

# Effectiveness of Land Institutions in Addressing Land Conflicts in Dodoma Region: The Capital City of Tanzania, Tanzania

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**Abstract:** Land is the main economic asset and resource for the majority of people in developing countries. However, due to increasing demand of this unique resource though population growth and changing land uses, there have been frequent conflicts between local communities and institutions vested with powers to administer and manage land matter. This paper assesses the involvement of stakeholders in addressing land conflicts in Dodoma urban district. The study involved 110 respondents in Dodoma region who provided their opinions on the study theme. Both qualitative and quantitative methods were employed in data collection. Data was collected using questionnaires, interviews, observation and documentary review; and were analyzed using SPSS (20.0) for quantitative data and content analysis for qualitative data. The study reports that Dodoma Urban District is managing land issues. But it is not effective in managing and administering land issues for sustainable development. Moreover, most of majorities are not knowledgeable on the responsibilities in managing and administering land issues. But also, the study investigated that most residents are affected by losing of their piece of land due to confiscations by government. Furthermore, the study noted that formal land institutions consider gender equality in accessing, using and distributing land. Lastly, the study noted the opinions of the residents that the government and other land institutions should invest in disseminating land laws, procedure educations so as to increase awareness, knowledge and practices of accessing, using and distributing land. The study recommends that government under ministry of land and all stakeholders should make coordination and provide land policy education to the community.

**Keywords:** Land institutions, Land Conflicts and Land Policy

## 1.0 INTRODUCTION

From the world history land has been, is and will continue to be, the human habitat on planet Earth (Mwamlangala, 2013; Ochoa et al., 2021). Because it is a resource that cannot be expanded as human population (Zhu et al., 2018), thus is a source of conflicts among users (Moyo and Sanga, 2018; Haule, 2017; Lindley, 2015). This is due to increased global demand for land due to increased levels and volatility of food prices, urbanization, and use of land for environmental purposes (Ratner et al., 2010; Haule, 2017). From the experience of China and India the wave of urban land disputes is influenced by lack of stakeholder's involvement in administering land issues (Walwa, 2017; Solana, 2013; Fernandes, 2010). As it was reported by Gilbert (2018) and Whiting (2011), land conflicts were caused by lacking of stakeholders in failing to plan and strategize ways of addressing violence's in land issues. Likewise, in African countries many stakeholders dealing with land issues fail to reorganize and participate fully in addressing land disputes (Rwechungura, 2009). This is due to antagonistic interest in administering and managing land disputes which is emerging today (Kim, 2012; Zhu et al., 2018; Peters, 2007). Thus, many countries in Africa such as Kenya, Burundi and Ethiopia, to mention a few, have recently embarked on changing their land policies as well as land legislation in order to resolve land conflicts (Fjeldstad et al., 2017; Peters, 2004).

## 2.0 Literature Review

In recent decades, African cities are fastly growing very rapidly in the aspects of demographically and spatially (Andreasen, et al., 2020). It has been projected by United Nations by estimating that Africa's urban populations will double between 2015 and 2040 (UNDESA, 2018). This has cause 85% informal land market in urban cities that is not in compliance with formal regulations for land-use planning, transfer of ownership or development control (De Soto, 2006; Rakodi, 2006). It is in these areas that land institution in most African countries engage in addressing challenges emerging in land management and administration. The core functions of land institutions in many African countries are planning, surveying and titling which involve land tenure security, promote land market, development control. These core functions are not effectively attended by land institutions in African continents which results to land disputes. Experiences shows that land disputes in developed and developing countries still is an alarming issue, this can be seen in China (Mongolia) the number of solved administrative cases was 634 in 2014 and 245 of them were land dispute cases. The number of administrative cases in 2015 was 926 and 231 of them were land dispute cases (Baasanjargal, et al., 2017). Furthermore, a growing body of literature like Baasanjargal et al., (2017), Mwamlangala (2016; 2019) indicates that the common land related disputes are as follows:

- 1) Extending fence without any permission
- 2) Using the public ownership area without any permission
- 3) Extending first floor building without any permission
- 4) Disputes caused by the land possession and use contract
- 5) Not utilized the land as provided in the contract for two years without any excuse
- 6) Extending fence with its official land size
- 7) Unpaid rent service on time
- 8) Unrenewed the period of ownership and using certificate of land
- 9) Owning and using land more than one owner

