mines, and in particular, the Land Officer, was responsible for all issues related to land including acquisitions, grants, transfers, and the registration of titles; land surveying; and town planning. With the appointment of the Town Planning Advisor (who was later renamed Chief Town Planning Officer) in 1947, all issues related to Town Planning originating from the Municipal Council, or from other Government Departments were referred to the Chief Town Planning Officer for advice and ruling. With the expansion of local government business, the Member for Local Government became very important in all issues related to Municipal development. Distantly related to urban land use was the Director of Medical and Sanitary Services whose role became merely advisory, and was getting confined to issues of direct medical consequence like mosquito control. Here, he however overlapped with the Director of Public Works who was responsible for drainage, sanitation, and water supply services. The role of the Medical Officer in Land development was becoming less and less significant compared to the 1920s. There was also the member for Social Services who influenced policy towards Africans. At the same time the role of the Governor in issues related to Dar es Salaam's land use development was no longer as direct as it used to be in the 1920s and 1930s. Nevertheless, planning schemes and many other undertakings had to

be approved by the Governor in Council.

At the local level, the Provincial Commissioner, and the District Commissioner were important overseers of land development (and other) issues in Dar es Salaam. In fact, in 1950, it was decided to create a District of Dar es Salaam whose boundaries coincided with those of the Municipality.³⁰ Prior to that, Dar es Salaam was part of either Kisarawe, or Uzaramo Districts. A series of strikes in 1950, convinced the government that Dar es Salaam Municipality had to be brought closer to the District Administration "to bring the government closer to the people, therefore pre-emptying situations of strikes".³¹

A major change in the administrative status of Dar es Salaam, was the town's attainment of Municipal status in January, 1949 under the *Municipalities Ordinance (Cap 106)* of 1946. The latter had been drafted in 1936, and reviewed in 1944, but for reasons discussed in Chapter Four, it was not then enacted into law till 1946. The *Municipalities Ordinance* gave the Governor powers to declare any area to be either a Municipality, or an urban district. It provided powers for the appointment of Municipal Councils and for the regulation of their business. It provided for the financial viability of the councils, and gave them legislative and executive powers, including those related to town planning and land development. In its original form, the *Municipalities Ordinance* combined powers contained in the *Township Ordinance* (including the *Township Rules*) as well as powers for rating. The *Ordinance* was later scaled down as some of its powers were provided for in other later legislation, including the *Town and Country Planning Ordinance* of 1956, and the *Local Government (Rating) Ordinance* of 1952. Though passed in 1946, no municipalities were proclaimed till 1949. The Acting Chief Secretary told the *Legislative Council* in 1946, that the *Municipalities Ordinance* was an enabling legislation and "the time has perhaps not yet quite arrived, when all that remains to be done is to order a large supply of mayoral chains of office".³² Some preparations, particularly the Councils' financial aspects were yet to be done, thus the delay in declaring Dar

³⁰ General Notice 173 of 28/7/1950.

³¹ Tanzania National Archives File No. 39159, African Administration: Dar es Salaam Municipality.

³² Tanganyika, *Proceedings of the Legislative Council, (Hansard) 20th Session (Hansard), 1945/46, Parts III, IV and V*, Government Printer, Dar es Salaam, n.d., p. 173.

es Salaam the first Municipal Council in the Country.

In 1950, the Dar es Salaam Municipal Council formed several Committees, nearly all of which had some duties related to land uses although, in this respect, the Town Planning Committee, the Housing Committee and the Highways and Works Committee were the most important. Of the council officials, the Municipal Engineer was a key person as far as land use development was concerned. He proposed and implemented land use layouts, and land servicing schemes, subject to their approval by the Chief Town Planning Officer in the Department of Land and Mines. The Municipal African Affairs Officer was consulted on most matters related to the access and development of land by Africans.

It can be summed up that the land policy for Dar es Salaam was implemented at two levels: the central government level where most development plans (i.e. capital expenditure) were conceived and implemented; and the municipal level where day to day management was undertaken. Occasionally, though, the Municipal Council had their own capital works schemes as well. Land development policy, implementation schemes and finances emanated from the central government sometimes in consultation with, sometimes without consulting, the Municipality. Inevitably, there were several instances where the central government acted without informing the Council. In April, 1950, for example, the government sold, or otherwise allocated shop plots at Oysterbay without the knowledge of the Municipality.³³ It was also usually a matter of contention as to who between the central government and the Council, was responsible for servicing government land, or maintaining the infrastructure there upon. Central government powers over land use and development in Dar es Salaam was overwhelming, but power overlaps, and conflict over policy were common between the Council and the central Government, a situation that persists todate.

33

Municipal Council of Dar es Salaam, *Minutes*, 1950, p.73.

5.2.4 Shaping Dar es Salaam's Land use Structure through Land Policy

The Leadbeater Plan for Dar es Salaam: Mid to late 1940s

With the prospect of the end of the War in sight, and with development plans being mooted, it was obvious that Dar es Salaam's land use development would receive some considerable official financial support. The Township Authority was therefore anxious to have a town plan ready. *Pashen's Plan*, prepared in the 1930s was, by mid 1944, found to be conflicting with so many of the existing township establishments (e.g. the Open Space) that it required serious revision. A town planner was therefore urgently required. In May 1945, a Local Government Engineer employed under the Directorate of Works, Mr. H. Leadbeater, was engaged to deal with preliminary matters relating to Town Planning and Housing Schemes throughout the Country, and was asked by the Township Authority of Dar es Salaam to advise on: the general town plan for the township; a pilot native housing scheme; the provision of plots for all official, industrial and commercial requirements, and, the extension of the various zones and township boundaries. Lack of a town plan was seen as a hindrance to the release of plots for housing, commerce, industry, public uses, etc. There was also the question of overcrowding in a number of areas. Urgent attention needed to be directed to the questions of:

- o Upanga, a freehold area which had been in demand for years, and whose owners were restive;
- o Industrial sites required by important commercial houses;
- o School sites then being demanded by the Director of Education;
- o Extension of the African town to relieve overcrowding.³⁴

In his advice, Leadbeater suggested five zones for Dar es Salaam, based on racial and functional considerations as follows:

Zone I, residential, to include the Government Area, Upanga, Oysterbay, Kurasini, and a small part of Keko. This was meant for the use of Europeans and Asians;

Zone II, commercial, being part of the city centre adjoining the Government area, and also parts Oysterbay, and parts of Gerezani. This too was meant mainly for European shopping;

³⁴

Tanzania National Archives File No. 13483, Town Planning Scheme for Dar es Salaam, Vol II.

Zone III, Bazaar, being the Indian commercial/residential area in the town centre for Indian residence, and general shopping;

Zone IV, African, i.e. Kariakoo and Ilala, extended outwards, as well as Kinondoni, Mwananyamala, and Regent Estate, meant for African residences;

Zone V, Industrial, that is the Pugu Road - Temeke Area as extending Westwards, and the Port Area.

In this plan the old concepts of seeing land uses in the terms of races was upheld. However, an important divergence from earlier practice, was the proposals for an Industrial area.

It would appear that there were no efforts to implement this plan to any substantial degree. Though it was gazetted in November, 1946, it was declared abandoned in early 1947. It is not clear why there was this quick turnabout but it possible that the antiplanning tendency in government, of the 1930s and 1940s, was still lingering in the minds of the officials. The other reason could be the fact that the Municipal Authority was not yet in place. A third reason could be personality clashes between officials. The plan, however had considerable influence on the decisions to site of a number of planning schemes in Dar es Salaam, including: the European residential areas in Kurasini and Oysterbay; the commercial neighbourhood centres in Oysterbay; the African zones in Kinondoni and Mwananyamala and the industrial area along Pugu Road, and the various changes to the zone boundaries of the main commercial area.

Important planning schemes for Dar es Salaam in the late 1940s were conceived before Harry Ford's "*Plan for Dar es Salaam*" discussed below. Thus the *Leadbeater Plan* can be said to have been the basis of most planning schemes in Dar es Salaam, in the 1940s, and 1950s. Its five zone scheme was adopted in a number of documents related to Dar es Salaam's land use development.³⁵

³⁵

See for example, General Notice 863 of 13/4/1956 in relation to the Industrial Areas.

Harry L. Ford's Plan for Dar es Salaam, 1949.

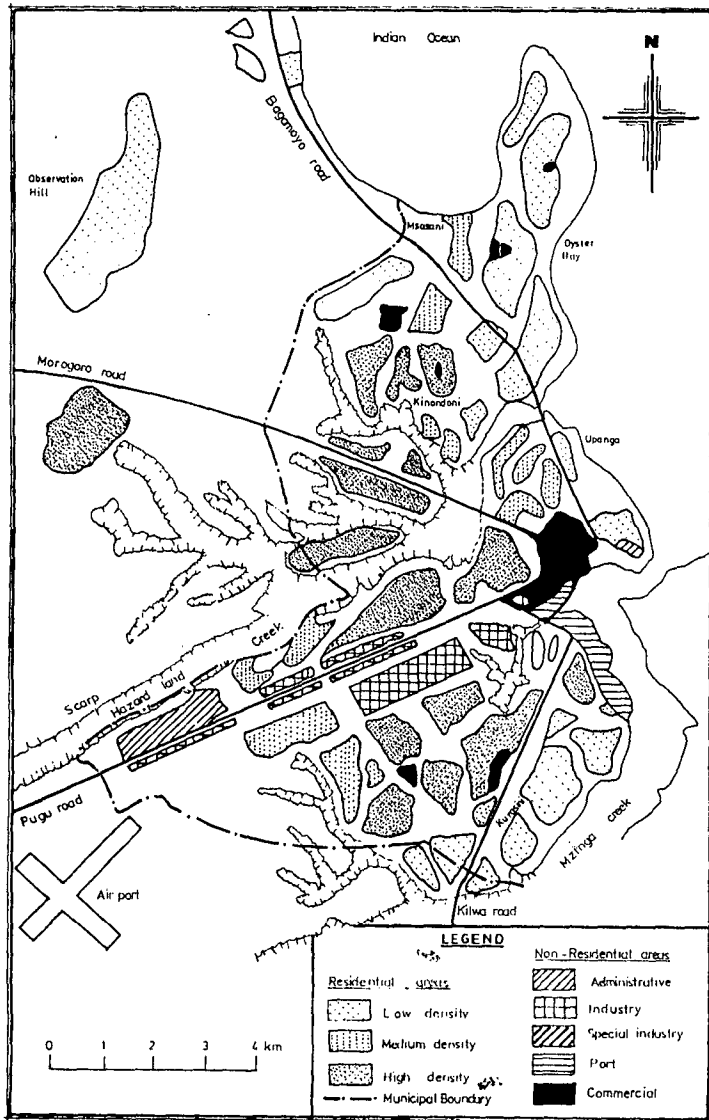
While the need for comprehensive town planning had been argued since the 1930s, the 1940s made the issue more pressing. Urban areas were getting larger and more complicated and it was no longer possible to be satisfied with the zoning and building regulations under the *Township Ordinance*. Just as the Colonial territories were required to prepare Development Plans, so was it deemed necessary that even urban areas, particularly the larger ones like Dar es Salaam, should have their own plans. Some aspects of urban development would be included in the territorial development plans, but the question of town planning, particularly the aspects of land ordering, in part to accommodate the funds provided under the *Development Plans*, required to be addressed. In Tanganyika, this resulted into the appointment in 1947, of a firm of Consulting Engineers, Sir Alexander Gibb and Partners, of London, as Town Planning Advisors to the government of Tanganyika with the tasks of: preparing planning schemes for a number of urban areas in the country, including Dar es Salaam; setting up a Town Planning Division within the government departments; and preparing a *Town Planning Ordinance*.³⁶ The firm selected Mr. Harry L. Ford, ARIBA, MTPI, who had some experiences elsewhere in Africa, as the key person to undertake these tasks. Town planning was only one of the firm's assignments in Tanganyika. It was also deeply involved in two major civil engineering undertakings: the construction of the Tanga - Chalinze - Dar es Salaam road which opened up the Magomeni area in Dar es Salaam; and the construction of the new Dar es Salaam Airport which was opened in 1954. Between 1945 and 1949 various adhoc planning schemes were prepared for various townships throughout Tanganyika, in between the drafting of the *Town Planning Ordinance*, and the preparation of a comprehensive planning scheme for Dar es Salaam.

In looking at the future of Dar es Salaam, Ford proposed three types of residential uses: low density which he assumed to be European housing; medium density which he equated to Asian housing, and high density which he assumed to be African housing. No theoretical or practical reasons were given for such proposed access to land consumption based on race. He proposed a further four zones for functional uses i.e. commercial, inoffensive industry, special (a term he preferred to "offensive") industry, and open space. Special reservation

³⁶

A.M. Armstrong, "Masterplans for Dar es Salaam, Tanzania: The Shaping of an African City", *Habitat International*, Vol. 11, No. 2, 1987, pp. 135-145.

Figure 5.1: A Plan for Dar es Salaam, 1949.



Source: Armstrong, "Masterplans for Dar es Salaam"

areas were made in his *Plan* for Port works and the Railways. Some of the land was classified "undetermined" and was to be frozen or developed only for agriculture. Building without permission on such land was to be forbidden. Ford's planning area extended beyond the Municipal Boundaries, where development would require permission under the Town Planning legislation, but not necessarily the approval of the Municipal Council. This was aimed at controlling development outside municipal boundaries.³⁷

Besides racial and land use segregation, Ford's plan for Dar es Salaam³⁸ (Figure 5.1) proposed generous open spaces which he called "breeze lanes", arranged in a continuous form in the direction of the prevailing breezes. Some were to be put to playing fields, schools, etc. "Also of course, they form the segregation between the various use groups".³⁹

In planning residential zones, Ford complained that the biggest problem he was facing was the difficulty of making provisions for the needs of the different races. "In Tanganyika, no racial zoning is provided and unless it is introduced, it will be difficult to create satisfactory zones."⁴⁰ The layout for Oysterbay, for example, assumed the area to be for Europeans and Upanga for Asians. With Asians already in Oysterbay, Ford pointed out, services needed serious revision.⁴¹

The areas which Ford proposed for low density residential uses were: Oysterbay, the central Dar es Salaam area around the botanical gardens, Kurasini, and a part of Pugu Road. He further proposed that the elevated land at the Observation Hill (most of which later became the University of Dar es Salaam) be laid out as a high class residential area since it was "the finest and most elevated residential area close to town", and he opposed the proposed siting

37 Armstrong, "Masterplans for Dar es Salaam", suggests that Ford limited himself within the municipal boundaries. This was not the case and Armstrong was certainly aware of Ford's proposals for the Observation Hill, (most of which area is currently occupied by the University of Dar es Salaam), which was outside the Municipal boundaries.