Across Africa, land disputes continue to be an alarming issue, because it is increasing day to day due to the fact that the shortage of land in urban areas is a challenge. This is due to increase of population pressure (Trakman, 2019). But most scholars and other practitioners condemn different land institutions which address land matters for urban dwellers (Ochoa et al., 2021). These condemnation of land institutions has divided into many dimensions, specifically are technical, ethical in land administration and management, this is because land officers sometimes are weak in performing their daily responsibilities in land administrations while other practices in disciplinary actions by corrupting in land services and development (Tenga and Mramba, 2014). This has raised attention among scholars, academicians, practitioners, politicians and communities who are the most affected group in land ownership (Ochoa et al., 2021). Researchers across Africa, reports that most land institutions are not competent in administering land matters in rural and urban regions because they don't comply with land laws and policies by contextualizing the need of the time (Peter et al., 2019; Trakman, 2019). This is because urban livelihoods are dynamic in nature because changes depending to the culture, time and context of the people (Peter et al., 2019; Trackman, 2019; Mwamlangala, 2020). A growing body of literatures indicates that, about 60% of urban people in Africa are facing land disputes which cause death of people, migration, poverty, fragile environment, destruction of property like demolition of houses, transportation systems and others. This has led to difficult urban life to people (Mwamlangala et al., 2016; Peter et al., 2019). Other scholars like Koeva et al., (2020) has documented the reason that, this land disputes do emerge due to undocumented land rights, were 70% of the world population has not yet documented while 30% has documented land rights within formal land administration system. Furthermore, literature shows that in Zambia, the city of Lusaka 70% of the city urban population resides on 10.5% of the land in unplanned or informal settlement while the remaining 30% of population in planned and convectional suburbs occupy 11.4% of the land (Chitonge et al., 2015). It can be seen also in Kenya, Tanzania and Uganda, the citizens and entities submit their complaints to the government authority bodies but there is delaying of solving the land cases which later results to conflicts of land among users (Rwegasira, 2012; Mwamlangala et al., 2016). Therefore, it can be clearly understood that land institutions in Africa are ineffective in land administration and management which pose to frequent land disputes in urban areas. Although the countries have taken different initiative to clear these doubts by formalizing their land and amending laws which involved principles of segregation of African in accessing, using and distributing land which were introduced by colonialism in 1800's yet the challenge of land disputes is still under eyes of many people in urban regions. It is on this ground now, that this piece of paper investigates effectiveness of land institutions in addressing land disputes in Tanzania, specifically in Dodoma region, the Capital city of Tanzania.

## **2.1 Current status of Land Conflicts in Tanzania**

Tanzania like other countries in Africa, land is source of all livelihoods to human beings (Mwamlangala, 2020). This is because people use for economic activities like agriculture, fishing, settlement, commercial and other uses (Baasanjargal et al., 2017). It contains a total area of 945,087 sq. km (364,900 sq. mi), including 59,050 sq. km (22,799 sq. mi) of inland water. Comparatively, the area occupied by Tanzania is slightly larger than twice the size of the state of California (Mwamlangala, 2020). It is estimated in 2020 population of Tanzania is 59.73 million inhabitants, up from the 2014 estimate of 50.8 million inhabitants, ranking 24<sup>th</sup> in the world, whereby about 70% live in rural areas (Tanzania National Bureau Report, 2020). Although studies have documented that the availability of land as a resource is declining fastly (Trakman, 2019; Andreason et al., 2020). The reason is due to increased demands or population pressure on the land has resulted in the reduction of land size and increased competition for land, thereby inducing various land disputes (Mwamlangala, 2020). Responding to these challenges, the United Republic of Tanzania (URT) introduced the National Land Policy in 1995 to address various land matters, like land disputes (Andreason et al., 2020). Thus, in the 1990s, Tanzania passed through tenure reforms in various fields, including economic growth, poverty eradication, and

environmental sustainability by ensuring land tenure security. However, the country facing challenges of urbanisation due to population growth at a rate of 5.2% per year, which is among the highest growth rates in Africa (URT 2013). At this rate, it is expected that, the urban population of Tanzania will reach 50% by 2030 due to rural urban migration. This has caused continuation of land disputes in many urban areas because people need land for settlement, land for investment and other needs from the land (Andreasson et al., 2020). The rapidly increasing of land disputes has reported from the budget speeches of the Ministry of Lands, Housing and Human Settlements Development from five consecutive financial years starting in the 2009/2010 financial year to the 2013/2014 financial year. Findings show that between 2010 and 2011 many cases were filed and determined in the District Land Housing Tribunal (DLHT) compared to other years. Cases that were filed within that financial year are 12,643 and those that were decided were 10,092. The year 2012 and 2013 experienced another increase of both filed and decided cases registering a total of 12,074 filed and 9,831 decided cases (see, Figure 1).