38 Tanganyika, *A Plan for Dar es Salaam: Report*, Sir Alexander Gibb and Partners, London, 1949.

39 *ibid.*, p. 30

40 *ibid.*, p. 33

41 *ibid.*

of the King's African Rifles cantonment near this area.⁴² For medium density residential uses Ford proposed Upanga, Kinondoni, Chang'ombe and Kurasini. For high density residential uses he proposed Kariakoo, Ilala, Temeke, Magomeni, Kinondoni and Msasani. He also proposed the reduction of overcrowding in the old native area of Kariakoo, and the institution there of breeze lanes and more open spaces. For Industrial uses he proposed the Pugu Road, a small site at Gerezani for bulk oil, and a small area at Msasani where there was already a sisal decorticating factory. For commercial uses, he decried the uncontrolled development that had taken place since the War in the commercial area and proposed the decentralisation of retail trade to commercial areas earmarked for the planned neighbourhoods. While he favoured the "ruthless replanning of the commercial area", he was nevertheless aware that economy did not permit such a course of action.⁴³

It will be realised that many of Ford's proposals drew heavily on the existing land uses and on the earlier *Leadbeater Plan*, and many of the town planning schemes had already been conceived. Ford was aware that his *Plan* fell short of "any grandiose town planning scheme".⁴⁴ The *Plan* itself, while adopted by the Municipal Council in 1950, does not appear to have had a direct impact on the land use structure of Dar es Salaam. Most of what it proposed was already being implemented while hardly any of its novel proposals were implemented. Moreover, it does not appear that the *Plan* was ever given legal status e.g. by getting the approval of the Governor in Council, or by being gazetted. Nevertheless, Ford, (and his successor, L. Sylvester White) were regarded in high esteem in Government and were consulted on most town planning issues. Ford's contribution was mainly in "fine tuning" the existing or earmarked proposals, differing, agreeing, or criticizing here and there⁴⁵ and generally delaying action. For this, he invited upon himself, the wrath of the Press which, attacked his "tentative", and "wait" proposals, as well as his stand against temporary houses

42 *ibid*, p. 45.

43 *ibid*, p. 82.

44 *ibid*, p. 1. With this in mind, it does not seem proper to call Ford's *Plan* for Dar es Salaam, a "masterplan", as is generally upheld.

45 See for example Tanzania National Archives File No. 13483, Town Planning Scheme for Dar es Salaam Vol II (late 1940s period).

in medium and low density areas, (which (houses) nevertheless were allowed by the government), in a situation of acute shortage of accommodation. Town planning in general was accused of leading to land shortage and to overcrowding.⁴⁶

It is submitted that Ford's contribution to the land use structure of Dar es Salaam was mainly the ideological reification of racial and land use segregation concepts in land uses, despite that such concepts were fast losing currency. It is true, for example, that both the German and early British governments had planned African residential areas at high densities, but except for racial bigotry, and perhaps imported notions of Western European working class living, it is difficult to see why this should have been considered to be the appropriate standard for Africans. Given that for the most part, African areas were not considered worthy servicing, and given that Africans were poor, residential areas planned for them should have been at low density, and the European areas at high density. Yet it is the opposite that usually happened. European areas, expensive to service per capita as they were, got most infrastructure and the cheap to service African areas got the least. Observation should have also indicated to Ford that Asians, for the most part, lived at high densities. The concept of planning medium density residential areas for them must be seen as an attempt to "gentrify" them as being second in line after the Europeans. Finally there cannot have been any town planning principle justifying different standards of land servicing for different races, or making it of necessity the securing of seafront and/or elevated sites for the recluse of Europeans. The low esteem in which Ford regarded Africans did not tally with the changing political situation in Tanganyika (and elsewhere in the colonised world). He was apparently unaware that Africans would be in control of their countries in ten years' time.

Ford's *Plan for Dar es Salaam* reflected the planning ideas then in currency in the Western World, i.e. the Garden City movement, and the burgeoning neighbourhood unit concept⁴⁷. Because of this, lavish open space provision, and land use segregation, were resorted to. These were space consuming, leading to the uneconomic spreading of Dar es Salaam. The *Plan*, like earlier land use and development practice' was over-concerned with matters of

⁴⁶ See Leader, *Tanganyika Standard*, 14/8/1947.

⁴⁷ Armstrong, "Masterplans for Dar es Salaam", p. 136.

public health and physical aesthetics. The planning for a separate industrial zone was discriminative against the small scale industrial establishments, while concern with racial segregation hardly addressed the question of the economic life of Dar es Salaam except perhaps with relation to the planning of "boy's villages" near European residential areas. Finally, the *Plan* hardly addressed itself to the question of implementation. It is submitted that while the major impact of this plan was in the realm of ideology rather than physical realities, this ideology led to the implementation of a land use structure in the favour of the few Europeans and Indians. It produced an inefficient and uneconomic urban form for Dar es Salaam.

Land Use Schemes Earmarked for Africans

(a) The Ilala directly constructed African Housing Scheme

Ilala was the first government sponsored African housing scheme in Dar es Salaam conceived in the early 1940s. Pressure was mounting on colonial governments from the Colonial Office requiring them to address the question of African Housing. In April 1942, the attention of the East African governors was drawn by the Colonial Office to the details of some of the recent housing experiments in the South African Municipalities in view of the important developments in native housing then being projected or actually carried out in various African colonies⁴⁸. Even African employees were pressing the government. In August 1944, one Jeremiah Mukondya of Morogoro Township wrote to the District Officer Morogoro, urging the government to build or buy houses for its African servants since all good housing was occupied by Indians, and, bad housing "causes sickness".⁴⁹ Commenting on the above, the Dar es Salaam Township Authority agreed, and had recommended for consideration of the post war planning committee, that government schemes for housing its employees be initiated. "In most territories to the South the municipalities have housing schemes for Africans", they added.

48 Tanzania National Archives File No. 24387, Improvement to Native Houses, Vol. II.

49 Tanzania National Archives File No. 4/3 Housing Accommodation, African Government Employees.

In a meeting between various Tanganyika officials and Mr Jenkins referred to above, it was agreed to set aside £2000 for an experimental native housing scheme in Dar es Salaam in the 1944 territorial budget. The area decided upon for the location of this experimental native housing scheme was Ilala, where it had earlier (1943) been suggested that the government acquire the 153 acre *shamba* belonging to an Arab, Mohamed Abeid, opposite the Msimbazi Mission (Figure 4.5), and erect thereupon a "better class residential suburb for artisans and clerks".⁵⁰ It was proposed that in this scheme, lodgers be prohibited to prevent overcrowding, and that adequate light, water, roads, sewerage transport and other public services be considered. Some 261 houses, the majority 2 roomed, with an external pit latrine, and a kitchen, and constructed of cement sand blocks for walls and thatch for roofs were put up as part of the African Housing Scheme at Ilala between 1946 and 1950.⁵¹

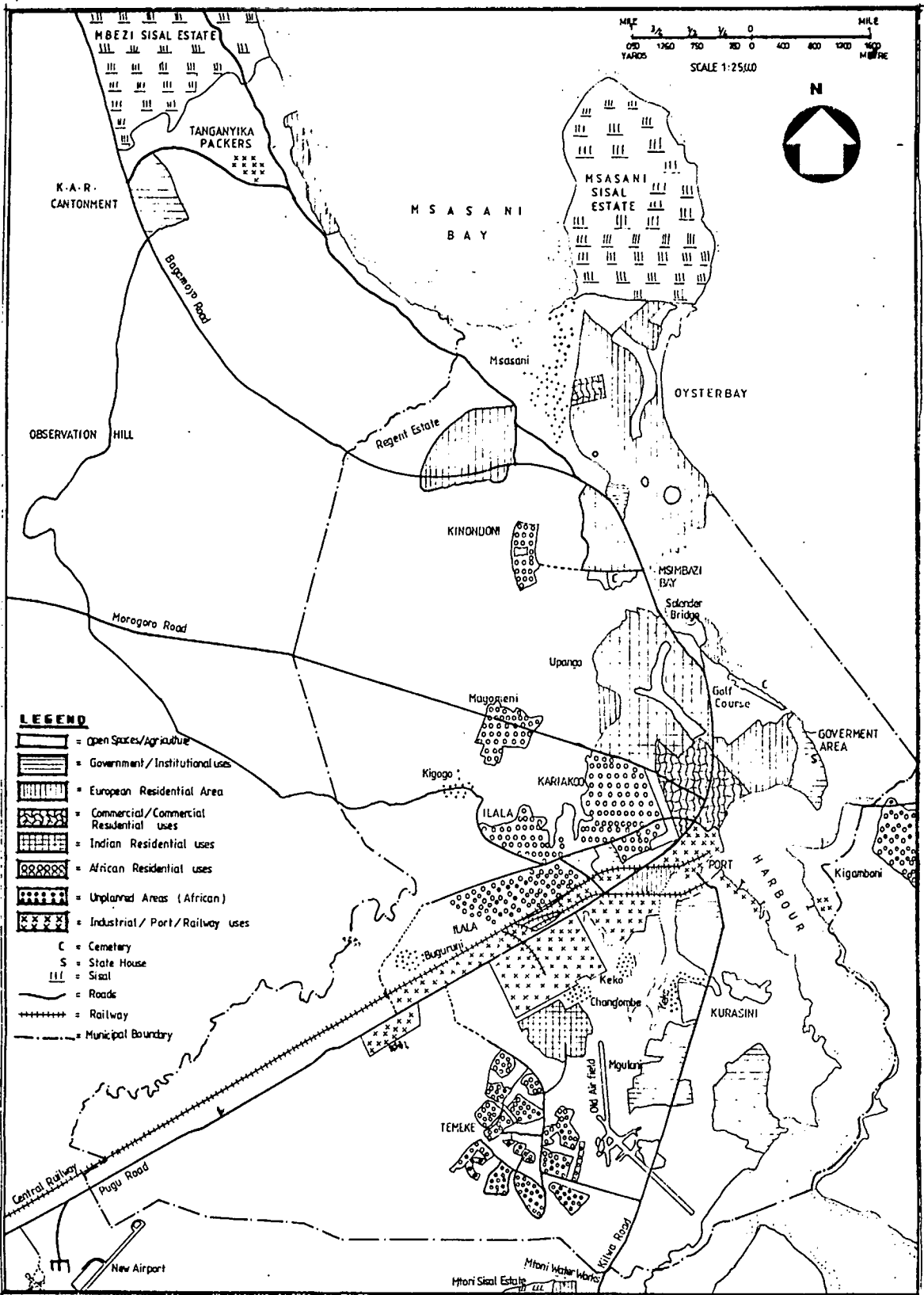
The Ilala African housing scheme was the early product of the epoch of native housing in urban areas. It was perhaps influenced by Southern African practice. It was undertaken as a political gesture to seek the goodwill of the Africans. Thus, it was sited at Ilala, near the native houses, so as to highlight the difference between the government provided housing, and the dilapidated self-constructed native houses. In part, it was also aimed at relieving overcrowding in Zone III. It was aimed at being cheap, thus the use of thatch, but this did not tally with the drive for "permanence". As such, the thatched roofs were later on replaced with clay tiles. During the 1950s, experimenting was going on on a new ideal African house. The Ilala design was therefore not adopted at Temeke or at Magomeni, but due to the location of the area, and the low rents, the Ilala quarters proved to be extremely popular.

Nevertheless, the government soon realised that this "direct construction" strategy could not solve the problem of African housing. In later schemes, it remained only part of a wider strategy which included the demarcation of plots for self-construction.

⁵⁰ Memorandum on the proposal for the extension of Zone III, prepared by M.J.B. Molohan and A.H. Pike on 27/7/1943. See Tanzania National Archives File No. 24387, Improvement to Native Houses, Vol. II.

⁵¹ Colonial Office, *Tanganyika Report for 1948*, His Majesty's Stationery Office, London, 1949, p. 177.

Figure 5.2 Dar es Salaam, 1957.



Source: Department of Survey and Mapping.

(b) The Kigamboni Minor Settlement Scheme⁵²

As far back as the late 1920s when the *African Governments Servants Association* was pressurizing the government to help its employees either to own urban houses, or to acquire plots near their places of work, the Provincial Commissioner Eastern Province, E.F. Brett, had suggested to the Chief Secretary that an African residential area be planned for at Kigamboni (also known as Magogoni) just across the harbour. The idea was not immediately taken up by the Government, partly because local medical research in mosquitoes and in malaria, was showing that the malaria carrying mosquito (*anopheles funestus*) could cross the harbour especially with good on shore winds, and affect the European residential area. Indeed a number of mosquitoes definitely bred at the Kigamboni area, had been caught in October 1935, in Government House as well as in the (European) Residential area.⁵³

The dictates of the post war era however overrode such anti-malaria fears, and by 1950, the government had acquired the large piece of land at Kigamboni, hitherto owned by the Berlin Mission, and put to little economic use (Figure 5.2). An Africa settlement scheme was designed, and applications for plots were being received and processed in 1950.

The African settlement at Kigamboni was conceived with the labour supply to the docks in mind. The government idea was that stevedoring and other companies with operations in the harbour should be encouraged to take up land and to build for their African employees. Among the employers earmarked and encouraged to take up this land were: the Tanganyika Boating Company; the African Wharfage Company and the East African Lighterage Company. The Labour Commissioner wrote to these firms inviting them to a meeting with himself to discuss the whole issue of employer provided housing at Kigamboni. The response of these companies was poor, so that in December 1950, the Acting Member for Development and Works asked the Provincial Commissioner, Eastern Province, to allocate to individual Africans, 200 out of the 500 plots reserved for Employer Companies, but to survey another 200, so that the reserve number of 500 plots be maintained should these companies require them. In

⁵² Unless otherwise shown, information on this scheme is taken from Tanzania National Archives File No. 11/3, Land for Africans at Magogoni.

⁵³ Tanzania National Archives Files No. 23159, Malaria Research: Scheme for drainage of the Kivukoni Area; and No. 31630, Malaria in Dar es Salaam.

all, some 1,000 plots were demarcated at Kigamboni, and by January 1951, 500 had been allocated to individual Africans at an annual rent of 6/= paid in advance. Kigamboni, being the first land provision scheme for Africans since Ilala was allocated in the early 1930s, attracted considerable demand, especially from employed Africans. Partly because of communication problems, the area developed slowly, so that in January, 1951, there were only 150 residents in Kigamboni.

An interesting administrative problem that cropped up was whether Kigamboni should be brought within the boundaries of Dar es Salaam, since it was then, without them, and there was concern that the usual *Township Rules* to protect public health might not apply to the area. It was decided to gazette Kigamboni as a Minor Settlement.⁵⁴ The rules applicable to Minor settlements were considered adequate for the protection of Dar es Salaam's public health. The idea was to avoid making Dar es Salaam too large, for effective management, but at the same time, to avoid the siting of an African settlement near Dar es Salaam (particularly near the European Residential Area) which could be a public health menace to the Municipality. The compromise was a Minor settlement status which would allow the African labourers to put up housing at fairly low standards. It also allowed some minimum public health controls but at the same time did not oblige the government to provide infrastructure expected of a township. In this respect, it is noteworthy that instead of a piped water supply, the government floated a tender for the construction of wells and boreholes within Kigamboni.

(c) The Temeke African Settlement Scheme

Temeke was considered for an African residential urban settlement in tandem with policies of labour supply to Dar es Salaam's emerging industrial area along Pugu Road. At a meeting that took place at the Secretariat in March 1938 regarding sites for African Housing, the area of Temeke Village, between the Veterinary and the aerodrome (then at Kilwa Road) (Figure 5.2) was considered suitable since it had various advantages. It was almost wholly government land with only about 30 native dwellings on it. But more important, the inoffensive factories site was shortly to be developed nearby. "A settlement here would form a reservoir of labour for the factories", it was pointed out. A tentative layout for 525 houses

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General Notice 272 of 15/12/1950.

and a further area where large employers of labour might erect accommodation for their employees was presented. It was also pointed out that there was another 200 acres of government land available westwards, where 1000 houses could be accommodated with ease. The question was whether it should be for the government to build, and if so, at what standards, or whether the plots should be allocated to Africans to build for themselves.⁵⁵ In the end the government decided to put up a number of "quarters", and at the same time, make available a lot of land to Africans for self construction.

i. Temeke directly constructed "Quarters"

The construction of Temeke Quarters began in 1950. By September, 1951 the first houses were ready, and by January 1953, some 242 houses had been completed. The rent for these houses was determined at 52/=, 35/= and 26/= per month for a 3, 2 or 1 room house respectively. A Miss Gold, Woman Welfare Officer trained in the Octavia Hill methods of Housing Management, was employed and was available for help. She suggested that households could spend up to 20% of their income on housing, thus it was decided that nobody would be allocated a government quarter in Temeke, unless they were wage earners with a salary of at least 150/= per month.⁵⁶ Thus the quarters were only available to the cream of the Africans.

Temeke quarters were originally quite unpopular. The rent was considered extortionate, the area lacked services, and was too far from the city centre, and was yet to be served by public transport. Thus, of the 242 houses allocated by December 1952, half remained unoccupied in 1953, although everyone on the waiting list had been offered accommodation.⁵⁷

The Temeke quarters were constructed when experimenting was still going on an economic house for the African. The quarters built slightly later at Magomeni were cheaper, and the rents lower.

⁵⁵ Tanzania National Archives File No. 12859, Dar es Salaam Township Layout.

⁵⁶ Tanzania, National Archives File No. 36707/1 Government Policy on African Housing.

⁵⁷ *ibid.*

ii. Temeke Sites and Service Plots

Together with the construction of the Temeke quarters, several hundreds of plots were demarcated and allocated in the area, beginning in 1950. At least 1,500 plots were demarcated but the figure may have exceeded 3000 by 1960. Within the Temeke settlement, it was found necessary to include trade plots, "to save occupants to go to Dar es Salaam." These trade plots were allocated for 33 years, at an annual rent of 100/= plus a premium equivalent to 5 year rent paid on allocation, and a covenant to put up a building not less than 10,000/= in value.⁵⁸ Unlike was the case with the Magomeni settlement which was meant to relieve overcrowding in Kariakoo, the Temeke settlement was earmarked to provide labour to the nearby industrial estate, thus the need to have trade plots in the area i.e. Temeke residents were not expected to be frequent visitors of the Dar es Salaam's centre. It was perhaps for this reason that connecting Temeke to the city centre was not considered a priority and the Dar es Salaam Town clerk, C.W. Baxter complained to the Director of Public Works in April 1952 that "the only access road to the expanding African District of Temeke was still untouched".⁵⁹

(d) Magomeni African Settlement Scheme

The selection of Magomeni (Figure 5.2) as an area suitable for an African Housing Scheme in the late 1940s and early 1950s, was forced as much by circumstances, as by the area's geographical location as the next in line for urbanisation after Kariakoo. Magomeni, however, was inaccessible, since there was no bridge over the Msimbazi River at Jangwani. Access to Magomeni was possible on foot except at the height of the rainy season, but motor vehicles could not cross the Msimbazi Creek.

For this reason, while contemplating a site for the infamous temporary African Housing Scheme in 1947, Magomeni was given second priority to the area beyond Ilala. The latter was seen as not only accessible, but also as a natural extension of the existing town. However, the private Indian land owners in the Ilala area (like Abdul Shariff, Suleiman Daya and the Gullamhussein Brothers) could not reach an agreement with the government on the

⁵⁸ Tanzania National Archives File No. 11/44 Land: Temeke Minor Settlement.

⁵⁹ Tanzania National Archives File No. 18835, Dar es Salaam Roads.

issue of compensation, arguing that since their land had hitherto not been zoned for African housing, which depressed land values considerably, they were free to put it to the highest valuable use, on which they therefore based their claim for compensation. Because of this, the government began to seriously think of the siting of the temporary African housing scheme in Magomeni.⁶⁰

The area earlier contemplated for this purpose was about 130 acres across the Msimbazi Creek, to the West of the northern portion of Kariakoo. Most of it was by March 1948, outside the township boundaries, but within the proposed new ones which were adopted in 1949. It was as yet unzoned. The area was elevated, 25 to 30 feet above the Creek, with mainly sandy soils. It was also well drained and cool due to the fact that the breeze came from the Ocean down the Creek, without interruption. It had natural springs of good quality water, sufficient for between 800 to 4000 families. This was besides the Msimbazi River whose water could also be used. Extensive anti-malarial drainage works had been undertaken in adjoining Creeks, and the incidence of malaria was not likely to be higher than elsewhere on the outskirts of the town. These facts induced the Provincial Commissioner Eastern Province to suggest that, as an alternative to the African Housing Scheme, the area was also suitable for a non-native residential area.⁶¹ A major disadvantage of Magomeni was its inaccessibility to direct vehicular traffic from the municipal centre. It was also heavily cultivated by natives, the principal crop being coconuts.

Magomeni was not in the end selected for a temporary African Housing Scheme, which in any case foundered, but for two major permanent African Housing Schemes: A scheme where the government constructed complete housing units (the so called "quarters"), and a scheme where demarcated plots were provided on which Africans may themselves build, either in semi-permanent materials (as in the earlier cases of Kariakoo, Ilala and Temeke), or, in permanent materials in which case finance could be obtained from the *African Urban Housing Loan Fund* set up in 1953. The problem of Magomeni's accessibility was solved when the Tanga-Dar es Salaam Road was constructed through Magomeni, and a bridge built

⁶⁰ Tanzania National Archives File No. 36707, African Housing Scheme, Dar es Salaam Temporary Housing.

⁶¹ Note to the Chief Secretary, from the Provincial Commissioner, Eastern Province, 23rd March 1948, in, *ibid.*

over the Msimbazi River in 1953. Some 740 acres in the Magomeni area was compulsorily acquired by government in 1951 for the African Housing Scheme⁶².

i. Magomeni Quarters

Experimenting had been going on since the mid 1940s using various building designs and materials, in order to come up with a type of a house which would be 'economic' i.e. whose rent, (based on the cost of construction), could be paid by the African without subsidy from the government. Taking cue from the Temeke Quarters whose cost proved to be rather high, a type adopted for Magomeni was one of precast concrete piers; 3-inches thick hollow blocks walls; concrete floors; and tiled roofs; constructed in blocks of four units. Lavatories were the pit type, with four compartments over each pit (one for each housing unit in the block). The kitchens were externally constructed as small outbuildings, each with two units. Services like water or electricity were not connected. The economic rent was worked out at monthly rates of 12/=, 20/=, and 29/= for one, two or three room units respectively, a major improvement on the Temeke Quarters. By December, 1953, 450 houses had been completed.

ii. Magomeni Sites and Services Plots

For the larger part of the Magomeni area, the government demarcated several thousands of plots which it allocated to Africans throughout the 1950s, for construction in any materials. Applicants scored highly if they had large families, a high income, large savings, and if they intended to use cement/concrete for foundations and floors, or "*debe*" (crushed tins) or iron sheets for roofs. For example, a person who elected to use thatch (presumably the poor) would score naught ("0") while the one who elected to use the expensive "*debe*" or iron sheets would score 20 points. By the end of 1958, 3107 plots had been demarcated, and 1782 surveyed and allocated by the District Commissioner, as shown in Table 5.9. It will be observed that the point system used to allocate these plots was skewed in favour of the "cream of the poor", a policy that has been perpetrated to date.

The duration of the Rights of Occupancy over most of the allocated land was one year. Plots were to be put to residential uses only. Subletting to non-natives was prohibited and

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General Notice 689 of 28/4/1951.

Table 5.9: Magomeni Plots, November, 1958

Blocks	Plots Available	Plots issued	Blocks	Plots available	Plots allocated
1	25	All	A	56	44
2	25	"	B	75	52
3	25	"	C	72	62
4	25	"	D	115	--*
5	48	"	E	41	41
6	48	"	F	76	52
7	32	"	G	137	104
8	134	"	H	64	22
9	24	"	I	189	--**
10	64	"	J	127	76
11	48	"	K	NIL	NIL
12	25	"	L	36	36
13	23	"	M	101	95
14	91	"	N	110	--*
15	36	"	O	95	95
16	23	"	P	80	--*
17	8	"	Q	84	--*
18	14	"	R	122	--*
19	39	"	S	143	94
20	153	"	T	111	3
21	92	"	U	120	--*
22	1	"	V	134	--*
23	3	"	W	111	--***
Total	1006	1006		2099	766

* = Unsurveyed ** = Hanna Nassif *** = Reserved for the *African Housing Loan Fund*
 Source: Tanzania National Archives File No. 11/38 Right of Occupancy to Africans.

the Right could be revoked if such subletting took place⁶³. Over 100 plots in Block W were reserved for the beneficiaries of the *African Urban Housing Loan Fund*. These plots were larger, carried longterm Rights of Occupancy, and beneficiaries were expected to construct on them houses in modern materials.

Like was the case with Temeke, land servicing remained a second priority to land demarcation and allocation, so that by the end of 1958 the government was contemplating putting a moratorium on the further development of Magomeni until services could be instituted to new areas before plots were allocated.⁶⁴

(e) The Kinondoni African Settlement Scheme

During the 1930s, and with relation to the Oysterbay residential area, it was noted that domestic employees in Dar es Salaam did not like to live at their places of work. The suggestion by a *Committee of Ladies* set up to look into problems of Oysterbay, that a houseworkers' village be established near Oysterbay, was turned down, but with the expansion of the European residential areas, both by government and the private sector (like Kingsway Estates Ltd., and Regent Estates Ltd), there was a general consensus among colonial officials that there should be a high density (i.e. African) residential area near these mainly European areas. In his planning proposals for Dar es Salaam, Leadbeater had earmarked Kinondoni as an African residential area. In his plan for Dar es Salaam, Ford supported the concept of "houseboys" towns. In Ford's opinion, low density plots, the most common of which were 1 acre in extent, were difficult to provide with sewers or hedges, but at the same time smaller plots were inconvenient, if servants quarters were built in. Since he favoured smaller low density plots, he suggested the introduction of "boy's towns" at convenient distance from low density areas, but within easy walking range to them. With proper control, he argued, such "boys towns" could be made most attractive; and be free from any criticism which might be levelled against them from the health aspects. He therefore planned for an Oysterbay with smaller plots, but with African residential areas sited nearby

⁶³ Tanzania National Archives File No. 11/38 Rights Occupancy to Africans.

⁶⁴ see note from Deputy Provincial Commissioner to the District Commissioner 18/10/1958, in Tanzania National Archives File No. 11/38 Right of Occupancy to Africans.

at Kinondoni, and at Msasani.⁶⁵ It would appear that Msasani high density scheme did not take off, although an unplanned settlement developed in the area. The Kinondoni scheme was realized when over 700 plots were demarcated in 1950, on Government land, to the West of Bagamoyo Road (Figure 5.2).

The Kinondoni scheme was similar to the schemes of Magomeni and Temeke in terms of planning standards, procedure of land allocation, development requirements and dearth of land servicing. Unlike Magomeni and Temeke, there were no "quarters" constructed at Kinondoni. Instead, plots were issued for construction in whatever materials. But in view of its location near low density housing, Kinondoni's non-servicing caused a stir in colonial circles (Chapter Four). As a result, it was decided that in future, new high density residential areas should be provided with some basic standards to avoid public health danger particularly to residents of the low density areas.⁶⁶

Land Use Schemes Earmarked for the Asian Community

Besides the city centre, and the trade areas in the native parts of Dar es Salaam, the government earmarked two major schemes for Asian residential occupation i.e. Upanga and Chang'ombe (Figure 5,2). Upanga entailed a land pooling and redistribution scheme for private construction, while Chang'ombe was government land demarcated to provide plots for the construction of complete housing units by the public or private sectors.

(a) The *Upanga Area Planning Scheme*

The unsuccessful efforts by the Township Authorities to remove natives from Upanga, and to get a planning scheme for the area in the 1930s have been described in Chapter Four. By the early 1940s, there was little worry about continued native occupation of Upanga. Instead, the Government was ready to see Upanga regularised and made ready for development on modern lines. There were several reasons why Upanga had to be regularised: First, was to reduce overcrowding in the city centre, and in this respect, some developers

⁶⁵ Tanganyika, *A Plan for Dar es Salaam*.

⁶⁶ Tanzania National Archives File No. 41949, Health and Sanitary Measures, Dar es Salaam Municipality.

were allowed to put up temporary accommodation in the area.⁶⁷ Second was to give Asians a planned area in which to invest, considering that they had considerable resources at their disposal. The alternative was for the Indians to expand, on a large scale, into the native area, and into Oysterbay, both of which happenings were deprecated by the Government.

Prior to its regularisation, Upanga consisted of approximately 100 different holdings, for a larger part, irregular in shape, most unsurveyed and undeveloped, and with no access roads, electricity water or other amenities. The land was held by both natives and non-natives, the latter slowly buying out the former. The area comprised of some 470 acres bounded by the Msimbazi Creek, portions of Bagamoyo Street, Sultan Street, Kisutu Street, Upanga Road and Ocean Road (see Figure 4.3)⁶⁸.

A preliminary planning scheme for Upanga was published in 1946. This formed the basis of the large scale planning scheme of 1948. Meanwhile, special legislation was drafted to enable the execution of the scheme. This became the *Upanga Area (Planning and Development) Ordinance (Cap 283)* of 1949. The purpose of *Cap 283* was to allow the appointment, by the Governor, of a Committee, whose duty would be to plan Upanga, i.e. to provide piped water, open spaces and roads, and to subdivide the land into plots for residential and business purposes, and for public uses (e.g. schools, places of worship, hospitals, etc). As this land was freehold in private ownership, the *Cap 283* gave powers for the whole land to be pooled i.e. for each of the owners to lose rights to a particular piece of land, but to be reallocated another piece which would be 75% of the size of the original piece. The 25% of land contributed by all owners was to be used for the provision of roads, open spaces, and other public purposes. The authorities were given powers to form roads, and other public infrastructure, and charge either the whole or part of the costs against the owners of the land. In July 1949, the *Upanga Area (Planning and Development) Committee* was appointed. The members were: the Land Officer (Chairman), the Town Planning Advisor,

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In July 1947, Yusuf Jaffer Daya was given permission to erect 20 temporary (i.e. mud and pole, and *makuti* (thatch)) houses on his freehold Shamba off Upanga Road to relieve congestion in the Commercial area. The tenants were to be recommended by the Township Authority, who would also determine the rent. See Tanzania National Archives File No. 13483, Town Planning Scheme for Dar es Salaam Volume II.

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Government Notice 808, 7th August, 1946.

and the Chief Surveyor. Others were Jafferli A. Meghji, and Municipal Councillors P. Everett, D.K. Patel, and J. Scott-Barrett. Later on, an African, Mr. S.M.O. Mtamila was added.

The *Upanga Planning Scheme*, whose aim was to convert the 100 or so holdings into between 900 - 1000 plots, was ready in July 1950⁶⁹ and was adopted in 1951. No major objections were presented against it by the land owners except that places of worship, burial grounds, and other sacred places should not be tampered with. Surveying started in 1952 and in that year alone, 753 plots were demarcated. Another 370 were surveyed 10 years later in 1962 as additions to the earlier plots.⁷⁰

In order to ensure some finality in plot ownership in Upanga, the *Land Registry Ordinance* was amended. Prior to 1949, land registration was optional. From 18th March 1949, an amendment allowed the Governor to order compulsory registration in any area he considered it necessary and within a timeframe specified. Failure to comply with the order could lead to the forfeiture of all rights in the land in question. Immediately, an order for compulsory registration was made in respect of a 2 square miles area in Dar es Salaam's City Centre and in respect of the Upanga Area. The closing date for application for first registration was 31st December, 1949. A study of the applicants for the registration of land in the Upanga Area gives some idea of the ownership of Upanga land, just before the adoption of the new planning scheme for the area. Results of study of the gazetted applications for first land registration related to plots in the Upanga Area between 1946-1950 are given in Table 5.10.

⁶⁹ General Notice 1119 of 7/7/1950.

⁷⁰ I. Mwanasamba, *The Success and Failure of the Upanga Area Planning and Development Scheme (Cap 283 of 1949)*, Diploma Project, Ardhi Institute, Dar es Salaam, 1991, p. 16. This work, however, would appear to be highly unreliable and should be read with caution.

Table 5.10: Gazetted applications for First Registration under the Land Registry Ordinance, Upanga Area, 1946-1950

Years	Applicants			
	Indians	Other non natives (Europeans, Arabs, Goans)	Natives	Total
1946	8	2	-	10
1947	11	2	1	14
1948	11	6	1	18
1949	95	10	3	108
1950	30	16	4	50
Total	155	36	9	200
%	77.5	18	4.5	100

Note the impact of the compulsory registration order of March, 1949
Source: *Tanganyika Gazette*, relevant years.

By far the majority of the applicants (77.5%) were Indians. These had been acquiring land from the natives over the years. To some extent, this was the result of government policy which had since the mid 1930s encouraged the market forces to remove natives from Upanga. During the World War II, as we have seen, Indians made bags of money. Upanga became their target. There was some conflicts within the colonial administrators whether it was opportune for Africans to sell their land to non-natives. In mid-1950, the Provincial Commissioner Eastern Province, was opposed to the idea, arguing that land had been a source of income for Africans for years. In a note to the Member for Local Government in June 1950, the Provincial Commissioner protested:

The displacement of these Africans for the value of comparatively small sums representing the difference between the price the coconut tree could fetch if sold to other Africans or to non-natives, does not appear to me to be altogether

justified or desirable.⁷¹

This was a complete turnabout from the stance taken by the Provincial Commissioner Eastern Province in the 1930s, when he constantly urged the central government to remove natives from Upanga. As nevertheless, the views in the above protest were against the current, the Member for Local Government's reply was that the issue would be discussed at a Provincial Commissioners' Conference. Meanwhile the transfer of land from natives to non-natives was going on unabated. By mid 1951, Government policy, as stated by the Member for Land and Mines was that the government did not favour the exclusion of non Africans from African areas, since this would amount to racial reserves, contrary to the Trusteeship principles and African wishes. The point should be to ensure that the non-African did not swindle the African.⁷² Section 11 of the *Land (Law of Property and Conveyancing) Ordinance, (Cap 114)*, of 1923, prohibited the transfer of land from native to non native without the consent of the Governor. In 1950, and in order to *speed up* such transfers especially in the case of Upanga, the Governor delegated his powers of consent to the Director for Lands and Mines, and to the Land Officer provided disposition was recommended by the District Officer.⁷³

It will be seen that the government was actually in favour of the transfer of Upanga land from the natives. The reference to avoiding racial stratification presented in the above paragraph should be compared to the conditions under which land was being allocated to natives at about *the same time*, within their native designated areas like Magomeni. Here, occupation of such land by non-natives (e.g. through subletting) was prohibited and was a serious breach of the conditions of the Right of Occupancy and could lead to its revocation.

Using its powers of refusing consent, the Government ensured that natives were not cheated by crafty Indians. This had various effects. First, the Africans were given "offers they could not refuse". Some of the signatories of the Upanga petition in the mid-1930s were offered between Shs. 30,000/= and 140,000/= for their land (see later on below). These

⁷¹ Tanzania National Archives File No. 255, Land, Transfer of property between Natives and non-natives.

⁷² *ibid.*

⁷³ General Notice No. 914, 7.6.1950.

were fantastic sums at the time, which forced even those with scruples about family tombs to sell their land. Only a handful of natives including Mohamed Tambaza, and possibly the family of Mfaume were still in Upanga in the mid 1950s.⁷⁴ It is however indicative of the discriminative nature of the colonial land policy that even with such large sums of money, natives could only find their way to "their" areas in Kariakoo and Magomeni or further out, but not to the City Centre, or Oysterbay for example. Building covenants in the Oysterbay required that the building put up should be no less than £2000 (Shs 40,000) in value, which some of the sellers of Upanga could have fulfilled, if only they were allocated the land.

Second, by ensuring that the natives got reasonable offers for their land, the colonial government made it appear as if it was standing for native rights, a measure which had some considerable political significance. Ulteriorly, however, the government favoured and eased the buying of natives out of Upanga. Thirdly, by insisting on a high price for native land bought by non natives, the government was applying the hitherto held principle of "non proletarianisation" of the native, who, though losing usufructary rights on his traditional land, should be paid high enough to be able to set themselves up elsewhere. There was little chance that the natives would remain in Upanga in the wake of the Indian onslaught, but the government should not be accused of turning a blind eye when its subjects were being ill treated.

Because they already owned the area, implementation of the *Upanga Planning and Development Scheme* meant that it was mainly Indians who got back the land after its pooling and replanning. While the *Upanga Scheme* excluded Africans, it was nevertheless an example of a successful application of the principles of the land pooling and redistribution approach, and it borrowed immensely from the application of this approach in some Kenyan towns, particularly Mombasa. The *Upanga scheme* was what can be termed basic, as opposed to a full, land pooling and redistribution scheme. It involved the demarcation of roads, and other public use land, but the actual financing for the construction of some of these was organised separately. The cost of making good Upanga Road, for example, was established in 1955 to be around Shs. 291,220/=. The Municipal Council contributed Shs. 66,319/ =, and the

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A secondary school in the Upanga area is named after Tambaza, and there is a "Mfaume" Road. Tambaza's mosque, though greatly extended and modified still stands on United Nations Road in Upanga.

balance was apportioned over the premises fronting, joining or abutting this road.⁷⁵ Other services like electricity, and in some cases, sewers and drains were paid for outside the main scheme. Upanga also benefitted through the construction in the area, by government, as well as by the private sector (particularly the Ismailia Community), of several public buildings and institutions including a number of schools and a major national hospital (then, called Princess Margaret, now, Muhimbili Hospital)).

It may be wondered why the government opted for a land pooling and redistribution scheme, as opposed to using compulsory purchase powers. Three reasons may be given. First, the government would only have found it necessary to acquire the land if it intended to bring some other people in the area. The colonial government wanted Upanga for Indians who were already the majority in the area. It did not earmark the area for other races, so there was little need of acquisition. Second, Upanga land was already high in value so that negotiations for acquisition would have been protracted, and compensation prohibitive. Third, some of the owners of Upanga were very powerful people socially and economically and included His Highness the Aga Khan, the families of Karimjee, Adamjee, Hirji, Mehta, Visram, de Souza and Gomes, and other important business names. Others included Abdullah Shariff, Sheikh Seleman Nassoro El-Lemki, once Liwali of Dar es Salaam, Hanna Nassif, Hassanali Abdulhussein Patwa, Mohamed Suleiman Daya, Habib Jamal Walji, Mohamed Suleman Versi, and Habib Punja. An important Greek businessman, one of the richest men in Tanganyika in 1950, George Nicholas Arnautoglu, and a famous Doctor and Municipal Councillor, Dr. R.F. Noronha were among the owners. For the above reasons, the Government chose to cooperate with these people, rather than to resort to compulsory purchase powers. In the case of the poorer land owners, like the Africans of Magomeni, compulsory purchase powers were readily resorted to.

Therefore, Upanga developed as an Asian, and to a lesser extent, as a European area and it is still regarded so even today. The addition of nearly 400 plots in the area, soon after independence, in 1962, allowed the acquisition of land in Upanga, by several of the then prominent Africans in government service, service, business, and so on (See Chapter Six).

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General Notice 1787 of 9/9/1955.

(b) The Chang'ombe Asian Housing Scheme

While Upanga was a residential area earmarked to be developed by the private sector, for Indians and a few other non-natives, Chang'ombe (Figure 5.2) was designed as an area to be developed by both the public and the private sector. By 1950, the *Chang'ombe Planning Scheme* had been completed and in 1950 and 1951 at least 121 Asian Houses had been earmarked for construction each costing £1000.⁷⁶ At the same time, some 100 plots at Chang'ombe were allocated to the East African Railways and Harbours for construction for their Asian staff.⁷⁷

The Government too intended to make land available for the poorer Asians to build for themselves, but was not sure of their response. In October 1950, applications were invited from people who wanted plots in this medium density housing zoned area. Plots would be 7000 sq.ft, allocated at an annual rent of 70/= p.a; a premium equivalent to 5 years rent; and a minimum building covenant of 20,000/=. The area would be surveyed as soon as demand was ascertained.⁷⁸ The demand was overwhelming and a select Committee had to be set up to recommend plot allottees. The condition of plot allocation, however, had been so designed as to exclude most Africans.⁷⁹

It is not certain why Chang'ombe was selected for an Asian residential scheme but the fact that Chang'ombe was government land, and that there would be employment in the nearby Industrial area may have been major consideration. The earmarked residents of Chang'ombe were Indians in the public service, or the poorer Indians in the private sector who could not buy their way into Upanga and who were not wanted in Oysterbay. On the other hand, to consider an Indian housing scheme for, say, Magomeni would have complicated land acquisition negotiations. (by pushing up the price for land, for example).

⁷⁶ Tanzania: *Revised Development and Welfare Plan for Tanganyika, 1950-56*, Government Printer, Dar es Salaam, 1951.

⁷⁷ Tanzania National Archives File No. 27/31. Township and Minor Settlement, Government Housing Scheme, Chang'ombe.

⁷⁸ General Notice 1631 of 30/10/1950.

⁷⁹ General Notice 958 of 11/6/1951.

Land earmarked for European residential uses

The major scheme earmarked for European residential use was the Oysterbay. There was a smaller scheme at Kurasini, put up in part, in connexion with the *Groundnut Scheme* of the 1950s. Within Oysterbay, and in parts of Kinondoni, the Government constructed several senior officers' bungalows although there were also junior houses and a hostel.

While land policy continued to be conceptualized along racial lines it proved no longer possible to segregate Europeans from the better off Asians except in government constructed housing. Thus it is necessary to bear in mind that schemes earmarked for European residences also attracted Asians. Some of the latter were better off economically when compared to Europeans.

Private freehold land owners within the Oysterbay area e.g. at Kingsway, and at what was then known as the Victoria and Helvetia Dairies, were encouraged to subdivide their land into low density plots, so that some 250 plots were available and many were put to the market. These form part of the current Regent Estate (Figure 5.2). The rest of this section will concentrate on Oysterbay.

The Oysterbay Planning Scheme

From early days, Oysterbay was seen as an area suited to a European residential settlement. Except for a small part along Queen's Drive and Kingsway known in 1952 as the "Millionaires' corner"⁸⁰ the whole of the Oysterbay extending into Msasani Peninsula was government land.

The soil in Oysterbay is of coral formation with a thin soil layer and this has in the past attracted stone quarrying in the area. Small scale stone quarrying is still taking place. The coral formation is excellent for building foundations although it makes gardening difficult. The long coastline provides a good breeze to moderate the effects of the high humidity in Dar es Salaam. The coral reef extends below the Ocean, but there are number of good spots for bathing facilities. For a long time, a good part of Oysterbay was used as a sisal estate. This

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Tanzania National Archives File No. 18835, Dar es Salaam Roads, Volume II: Note from the Director, Lands and Mines, to Member, Development and Works, 26/3/1952.

attracted African settlements near the estate. The Msasani village, for example, was deriving livelihood as much from fishing as from the sisal estate.

The *Oysterbay Planning Scheme* appears to have been conceived around 1945, in anticipation of the *Colonial Development and Welfare Funds*, as an area of extension of the European Government residential area. At the same time or a little later, it was decided that Oysterbay should be offered to the "general" public as well; "general" being limited to those people, or corporate bodies with the ability to put up expensive buildings. As its President, S.B. Malik, noted in November 1947, the Dar e Salaam Township Authority wanted Oysterbay to be a "first class residential suburb".⁸¹

By February 1947, Oysterbay was ready for development. Its planning was greatly influenced by the views of Harry L. Ford, Town Planning Advisor to the Government. Construction started in 1947 on a number of government houses meant for European Officials. Plots were, each, one acre in size. Each plot had, besides a huge bungalow with a large sitting room, but with only one, or two bedrooms, a garage and a servants' quarter. As Dar es Salaam was then experiencing a shortage of accommodation for officials, construction of temporary or semi permanent houses in Oysterbay was allowed.⁸²

Ford planned for 730 plots at Oysterbay to accommodate 2695 Europeans, 1540 Asians and 3760 Africans. The latter were to be house servants and the figure was based on the assumption that government quarters would have each, a boys' quarter with 2 rooms and that in each of the room would be a "boy" and his wife, i.e. there would be 4 Africans per 1 plot. He however was quick to point out that this high African figure should not be cause for alarm since the Township Authority would allow only one boys' quarter per plot, and he was advocating for the institution of African (boys') villages near low density area. An example was the proposed Msasani High Density area that he had planned to serve Oysterbay. The number of Africans was therefore likely to be much lower than the above figure.⁸³ It was

⁸¹ Tanzania National Archives File No. 13483, Town Planning Scheme for Dar es Salaam.

⁸² See, *Tanganyika Standard*, 27/2/1947.

⁸³ *Tanganyika, A Plan for Dar es Salaam*, p. 38

also assumed that there would be 4 Asians per 7 Europeans. Therefore, according to Ford's plan, plot owners in Oysterbay were supposed to be Europeans and Asians (though Ford thought this made town planning difficult since each race required different standards). Africans were to be in the area just as domestic servants.

That Africans were completely unwanted in Oysterbay can be gauged from the colonial officials' attitudes, when in early 1948, it was found necessary to establish a police post in the area. Harry Ford, the Town Planning Advisor, suggested that the African police lines should be West of Bagamoyo Road (i.e. in Kinondoni) where an African Housing Scheme had already been planned. The Commissioner for Police put it even more bluntly. In a note to the Member for Law and Order in May 1948, he pointed out that the Oysterbay police post had been planned to be in the Oysterbay shopping centre but:

As the shopping centre is in the middle of the European residential area, it is not possible to site the living quarters for African Police in the near vicinity of the Police Station.

He, like Harry Ford, suggested a site in the new African area⁸⁴.

A meeting convoked in October 1947 to discuss Ford's layout scheme for Oysterbay, resolved that the Right of Occupancy over the Msasani Peninsula land (alienated for 99 years with effect from 1928 and used as a sisal estate) be revoked with the least possible delay so that sufficient land be made available to enable the comprehensive planning of the area. It was further agreed that half the number of plots in Oysterbay should be allocated administratively, rather than through public auctions, to avoid speculative buying, and that short term rights of occupancy could be given to a maximum of 5 years during which allottees could put up temporary structures.

In November 1947, the Government appointed an *Oysterbay Committee* to advise on how to dispose of Oysterbay plots, two hundred of which were nearly ready, and the final total was expected to be in excess of 600. Services were to be provided later. The *Committee* was composed of Mr. D.R. Macdonald, (Ag. Director, Lands and Mines) (Chairman); Mr. D.A.

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Tanzania National Archives File No. 37124, Police Post at Oysterbay.

Barry, (President, Dar es Salaam Township Authority); Mr. P.H. Hutchinson (Land Officer); and Mr. E.C. Lingham Lees, (Secretary).⁸⁵ There was no African member on this *Committee*.

The *Committee* suggested, *inter alia*, that Oysterbay plots should be allocated administratively and not through auctioning. After the *Land Ordinance (Amendment)* of 1947, it was possible for non-natives (for whom Oysterbay was earmarked) to be allocated land without going through public auctions. It suggested, moreover, that rents should be between 300/= and 500/= per acre per annum, plus a premium equivalent to 5 years' rent; that temporary buildings should be allowed; and that permanent buildings that would finally be put up, should be no less than £2000 in value. These recommendations were accepted by the Government, and that is how Oysterbay was allocated. Even if they had been considered for allocation, which they were not, Africans would have found such conditions, with the exception of permission to put temporary housing, difficult to abide with.

Meanwhile the government called tenders in May 1949 for the construction of 50 "European" type houses, each with a garage, and servants quarter. The average cost per house worked out at at £3062 per house, well above the minimum proposed by the *Oysterbay Committee*. In June, 1949, tenders for a further 50 houses were called.⁸⁶

What is remarkable about Oysterbay is that it was planned mainly on government land, to the deliberate exclusion of Africans as lessees, even when initial development conditions were made slightly less stringent e.g. since temporary buildings were allowed. The selection of plot allottees, as well as the high building and rent covenants effectively excluded Africans. It is also likely that some non-Africans were finding the covenants difficult to meet, since the number of houses put up by corporate bodies, as opposed to individuals is remarkably high. Of the 81 applications for building approval in respect of Oysterbay submitted to the Municipal Council in 1950, 42 were from individuals (8 from one person only, Hanna Nassif), and 39 from companies.⁸⁷ If it should be recalled that a third of the plots were developed by the

⁸⁵ Tanzania National Archives File No. 13483, Town Planning Scheme for Dar es Salaam, Volume II.

⁸⁶ General Notice 917, 30/6/1949.

⁸⁷ Municipal Council of Dar es Salaam, *Minutes*, 1950.

Government, it will be seen that individual plot developers in the Oysterbay were perhaps in the minority.

Oysterbay was allocated to both Europeans and Asians despite Chief Secretary D.M. Kennedy's desire to exclude the latter from the area in the late 1930s. The assertion that Oysterbay was a purely European area is therefore not quite correct. The collusion between Europeans and Asians to divide up Oysterbay to the exclusion of Africans is an example of the constantly changing alliances forged between the colonial government and the population under them as explained theoretically in Chapter One. It did not appear strange to the Township Authority's President, Dr. S.B. Malik (an Asian) to state that Oysterbay must be a first class suburb, although when the *Land Ordinance* was being amended in 1947 to make it easy for Europeans to be allocated Oysterbay, the Asian members of the *Legislative Council* objected strongly arguing for the retention of the auctioning system. It then appeared that the Europeans and Africans were one against the Asians. But once the amendment was carried, and since Europeans did not want Africans in Oysterbay, the alliances soon changed and Europeans and Asians sat together on the *Oysterbay Committee* and allocated this area to themselves. Africans were not even thanked for their support for the Amendment of the *Land Ordinance* in 1947 in the *Legislative Council*; an amendment which favoured Europeans.

The Industrial Area

Although the building areas of Dar es Salaam in the mid- 1930s did not specify any area for industrial uses, the Dar es Salaam Township Authority set aside an area beyond Ilala as an offensive factories area (Figure 4.2) and tried to force small scale industries then being run by Indians in the Commercial area, e.g. soap making, grain milling etc, to move this area but with dismal results. The industrial area was then meant to serve objectives of public health, and since it could be argued that many of the industries in the commercial area were not a danger to public health, (and moreover since the government failed to service the offensive factories sites) many remained in the commercial area.

By the mid 1940s though, a more sophisticated approach to the siting of industries was deemed necessary. In the first instance, the demand for industrial land, both from local (mainly Indian) entrepreneurs, and also from overseas (mainly British) firms was considerable.

Industrial land was required for manufacturing, commodity processing, and storage and warehousing. Capital accumulated by the Indians over the years, and particularly during the War, was seeking outlets, while the *Development Plan* meant the expansion of the territory's purchasing power, and therefore, a market for many products. Perhaps as a result of international competition, many firms within the developed world started to embark on import substitution industries in the colonies to protect their markets. In other cases, industries were required to process local products for sale to the developed countries. An industrial area with plots served with the necessary infrastructure was therefore deemed necessary, so sited as not to be a nuisance, or to cause public health hazards to high status residential areas, and to be able to reap the benefit of complementarily and locational economies. The colonial government was on its part supportive of industrialization for the employment opportunities to be provided, and for the revenue which would accrue to it (the government). Industrialization also meant a new phase in the development of capitalism, whereby the colonies would now be expected to purchase capital goods, and commodity inputs rather than finished consumer products.

The German administration had earmarked the land along Pugu Road for industrial uses, mainly because of the railway line. The British government concurred with this and acquired for the government, much of the land along Pugu Road, formerly in the hands of German nationals (e.g. Busse's Shamba) However, the demarcating and allocating of this land in the mid 1940s when it was required, proved evasive partly because of lack of a town plan, but also because of the dearth of resources to service it. As a result, private landowners led the way and started demarcating and selling or leasing industrial plots. Prominent among these was Sheikh Ali bin Said, an Arab freehold land owner, who, during 1947 and 1948, sold or leased industrial plots to companies like the Lever Brothers, the United African Company, the Twentsche Overseas (T) Company, Temeke Timber Works, Bombay Flour Mills, Mohamed Abdulla Bharmar, Colonial Construction Company, and Commercial Printing Works, as well as to several Greeks. These private subdivisions were later on incorporated in the main government industrial area scheme.⁸⁸

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Tanzania National Archives File No. 255, Land Transfer of properties, Natives to non natives.

The *Leadbeater Plan* of 1945 earmarked the Pugu Road-Temeke Area as Zone V, Industrial. Ford modified on this by differentiating between the inoffensive industries, and the offensive (which he preferred to call "special") industries. The latter were to be much to the West of Pugu Road. Throughout 1948 and 1949, and throughout the 1950s plots were demarcated, serviced (with roads, water and railway sidings), and auctioned to those requiring them. Typical condition of alienating these plots were that the highest bidder in terms of premium was usually allocated the land. Tenure was usually between 33-99 years. Other condition included a 5 year rent premium to be paid in advance, a reserve premium to meet unexhausted developments, various fees, as well as minimum (though expensive) building covenants. From 1952, a road frontage premium and a railway siding premium were payable as well.

The land on which most of the early industrial area was sited, belonged to the government, although a number of natives were settled on it. Between November, 1947 and May 1953, about 160 natives were removed from the Chang'ombe areas South of Pugu Road, to make way for the industrial sites. Some 69,000/= was paid as compensation.⁸⁹ Slowly the Industrial Area developed taking advantages of both the railway and the Pugu Road, as well as the Port, and the government designated residential areas (Temeke and Chan'gombe) to support it. Spontaneous settlements also grew up in response to income earning opportunities. These included Keko Toroli, Vingunguti and Buguruni (Figure 5.2).

The designating of a separate industrial area was a reflection of the then held ideas of largescale capital intensive industrialization, as the propeller of "development". It has however been argued that this was at the expense of small scale industries which were later on to provide most of the required employment.⁹⁰

89 Tanzania National Archives File No. 11/39, Land: Inoffensive factory sites.

90 Armstrong, "Masterplans for Dar es Salaam".

Infrastructure Provision

(a) Sewerage and Drainage

Proposals for the sewerage and drainage system for Dar es Salaam had been prepared in the 1930s by a firm of Engineers, Howard Humphreys, but no action had been taken for want of funds. During the early 1950s some £525,000 was made available to the central government for the institution of a sewage disposal and surface drainage system in Dar es Salaam. The scheme was restricted to the commercial, and to the old European residential areas around the Botanical gardens. These areas were considered to be "the more important areas of the Municipality". It was moreover stated that any further extension should be the responsibility of the Municipality.⁹¹ Towards the end of the 1950s both the Upanga area and the Industrial area had been provided with sewerage and drainage facilities. The rest of the Municipality, that is the part occupied by Africans, remained unserved in this respect and this adversely affected the high density areas to a much higher degree than it did the low density areas where large plots allowed the convenient institution of septic tanks.

(b) Electricity Supply

Public supply of electricity in Dar es Salaam was first set up by the Germans, serving the Railway Workshop and part of the town. In 1920, a Government Electricity Department was formed under the General Manager, Railways to take over and operate the public supplies left by the Germans. It operated very arduously, hampered by lack of capital. In 1931, two private companies were formed to supply public electricity to Tanganyika. One was the Dar es Salaam and District Electric Supply Company Limited (DARESCO), which was given monopoly to supply electricity to the towns of Dar es Salaam, Dodoma, Tabora, and Kigoma and to an area of a 60-miles radius of the Post Office in each town. Preferential rights were given to this Company for the remainder of the territory except in an area of 60 miles radius centred upon the Grand Pangani Falls, where the monopoly for the power supply was given to the second company, known as the Tanganyika Electric Supply Company Limited, (TANESCO)⁹².

⁹¹ Tanganyika, *Development Plan 1955-60*, p. 19.

⁹² J.P. Moffett, *Tanganyika: A Review of its Resources and their Development*, Government Printer, Dar es Salaam, 1955, p. 706.

In its early days, DARESCO operated a power plant at Kurasini, in Dar es Salaam, and had by 1954, 7997 customers in the Municipality.⁹³ In 1953, a review of the workings of the two companies was carried out by a consultant who urged the further development of hydroelectric power as well as the amalgamation of the two companies⁹⁴. In the revised *Ten Year Development Plan*, £2,000,000 was set aside to help in the bulk supply of power from Pangani Falls, and in the amalgamation for the two Companies.⁹⁵ On 1st March 1957, TANESCO and DARESCO were merged to form a new TANESCO which was until 1992, the monopolist supplier of power in the country.

Public electricity supply to Dar es Salaam was not equitably supplied to the residents of Dar es Salaam and this was admitted by Governor Jackson in 1944.⁹⁶ We have also seen in Chapter Four, how inhabitants of Ilala unsuccessfully demanded street lighting in the 1930s. It will be noted as well that it was illegal to connect electricity to most types of buildings put up by natives.

Street lighting was non-existent in native areas, and the police complained regularly that the absence of street lighting in these areas was causing increasing crime. In response, a meeting took place in January 1946 between the Municipal Secretary, the District Commissioner, the Director of Public Works and the Manager, DARESCO, and it was agreed to institute street lighting in parts of the African areas i.e. part of Bagamoyo Street (Kisutu) and Mkunguni, Msimbazi, Swahili and Livingstone streets in Kariakoo. Ilala too got street lighting at the same time.⁹⁷ Street lighting in native areas was thus a result of concern with public security in existing areas. Many existing and new planned residential schemes for Africans in the 1950s however were not connected to electricity. In 1954 a Consultant's report noted that:

⁹³ Colonial Office, *Tanganyika Report for 1954*, His Majesty's Stationery Office, London, 1955, p. 49.

⁹⁴ F.P. Egerton, *Report on Electricity Supplies in Tanganyika*, Government Printer, Dar es Salaam, 1974, pp. 13-24

⁹⁵ Tanganyika, *Development Plan, 1955-60*, p. 20

⁹⁶ Tanzania National Archives File No. 24387, *Improvement of Native Houses*, Volume II.

⁹⁷ Tanzania National Archives File No. 27/20 Townships, Municipal Council, *Street Lighting*, Dar es Salaam.

In Dar es Salaam the capital town of the territory, the main illumination of the town centre is provided from shop window lights, and in most African residential areas there is no street lighting at all⁹⁸.

(c) Water Supply

As described above, the Mtoni water supply scheme was found inadequate, and during the *Development Plan* it was decided to tap water from the Ruvu river, 45 miles from Dar es Salaam. The Ruvu water scheme was approved in 1954, and was completed in August, 1959, costing some £2,000,000. As in the earlier period, most of the public water was consumed by the non native community both absolutely, and per capita.

While it was realised in colonial circles that water supply was an important service in urban areas, supply to African areas was conceived in terms of communal water kiosks. The government quarters constructed in the late 1940s and 1950s were not designed to have individual piped water connexions. But, as is discussed below, even when it came to public water kiosks, water supply to African areas remained highly restricted.

(d) Roads

As a general observation, a number of Dar es Salaam central area roads were greatly improved in the 1950s, in line with the new drainage and sewerage networks. The *Development Plan* set aside £150,000 for Dar es Salaam Roads and Surface Drainage. In 1952, Dar es Salaam had 116 miles of roads of which the Municipal Authorities were responsible. Out of these, 53 miles were bituminised.⁹⁹ The central government generally accepted the initial construction of roads in Dar es Salaam's developing areas, but maintenance lay with the Council. As was the case with other services, provision of roads to new developing areas earmarked for Africans remained minimal. As Moffet¹⁰⁰ noted of the early 1950s:

of recent years, the town has expanded so rapidly that it has been difficult to maintain and construct roads to meet development.

⁹⁸ Egerton, *Report on Electricity Supplies*, p. 9.

⁹⁹ Moffet, *Tanganyika: A Review of its resources*, p. 127.

¹⁰⁰ *ibid.*, p. 140.

Besides, the relationship between the Council and the Public Works Department (which constructed the roads) was anything but cordial. The Public Works Department, in a drive to keep costs down, usually aimed at standards which the Council considered to be low. An example was the Kinondoni Estate Access Road which, in June 1954, the Council estimated to cost £7900, a sum considered too high by the government which, instead offered, £6400. The Council refused to undertake the work, and warned the Public Works Department that it (the Council) will not accept to maintain the road, if it was constructed to standards lower than those required by the Council. By August 1954, the road had not yet been constructed and the Police were complaining that lack of access road to the Kinondoni Native village had led to the cancellation of police patrols, and in that year alone there had been 30 break-ins and 2 murders. The Council insisted that the standard of the road must be high as to accommodate public buses. On the other hand the government made it known that it would not construct an access road suitable for heavy buses and in fact reduced the standard of the road further to a cost of £4300, "although this is hardly likely to please the Municipality."¹⁰¹ The Municipality was accused of demanding standards which were too high, and of being unreasonable. Thus the Dar es Salaam road programme was not only inadequate, but it was also engrossed in controversy between the Government and the Council, reminiscent of the 1930s when the then Township Authority was suggesting action while the government was insisting on non action. The result was poor, and low grade servicing for Dar es Salaam.

(e) General observations on the servicing of African Areas in Dar es Salaam during the 1940s and 1950s

As we have pointed out above, the express acceptance and adoption of a broad policy referred to as African Housing, was a novel policy forced on the government by realities of the time and the projected future policies in relation to the colonies. Since the question of "economics" and resources was important, the colonial government elected to do only what it considered to be important for it to be seen to be doing something about African housing. Construction of "economic" complete houses for renting to Africans, and demarcating of plot

¹⁰¹ Tanzania National Archives File No. 18835, Dar es Salaam Roads.

for Africans to build for themselves were seen as being basic. The provision of services could wait.

This policy of allocating land without services prompted complaints from the Medical Officer of Health in 1951. In a note to the Member for Social Services, he pointed out that the high density areas demarcated in the Dar es Salaam's town Plan were conspicuous by a complete lack of any controlled development. He cited the Kinondoni African area which was some 300-400 yards from the low density (i.e. European) residential zone where housing and amenities had been provided consistent with a satisfactory state of environmental hygiene and sanitation. In the African Village however, demarcated plots only had what he called "doubtful earth roads". Nothing whatsoever was done to drain the area, or to provide roadside drainage or to control building standards or to prevent overcrowding, or to have provided, an adequate system of sewerage and refuse disposal. He further pointed to the shallow, water-filled pit latrines, and complained of the health dangers that such a situation posed to urban life.¹⁰² Commenting on these, the Member for Lands and Mines agreed that the problem of African areas non servicing was not new, but no one had worried in the past, owing to the remoteness of such areas from low density housing.

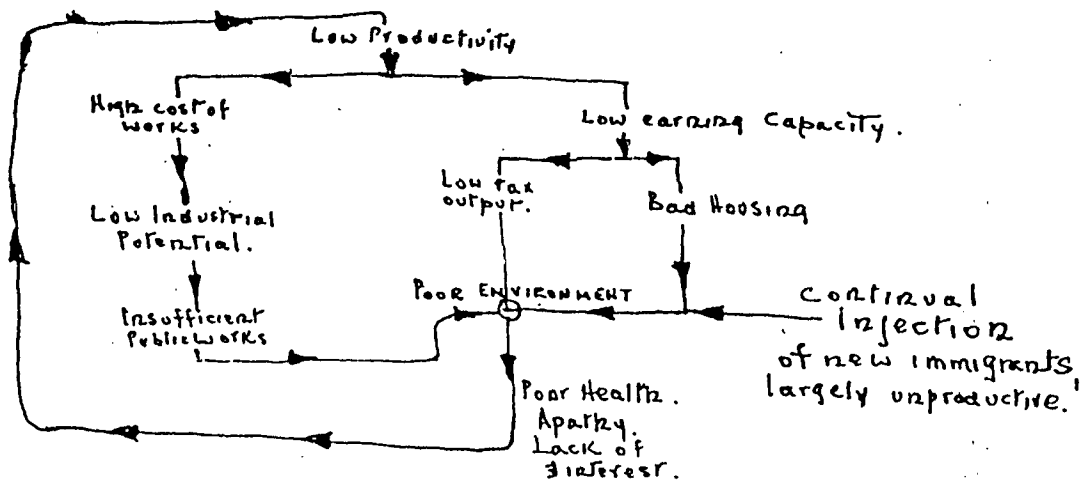
The Medical Officer of Health's views were echoed by the Chief Town Planning Officer, L. Sylvester White, who in a Memorandum to the Member for Social Services written in December 1951, produced a hypothesis which identified the African as being solely to blame for the low quality of environment (i.e. low quality housing, unserviced land, etc) in which he found himself in Dar es Salaam. In his opinion, the African could not afford to build anything more elaborate than an ordinary mud and wattle shack, and could only afford the most elementary means of sanitation. This was a result of the African's low productivity which put him at a low economic level; his low earning capacity which limited his expenditure on housing; his low taxation capacity which made him unable to pay for the public services like drainage, street sweeping, refuse removal, police, education, and public health; insufficient industrial potential for development works in hand, partly again due to the African's low productivity; unrestricted immigration of Africans, most of whom unproductive, to the towns, thus increasing demand for houses; and the unfortunate apathy and lack of skills of the

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Tanzania National Archives File No. 41949 Health and Sanitary measures: Dar es Salaam Municipality; from which the rest of the information in this paragraph is taken, unless otherwise shown.

African who was satisfied with too low a standard. The vicious combination of cause and effect was shown by White diagrammatically (Figure 5.3).

Figure 5.3: L. Sylvester White's vicious combination of cause and effect as far as the African urban environment in the 1950s was concerned.



This was a gross distortion of facts. White did not mention that most European houses, which the beneficiaries enjoyed cost free, were usually constructed and serviced with public funds. He also did not mention that it was, usually in the case of African areas that economics (i.e. undue emphasis on costs) was brought in. As was noted in January 1939:

Surely the native town deserves something when officials who pay no rates have their hedges cut and their drives gravelled for nothing¹⁰³

¹⁰³

Minute written on 31/1/1959 in respect of Native Welfare in Townships. See Tanzania National Archives File No. 26602 Dar es Salaam Township, Native Welfare Fund.

The hostile attitude of colonial officials against Africans in urban areas; the inferior, badly located, unserviced land which was usually allocated to Africans (As White himself noted in his Memorandum cited above: "Africans have until recently been turned loose on more or less virgin land which is neatly marked out in plots but where public services exist only as marks on a plan."); the precarious status of tenure of land allocated to Africans; the lack of any financial provisions to help in housing construction; the artificially depressed wages; etc. were all potential causes of Africans investing minimally in buildings and the environment.

As a result of the Medical Officer of Health's complaints, a meeting of officials took place in January 1952. and was attended by the Members for Development and Works, and Lands and Mines; the Director of Medical Services; the Chief Town Planning Officer, the Municipal African Affairs Officer and the Provincial Commissioner. It was agreed that some minimum (basic) services were required in areas zoned for high density (i.e. African) housing, but it was insisted upon that the provision of such services should not add to the costs and therefore, land rent. It was proposed that any new area should have the following done before land allocation: drainage of any swamp or depression; provision of minimum water kiosks and stand pipes and provision of skeletal roads, but not too many of these as paths could be sufficient. Municipal bylaws could be used to regulate the standard of pit latrines. As will be noted, these suggestions were not radical as far as land servicing for Africans was concerned. All the same, it would appear that little was done, so that in October 1958 it was found necessary to call another meeting to discuss land servicing in African areas

This meeting was attended by the Provincial Commissioner, the Town Clerk and the Member for Local Government.¹⁰⁴ It was noted that both the Government and the Municipal Council had been aware for sometime then, of the almost complete lack of such services as roads, drainage and street lighting in the high density (i.e. African) residential areas of Dar es Salaam, which arose because of the urgent need for additional housing units to accommodate the rapidly increasing population. Indeed, there were some new housing areas which were inaccessible to Municipal cesspit emptying and garbage vehicles. This caused serious public health concern. The government, in view of this situation, agreed to give £20,000 p.a. for the

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Tanzania National Archives File No. 11/38 Right of Occupancy to Africans.

following three years (1958-61) to be matched by an equal sum from the Municipal Council, but it was realised that the total sum of £120,000 would only "touch the fringes of the work required". It was agreed to freeze development before servicing in the area of Magomeni but to allow this to continue without services in Kinondoni, Temeke and Kigamboni, partly to avoid political complications since land development had proved popular with Africans. It was agreed that the cost of installing services in Magomeni would perhaps not be prohibitive since standards aimed at need not be high, and that a premium of 50/= per plot be levied to meet these costs, the balance being provided by the government and the Municipal Council.

It does not appear that these proposals were implemented. Until the eve of Independence, African areas were poorly serviced, it being generally accepted that the standard of the level of services in these areas could be kept very low. The ideology behind this was that Africans were not used to a high standard of land servicing and could do without most facilities, and in any case they could hardly afford to pay the concomitant costs.

It seems pertinent to wonder why, in the light of the purported lack of resources, and the poverty of Africans, no efforts were expended to mobilise the Africans' own resources, to service their areas. Three reasons are submitted. First, mobilising Africans for self-help would have meant their wholesale acceptance in urban life, and the colonial government was not quite ready to take that stance. Second, mobilising Africans for self help would have compromised the colonial government's powers of land development control including the rationale of giving Africans only short-term titles. Third, the colonial officials' own experience was for the government to provide the services, and they held their paternalistic view of civilising the African. Mobilising the Africans for self help in urban areas would have implied that the colonial government had failed in its civilising mission. Such attitudes are still upheld to date. It is submitted that the status of land servicing could have been higher had the colonial government worked with the people.

Cooperating with the Private Sector

The major scheme whereby the colonial government cooperated with the private sector to shape Dar es Salaam's land use structure was that of Upanga described above. Smaller schemes involved the encouraging of private land owners to subdivide the land with the

advice of the Town Planning section. In this respect, the Government envisaged that such land owners would contribute to low density plots, and it was considered in 1950 that at least 250 plots could be expected from private subdivisions.¹⁰⁵ Typically landowners would submit a subdivision plan to the Council for approval, and then go ahead and market the plots. Among the subdivision submitted to the Municipal Council in 1950 were those of Shariff Shamba in Ilala, and those of the owners of Helvetia and Victoria Dairy in the Oysterbay area. No private land subdivisions were earmarked for high density (African) housing since this was considered to depress prices.

5.2.5 Policy impacts on the land use structure of Dar es Salaam during the 1950s: An overview.

It has been shown in this section how tenure policies were modified, and how land acquisition, land use regulation, planning and economic resources investment powers were all used to achieve certain predetermined land use patterns which were for the most part, based on racial and functional attributes of the residents of Dar es Salaam. It has also been argued that land policy was responding to wider colonial policy considerations which included the acceptance of African residential permanence in urban areas, and the conceptualisation of their housing and land use needs in terms of their earmarked employment opportunities, and in terms of public health considerations as well as political expediency. It has, further, been shown how infrastructure usually followed development rather than vice versa, and how African residential areas remained minimally serviced. To some extent, some of these policies reflected the wider colonial/capitalist perspective which required the widening and deepening of the market in the colonies, the stabilisation of labour, and generally, the preparation of the colonies for take over by the indigenous populations. Other races were catered for in areas different from those reserved for Africans, but in Oysterbay, at least, Asians and Europeans were converging. Large non-native private owners of land, like the Upanga freeholders and freeholders in Msasani and Ilala were helped by the government to regulate their areas and to develop the land in the way approved by the government.

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Tanzania National Archive File 42656, Acquisition of Land.

Contradictions and disagreements between officials as to what was the correct policy to adopt have been alluded to, but the trend in land policy was unmistakable. The land use structure of Dar es Salaam during this period reflected past policies (e.g. racial segregation), but was also indicative of the future (e.g. the acceptance of African urban housing).

5.3 Economic Responses

Since land and most other government policy was conceived and implemented in racial perspectives, it is considered proper to analyse the reactions of the various actors on the Dar es Salaam land use scene in the 1940s and 1950s in terms of race. Africans, Asians and Europeans are discussed in sequence.

5.3.1 Africans

Africans were moving by the thousands to Dar es Salaam, so that the Municipality's population rose from 69,277 people in 1948, to 128,742 in 1957, an annual growth rate of 7.1%. This growth brought pressure on existing housing so that overcrowding in the native area was rife. In 1939, an official report had drawn attention to the "grave" position in Dar es Salaam, with 30,000 natives living in 3000 huts, without land for settlement and with more than 4000 of the males unemployed.¹⁰⁶ During the War and immediately after its end, the situation could only have become worse. There was pressure on the existing accommodation in the native area, a pressure made worse by the penetration to this area, of Asians as a result of an equally grave accommodation crisis in the commercial area. The Asians were willing to pay rent several fold what the African was paying and as a result, African landlords with better houses were throwing out African tenants and taking in Indians. In October, 1944, the Director of the Intelligence Unit Bureau reported to the Provincial Commissioner, Eastern Province, that there were 111 Indians renting houses in African areas. In February 1945, a special mass meeting of the *African Government Servants Association* decided to bring before the Chief Secretary, the issue of Asians residing in the African town. A letter was written to the Government proposing the construction of temporary houses for

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Rhodes House Library, Afr. MSS S.870 (H.H. McCleary, "Extent and Conditions under which natives are Occupying land on the outskirts of Dar es Salaam Township".) quoted in Dixon, *The Evolution of Indirect Rule in Tanganyika*, p. 26.

government employees (which idea the Chief Secretary rejected, but which was to be adopted in 1947 for all Africans at the proposal of the Provincial Commissioner). It further proposed the expulsion of Asians from the native quarter, and the control of house rents. The government's proposed solution was not to let Ilala to non-natives, and to stop leasing Kariakoo plots, to non-Africans, although the latter area already had too many Indians in it, a fact which it was decided not to publicise as doing so could cause ill feelings.¹⁰⁷

The government's attempts to put a clamp on the leasing of property to non natives in native areas met with little success. For a start this letting was allowed in "exceptional" circumstance, and secondly, many transactions could be carried out illegally. The attempts to "preserve" the native areas for natives only was not only racist but sometimes it worked against the poorer African property owners who were thus disabled to repair their houses, leading to the creation of native ghettos. The case of Fatma, a native landlady in Sikukuu Street, Kariakoo is illustrative.¹⁰⁸

In November 1948, Fatma, through her lawyer, sought from the Government, sanction to lease her property to a non-native (an Indian clerk). The lawyer pointed out that while there were people who would be willing to pay and ask no questions, Fatma wanted a clean deal and was even prepared to take out a Right of Occupancy (which would have meant her paying of higher land rent). She needed the rent money to complete her house. The Land Officer declined consent pointing out that, since January 1948, government policy was that there should be no further leasing of native property to non natives. The lady was warned that her Right of Occupancy would be revoked if she let her house illegally to a non-native. Despite the lawyer's plea that there was no reason why a native should not better herself, the government declined sanction. This should be compared with the Land Department's policy with relation to Upanga where consent to transfer land from native to non-native was being given smoothly ostensibly, to avoid racial segregation. It will be seen therefore that this policy was not conceived in the interests of the native, but in that of the colonial state i.e. to

107 see Tanzania National Archives Files No. 4/14, Housing in Zone 3 Dar es Salaam, Penetration by Indians, and 32982, Shortage of Housing, Zones II and III.

108 Details taken from Tanzania National Archives File No. 255, Land Transfer of property between Natives and non-natives.

preserve law and order by depressing rents, to prevent the displacement of natives, and to avoid racial strife. This view was paramount over the economic interests of natives. The policy benefited existing tenants who paid low house rents. They however, must have lived in a degraded environment. This however was of no consequence to the colonial government since its own policy aimed at cutting down house rents in the wake of the 1947 labour disturbances, was to erect very low grade temporary housing for natives which soon turned into a public health hazard. Landlords suffered from depressed rents while new migrants could do nothing but move into existing housing, aggravating overcrowding. This issue, in part convinced the government that new housing areas for Africans were required, thus the African housing schemes described above.

African Government employees had for long agitated for government housing. While the government African "quarters" were for all wage employees, government workers must have got preferential treatment so that in 1950, 75% of the tenants in Ilala quarters were government workers.¹⁰⁹ Except for the Temeke scheme, which proved initially unpopular because of high rents, and distance from the town, the "quarters" proved popular, though by 1951 complaints were registered from Ilala, where a *Tenants' Association* had been formed, that the Municipal Council was not responding to requests for house repair and maintenance.

The plot allocation scheme proved popular as well, despite the lack of land services. Most of the applicants were longtimer residents in Dar es Salaam and many expected to remain there permanently. Construction was mainly in wooden poles and thatch, and the 6 rooms *Swahili* house designed to take in lodgers was preferred. By 1958, the waiting list for Magomeni plots was 2,000 applicants, although it was pointed out that only 30 turned up whenever called, indicating that effective demand for the plots was waning, and also possibly that Africans were taking up plots in the informal sector. By 1958, the government was confident to report that there was no housing shortage in Dar es Salaam and elsewhere having been mostly solved by the people themselves¹¹⁰, at least as far as renting units and building

¹⁰⁹ Municipal Council of Dar es Salaam, *Minutes*, (Housing Committee 16/6/1950), 1950.

¹¹⁰ Colonial Office, *Report on Tanganyika for the year 1958*, Her Majesty's Stationery Office, London, 1959, p. 155.

plots were concerned. Plots too continued to be available in the Kigamboni area in the late 1950s suggesting that the initial popularity of this area waned when the more accessible schemes became available.

In the foregoing Chapter, reference was made to the growth of unplanned residential areas at Gerezani, Upanga and Kheko. While Gerezani was removed, and Upanga regularized unplanned settlements were growing. Kheko continued to expand. Another such settlement developed at Chang'ombe Toroli and grew in response to the siting of the Industrial area nearby. Though just outside the Township boundary authorities proposed the removal of this settlement as well as that at Kheko in the 1940s, in order to form a green belt between the Township and the surrounding rural areas as an effective way of combating malaria in the Dar es Salaam.¹¹¹ The Director of Medical Services, Dr. R.R. Scott, was all for the prevention of the growth of native settlements South Pugu Road, arguing that native huts provided food, as well as hiding places for mosquitoes. Clearly his views had not changed since the 1920s. He had measures taken under the *Defence (Control of Buildings: Uzaramo District) Regulations* of 1943 to prevent the construction of native huts in areas surrounding Dar es Salaam. Nevertheless, unplanned developments continued to spring up at Buguruni, Kigogo and Msasani.

It is however to be noted that in all of the planning schemes discussed above, existing native land occupiers had to be removed. In some cases i.e. that of the Industrial Area, natives elected not to confront the government, but to just receive compensation and move elsewhere. In other cases, land acquisition orders were not taken meekly, as was the case of Mwinyigogo bin Mwinyimkuu and his relations, with reference to their land at Mzimumi in Magomeni which the government wanted to takeover in 1951 vide General Notice 689 of 28/4/1951. In his letter to the Acting Governor (E.R.E. SurrIDGE), Mwinyigogo protested against the intended land takeover, pointing out that the land in question had been the occupation of his ancestors for 400 years then. These ancestors were interred there. It was being used for agriculture, and the clan intended to be buried there. They had been required to register their land (first registration) and although they had complied and paid the requisite

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see Memorandum on Proposals for the Extension of Zone II, in Tanzania National Archives File No. 24387, Improvement to Native Houses, Vol II.

fees six months previously, no titles had been issued, and instead, all they saw was the notice of the Government's intended acquisition of their land. He pointed out that they already lost their land in Upanga and if this Magomeni land was lost as well, they would have nowhere to go and would be destitute. It is not known for sure what transpired afterwards, but Mwinyigogo was called to see the authorities.¹¹² It would appear that his land (plots 121, 122, 123, and 124, Flur I) was acquired all the same since it appears in the land classified as belonging to Government in General Notice 1007 of 31/3/1958.

Not all the land acquired in Magomeni in 1951 was built upon or demarcated into plots so that in 1958 tenders were floated for the collection of coconuts on this Government land in Magomeni, Mbulahati/Kigogo, Magogoni and Kurasini.¹¹³ It is submitted that these large expanses of undeveloped government land were "forgotten" by the authorities after Independence leading to genuine squatting on these areas.

5.3.2 The Asians (mainly Indians)

Indians presented a variety of reactions to the above described scenario, depending mainly on their economic status. As Tanganyika was British territory, immigration from India became much easier, and by 1944, there were many Indians coming into the country in abject poverty "of mind and currency."¹¹⁴ These simply overcrowded with their families in trading shops in the commercial area. The government's proposals to deal with this situation by way of restrictive covenants proved impractical. Shortage of building materials due to War restrictions were also to blame, but even when these were partly relaxed, applications for building permits was low i.e. property was not a profitable venture then. So the *Economic Control Board* (a War time obundsman) allowed "austerity" buildings in the commercial area. There was also a suggestion by the secretary of the *Economic Control Board* that Asians should be encouraged to go back to India, by making a steamship available for repatriation.

¹¹² see Tanzania National Archives file No. 11/40 Land, Sundry complaints on shamba and plot Matters.

¹¹³ see General Notices 1006, 1007, and 1009, of 31/3/1958, and 1008 of 2/4/1958.

¹¹⁴ Tanzania National Archives File No. 32643, Proposals to deal with overcrowding in business premises.

This idea however, was not taken up.¹¹⁵ Party because of the grave accommodation situation in the commercial area, Asians overspilled to the native areas aggravating the accommodation situation there, and causing social tension. The more prosperous Indians however, invested in the city centre, acquired residences in the old (former European) Residential area and in Oysterbay, and acquired land in the Upanga area. While the government was opposed to the overspill of Asians to Zone III, apparently since this was likely to cause discontent, social tension and homelessness among Africans, it supported the Asians' purchase of native property in Upanga and in the city centre. Thus referring to the intended purchase of House No. 2, Mtendeni Street (belonging to an African)(Figure 4.3) by one Mr. Afzal Khan, the Dar es Salaam District Officer, on forwarding the relevant documents for consent to the Director of Lands and Mines in November 1947, recommended the purchase, since:

The house is situated in the Kisutu area, which is not reserved for Africans and which forms a natural area of expansion for non-natives living in Zone II.¹¹⁶

It was noted by Harry Ford¹¹⁷ that there was, after the War, heavy Asian demand for accommodation in the central area, and that the speculator was cashing on the boom. Much of the buildings in the area went largely uncontrolled in the form of additional floors, and the engulfing of open spaces. There was little thought for building lines, street widths or street layouts. The central area was getting more and more congested, so that densities in the Commercial area, according to the 1948 population census, varied between 72 and 198 people per acre. In part, this made the Government to regularize Upanga for Indians.

The Indian, and other non-native acquisition of Upanga was going on during the German colonial era, but it was intensified during the late 1930s and the 1940s so that while there were some 60 native landholdings (and some 100 native huts) in Upanga in the mid-1930s less than 10 native landholders applied for registration between 1946-1950, in spite of this registration having been made compulsory in 1949. We have seen previously how

115 *ibid.*

116 Tanzania National Archives File No. 255, Land, Transfer of Property, Natives to non natives.

117 Tanganyika, *A Plan for Dar es Salaam*, pp. 73-79.

government policy made it administratively easy for Indians and other non-natives to acquire Upanga, although in so doing, it tried to ensure that the right price was paid. This can be illustrated by the cases of Mwinshehe bin Mwinyikondo, and Kidatu bin Abdallah, both signatories of the 1931 petition against the intended removal of natives from Upanga.¹¹⁸

Mwinshehe owned 2.28 acres of freehold land in Upanga, being plot 70/61, Flur II. In October, 1950, he was approached by Messrs G.M. Chavda and H.K. Patel, who wanted to buy his land for 30,000/=. The Acting Land Officer (J.R. Kennedy), to whom matters were directed for consent, considered the value of the land to be 42,000/=, and noted that the value would be even higher when the land was divided into the earmarked 12 plots under the *Upanga Scheme*. The would-be buyers then offered the 42,000/=, arguing that Mwinshehe was putting up a building in the African area of Ilala, which included a small shop, and was hard pressed for money and wanted to use the proceeds of the sale for his Ilala building scheme. The Land Officer was still unhappy with the price but was prepared to give consent if the Provincial Commissioner felt that:

The African concerned appreciates the value for money and really requires a large sum to enable him to proceed with his building If you feel that such is not the case, perhaps he could be persuaded in his own interest to wait a few months longer.

Mwinshehe was interviewed and the District Officer reported that he needed the money and the deal had to be concluded by April, 1951. Apparently however, Mwinshehe knew the value of money as well, and did not sell yet. He was bought by Ismail Kassam and Badrudin Shariff in May 1951, for 70,000/=.¹¹⁹

Kidatu bin Abdallah, together with relations: Balrashi bin Salehe, Yahaya bin Salehe, Madia bin Salehe, Mwakungu bint Horera, Saida bint Horera, Suluhu bin Njani, Abdallah bin Salehe, Mwamambo bint Salehe, Mwatatu binti Horera and Badi bint Horera, owned 150,512

¹¹⁸ Details are taken from Tanzania National Archives Files Nos. 255, Land Transfer of property between natives and non-natives, and 11/40, Land, Sundry complaints on Shamba and Plot Matters.

¹¹⁹ To appreciate the value of this money, let it be known that two decades later, in the early 1970s, one could buy an acre of land at the outskirts of Dar es Salaam for just 200/=.

sq.ft. of land being plot 64 Flur III, Upanga area. In May 1951 a deed of transfer in which 140,000/= had been offered, had been executed by Patel and Co. (Advocates) for the transfer of the land to a non-native, and was forwarded to the Land Officer for consent. Since the land in question would have worked out at 14 plots in the *Upanga Scheme*, the District Commissioner considered the offer of 10,000/= per plot to be too low, so the deal fell through. Meanwhile Kidatu had earlier required that the *Upanga Scheme* should not disturb his family's cemetery. On reading through the deed above, and finding no mention of the family tombs, the District Commissioner concluded quite erroneously:

I presume his religious scruples over the tombs of his ancestors have been overcome by the offer of so many thousand of shillings.

On the contrary, Kidatu had insisted on the walling off of the family cemetery. It was for this reduced area (i.e. excluding the cemetery) that another offer of 150,000/= was made to Kidatu by Ismail Kassam and Badrudin Shariff in June 1951. This, the Dar es Salaam Municipal African Affairs Officer (A. Maddocks) thought was reasonable, but the Land Officer still thought that the land could fetch higher in the open market. Nevertheless the deal was concluded.

Two points are noteworthy from these two examples. One is the patronage which European Officials accorded themselves vis a vis Africans, who were portrayed as not knowing what was good for them. Two, was the drive by Asians to buy African land at prices which they knew to be lower than the land could fetch in the market.

After the *Upanga Scheme* had been prepared, and land redistributed, the Indians became the main developers of the area. The Ismaili Indians were possibly the most prominent, and we describe their reactions in further details.¹²⁰

Unlike the Hindus, Ismailis came to Tanganyika to settle permanently, and Ismaili Khojas (i.e. Hindus converted to Islam) are the majority of Indian Community in Tanzania. The majority of them migrated to the country between 1900 and 1940 on the advice of His

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Unless otherwise shown, the information on the Ismailis is taken from S.R. Walji, *A History of the Ismaili Community in Tanzania*, PhD Thesis, University of Wisconsin, 1974.

Highness the Aga Khan, who required them to leave farming and take up trade and economy. Among the early well known Ismailis who came to Tanzania were Sewa Haji Paroo (1851-1897), Allidina Visram (1863-1916) and Tharia Topan. Most went into business but diverted into small scale industry when conditions so dictated. In the 1920s, the Aga Khan directed the formation of the Jubilee Insurance Company, a non profit making body incorporated in Kenya, to lend money to anyone seeking a loan, and could produce two guarantors. The interest was set low at 6%. In 1946, another company, the Diamond Jubilee Investment Trust Company, was set up to help Ismailis throughout East Africa to put up commercial and residential buildings, lending money at low interest rates to first mortgagors. From 1945, the Ismailis in East Africa were advised to diverse into agriculture and industry, since Africans were coming up, and would be encouraged to take up trade to replace Indians. Agricultural ventures did not fare well, but commerce and industrial undertakings, as well as investment into property did well. In the early 1950, the Aga Khan suggested a scheme whereby every Ismaili family in East Africa should have a home, "if poor, a small one, an apartment, a room, but absolutely his own". Building societies were then formed to help Ismailis who could not build their own houses. Initially single storey buildings and bungalows were put up. Later on apartments were preferred.

The first scheme in Dar es Salaam centred upon the Chang'ombe Construction Company, founded in 1953. Many plots were taken up in the Chan'gombe area and bungalows put up. These were sold for a deposit of 8000/=, and a monthly rent of 275/= covering the instalment and interest charges. After the construction cost was met in 1969, the housing scheme became free. The second scheme was in Upanga where two and three bedroomed apartments were constructed and sold to Ismailis. For a deposit of 7000/=, and a monthly rent of 240/= one could get a 2 bedroomed apartment. For a 9000/= deposit and a monthly rent of 260/=, one could get a three bedroomed apartment. The scheme started in 1955 and the apartments were fully paid for in 1970. There was a variety of apartments. The most expensive ones were the 48 Crescent Flats which were sold for between 62,000/= and 66,000/=, with an initial deposit of 25,000/= and the balance to be paid in five years. The cheapest (2 bedrooms) cost 22,000/=, with an initial payment of 4000/= and a monthly rent of 100/=. There were 42 Ismaili building societies in Dar es Salaam in 1975 with a total investment of Tshs 21m/= mostly in Upanga. All these borrowed from the Diamond Jubilee

Investment Trust Company and the Jubilee Insurance Company, and by 1955, £2,100,000 had been given to these as loans to individual Ismailis on mortgages on buildings. At least 150 houses were constructed in Upanga. Besides, various educational and social institutions, including the famous Diamond Jubilee Hall, were put up.

Finally, it will be noted that the Industrial area in Dar es Salaam was for the most taken up by Indian entrepreneurs. For the Ismailis, this was in response to the Aga Khan's advice, but for the Indian community in general it was felt that they would be less vulnerable, and, if anything, more powerful, if they concentrated on industry in addition to commerce.

All this was done with the encouragement of the colonial government, and it is submitted that this was a continuation of the trend which in the 1920s helped the Asians to virtually take over all land in the commercial area of Dar es Salaam. It was all part of the responsibilities which the Asian Community was supposed to handle and play in the wider capitalist relationships. The Asians were, on their part, out to make money. They had judged the situation in Tanganyika in particular, and East African in general, to be secure enough to allow investment, growth and profit making. On its part, the colonial government saw the Asian community as the right persons to man the territory's commercial and industrial ventures, and it was doing what it could to help within the constraints of the colonial setup. Viewed this way, the interests of the Asian community, and the colonial state as agents of capitalism, coincided.

5.3.3 The Europeans

We have seen earlier how the colonial government amended the *Land Ordinance* in 1947 to enable the governor to allocate land to non-natives otherwise than through public auctions. This made it easy for Europeans, particularly officials, to acquire land in the Oysterbay area of Dar es Salaam. At the same time, government policy aimed at encouraging employers to put up housing for their employees and we have shown above how several companies took up plots and constructed for their senior officials in Oysterbay. Among key companies owning plots in Oysterbay were: Brooke Bond (East Africa), K.J. Properties, Lehmans (Africa), African Merchantile, East African Lighterage, Cable and Wireless, East African Oxygen Acetylene, Wigglesworth, Riddoch Motors, Dalgety's East Africa, East African

Airways, African Trading, Smith Mackenzie, and Car and General Equipment.¹²¹

As a general rule, temporary buildings for the first three years of the Right of Occupancy, (but extendable to five years) were permitted. Besides, Oysterbay allottees were not required to pay the road frontage premia when these were introduced so that although Oysterbay was, initially, not well serviced, infrastructure was soon extended to this highly valuable land without the allottees contributing to the cost. Thus the government was all out to help Oysterbay people acquire land cheaply, develop it at moderate speed, and have it later on serviced at full public cost. This was only made possible because colonial officials wanted a stake in the area. This kind of approach to land policy is still upheld todate.

5.3.4 Economic responses: an overview

One major economic response during the period under review was the rapid migration of people to Dar es Salaam. The aftermaths of the War created a situation of optimism among households on the one hand, and situation where the government could spend more on urban development on the other. There was pressure on the government to act to relieve overcrowding, regulate land uses, provide housing, improve infrastructure, and generally, manage urban growth. Because of its sounder economic standing as a result of the funds of the *Ten Year Development and Welfare Plan*, plus a buoyant post War economy, the government was able, within the limits of its own conceptualisation of what urban land uses should be, to undertake various planning schemes, which generated enthusiastic responses from the various actors. Where the government was slow to act, as in the cases of the Industrial area, Upanga, the City Centre as well as in the cases of government land left idle, spontaneous activity took place, but this was later on incorporated in the government's planning schemes. The Government policy of zoning for the various races was producing mixed result. In the native areas, zoning was supported by African tenants, but opposed by landlords and Indian tenants who wanted to occupy native houses. Acquisition of native land for town planning schemes generated some limited reaction from Africans, but by and large, many accepted government terms.

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Municipal Council of Dar es Salaam, *Minutes*, 1950.

Most development took place in response to, and in accordance with government policy. Even private freeholders of land were advised to have their land subdivided in a certain directions. There were only a few happenings outside government dictates e.g. the unplanned development that were taking place at places like Keko, Toroli, Msasani, Kigogo, and Buguruni.

5.4 Overall Deductions on the Evolution of Dar es salaam's Land Use Structure in the 1940s and 1950s

The major historical happenings of the period were World War II; the agitation for better conditions of living by Africans; and the decolonisation process. In anticipation of the latter two, the colonial government had been posed for change since the late 1930s. The past policy of territorial self sufficiency seemed to have failed. Territories like Tanganyika, remained poor, and under such conditions, remained a poor current or future market for consumer or producer goods from the mother country, and remained a poor produces of raw materials. Poor colonies were also hapless to be handed Independence to. The colonial territories had therefore to be "developed". Roads, railways bridges, airports, ports etc, were constructed or expanded. Mines were opened up and natural resources tapped. Social welfare, in the form of expanded education and health facilities, for example, was improved. All these were incorporated in the *Ten Year Development and Welfare Plan* which was the major backup of urban land policy in Tanganyika during the period. This had major effects on the land use structure of Dar es Salaam, since it allowed the improvement in infrastructure, as well as the conceptualisation and undertaking of the various residential, and functional land use schemes within the Municipality.

Colonial policy with regard to African labour changed, and labour stability in urban areas was accepted, at least for those with employment. This was in part, in responses to the emerging import substitution industrialisation. If labour was accepted for permanent residence in Dar es Salaam, it was not only to be employed, but to be housed as well. Schemes to ensure the supply of African housing were undertaken. The directly constructed houses were earmarked for the upcoming African "cream". Although the standards adopted were much lower in comparison to European or Asian housing, these schemes were considered a major uplift for the African. For some of the African "cream", opportunities to own modern urban

housing were provided through the loans of the *African Urban Housing Loan Scheme*. Demarcated plots were provided for self construction.

Housing schemes were also prepared for the Asian and European communities. There were publicly constructed complete houses for renting or occupation free as part of the employment. There were also demarcated plots for private construction. The standard of housing, land and housing services and size of plots differed with race, Europeans getting the most and Africans the least. The principle of public health could not be avoided, thus the concern with overcrowding in the Indian and native areas. The solution to this was also sought in creating new African housing schemes. The non-servicing of African areas continued to create concern in terms of public health dangers throughout the 1950s, particularly when unserviced African areas got sited too near the low density (European) Housing.

Besides residential schemes, an Industrial area was designed along Pugu Road. It was serviced and allocated to Europeans and Asians. A new drive towards comprehensive town planning was embarked upon from the mid 1940s culminating in the 1949 *Plan for Dar es Salaam*; the introduction of a Town Planning Department in Government; and the enactment of the *Town and Country Planning Ordinance* of 1956. Despite that Africans were agitating for equality, and were poised to take over the reigns of power, access to land and land use in Dar es Salaam continued to be conceived in racial terms throughout the 1950s.

This was perhaps the colonial officials attempts to preserve their privileges in the face of the onslaught against racism driven by the economic power of the Asian Community (which aimed at breaking racial barriers between itself and the Europeans), and the African nationalism. It was also meant to create a psychological situation as to the status of the African vis a vis the European. Colonial officials may also have misjudged the speed of the decolonisation process.

The *Land Ordinance (Amendment)* of 1947 was clearly meant to give officials easy access to urban and agricultural land. The Europeans forged close relationships and a working environment with Asians in view of the latter's economic importance. The African continued to be segregated. This situation was articulated at territorial level whereby the policy of

"parity", which the colonial government attempted to install, and which meant that the different races were represented by an equal numbers of members in the *Legislative Council*, was clearly a means to preserve the privileges of the Europeans, and Asians against the Africans. This would appear to be another example of the colonial state propagating its own interests instead of the interests of capitalism. Propagating the interests of the latter would have meant, during this period, doing away with racial segregation, and encouraging social interaction and equal opportunities.

Public authorities, particularly the central government, were a key player in determining Dar es Salaam's land use structure; selecting, acquiring, demarcating, servicing and allocating land for various uses. In many cases, Public Authorities also directed or influenced the actions of the private sector. The central government regularized the land use in private ownership in Upanga, for example, and smoothed the process of removing natives from there. It directed Africans to their own designated areas. It allocated Oysterbay and the Industrial area to Asians and Europeans, and it continued to oversee the development and servicing of the these areas. Spontaneous action outside government policy was limited.

In the wider context of the capitalist penetration of Tanganyika, the Dar es Salaam port was greatly improved, the airport relocated and several roads and other means of communications, linking Dar es Salaam to the rest of the country, greatly improved. Dar es Salaam became better connected to the country and to the world and could work much more efficiently as a port, and as a commercial and administrative centre. All these led to the fast growth of Dar es Salaam so that by 1957, the Municipality was over three times as large in terms of population as the next largest town of Tanga. It seems fair to conclude that Dar es Salaam's land use structure during the 1940s and 1950s was almost entirely the result of government policy, which in turn was a response to the dictates of the epoch which required the stabilisation of labour and more effective urban management. However, the old order of racial segregation continued to be upheld. Colonial officials were perhaps under pressure to protect and possibly enhance their own privileged positions.

On the eve of independence, the landuse structure of Dar es Salaam had grown further to add to the previous structure: an extended European (and Asian) area at Oysterbay, and

to a lesser extent at Kurasini; a regularised Upanga areas for Indians; new African residential areas at Ilala, Temeke, Kinondoni, Magomeni and Kurasini; and the Industrial area along Pugu Road. Several unplanned areas developed at Kheko, Chang'ombe, Kigogo, Msasani and Buguruni, and several others were in the making just outside the Municipal boundaries. This landuse structure was mainly a result of government policy whose motivation, however, was neither efficiency, nor equity.

With the coming of Independence, racial segregation had to go but the already established land use patterns and relations could not be obliterated. The independence period ushered in a new era. New attempts were made at "development", but the government's ability to regulate urban land uses was to get constrained under the sheer weight of rapid urban growth, inadequate and in appropriate regulative and administrative frameworks, dwindling resources, and many other fundamental adverse factors that faced the independence government.