**Figure 1:**

**Demolition of House in Dodoma-Makulu ward in 2011**

While the trend for both filed and determined cases have been changing in the last four financial years, it has been shown that the trend for pending cases is increasing at an average of 2000 cases per annum. In the 2009/2010 financial year, pending cases were 13,203 whereas in 2012/2013 pending cases were 19,897 (Ministry of Lands Budget Speeches; 2009/2010- 2013/2014)<sup>2</sup>. Furthermore, responding with this challenge, the government of Tanzania managed to adopt land regularization in many regions like in Dare-es-salaam in unplanned settlement like Manzese, Buguruni, Vingunguti, Sandali and Chang'ombe by constructing community infrastructure and social facilities. Properties identified to complement the upgrading exercise the government in collaboration with respective municipal councils identified property rights between 2004 to 2014 amount to 274,039. Out of this 102,959 have already been issued residential licenses of which 3,736 are used as collaterals in various financial institutions. The project is on-going focusing peri urban areas. The objective of the programme is to address the large number of unregistered parcels of land in the country by bringing them under the operation of the Registration of Titles Act and clarifying the ownership of parcels to accurately reflect existing legal rights to the parcel<sup>3</sup>. The program comprised Land Registration, Land Information Management, Land Use Planning and Development and Public Land Management. Other regularization projects were done as follows: Dodoma Municipality: The Capital Development Authority (CDA) regularized six unplanned settlements where 5,651 plots were surveyed. Moshi Municipality: regularized 4 settlements where 2,290 plots were surveyed. Tanga City: regularized five unplanned settlements where 956 plots were surveyed; Mwanza City: in collaboration with the Ministry of Lands identified 36,172 property rights, surveyed 14,821 plots out of which 6789 certificates of occupancy have been issued under the Private Sector Competitiveness Project which started in 2009 under the World Bank<sup>4</sup>

Furthermore, the government in collaboration with respective local authorities has opened 40 District Land and Housing Tribunals out of needed 132 districts country wide (Ministry of Land Housing and Human Settlement Development Report (2015)). In addition, the government has decentralized land management and administration from the Ministry of Land, Housing and Human

<sup>1</sup> Ministry of Lands Budget Speeches; 2009/2010- 2013/2014.

<sup>2</sup>; Ibid

<sup>3</sup> Ibid

<sup>4</sup> Ibid

Settlement to district level so as to deliver land services to people. This has helped people to avoid the emerging costs that were spent when authority was at the ministry of land at Dar es-salaam region. Yet land disputes in Tanzania does not come to an end it continues to be an obstacle of many people's livelihoods within the country. This is because land institutions lack commitment in sharing skills, techniques for resolving land conflicts through advocacy of land issues (Mwamlangala, 2013). This has emanated the unawareness of land education issues to most communities which cause land conflicts (World Bank, 2010). In spite, the Land Act of 1999, Land Use Planning Act of 2007 and Urban Planning Act of 2007 calls for participation of various actors ensuring progressive land security (Rwechungura, 2009). Although, of these Acts and the Land Policy of 1995, which highlights the interrelated form of urban governance, leadership and land management to all land institutions still land conflict in Tanzania is undeniable which needs to be addressed so as to improve community livelihoods (Machira, 2011; Rutaitika, 2008; Kaijage, 2005). Like other urban areas in Tanzania, Dodoma region is facing with frequent incidences of land disputes among users which affect many people in the region. For instance, from 2000's to date there is emerging land disputes in the region which is caused by rapid increase of populations who demand land to make permanent settlements. For example, in 2011 about two people died and one hundred and ninety houses were demolished (Figure 1) (Legal and Human Right Centre report, 2011). The reason is reported by Haule, (2017) and Rwechungura (2009) that is due to in-effective urban land strategies, where stakeholders or land institutions are not adequately involved in land management processes. Therefore, this study intended to assess the effectiveness of land institutions in addressing land disputes in Dodoma region, Tanzania.

Dodoma Municipal Council (DMC) is another major institution involved in developing Dodoma into capital city. From 1972 to 1981 due to its abolition the responsibilities and functions of the council in managing land and its associated activities were handled to CDA. The powers of the Council in managing Dodoma urban development activities have been resumed by the Local Government (District Authorities) Act 1982 and the Local Government (Urban Authorities) Act 1982 with their amendment in 1999 by the Local Government Laws (Miscellaneous Amendment) Act (No. 9) of 1999 which re-established the Local Government Authority in Tanzania. The Authority was re-established in order to facilitate the transfer of more authority back to the people. The Authorities of Local Government have been empowered by the laws the right and power to participate and involve the people in planning developing programmes and undertaking various activities for Dodoma capital city. Through these legal frameworks the government under the Ministry of Land and Housing Settlement Planning in 2018 has moved power regions to have authority of handling titles of land after finishing the process of land measurement and evaluations. This has simplified the acquisition of land titling certificate ownership; despite of these initiatives still land disputes is mushrooming within the country. It might be due to the poor land governance, inappropriate of land use plans, inadequate of land policies, land use insecurity, corruption and population increases (Baasanjarga, 2017; UNDESA, 2018; Naess, 2019).

## **2.2 Theoretical and Legal Framework on Land Conflicts in Tanzania**

The concept of land disputes worldwide is not new. It is connected with a conflict theory propagated by Karl-Max, a German Scholar and a revolutionist by 1818 to 1883 which was improved by Ralf Dahrendorf (1929–2009) on social conflict theory (Holden et al., 2008; Turner, 2011) who build an assumption that, struggle for property ownership through class structure due to the scarce resources it creates revolutionary class conflicts, it argues that every society is characterized by power relations in which members of the society exercise power over other members, each member of the society contributes to the change of the society (ubiquity of productivity). Furthermore, every society is subject to constant and universally present change (ubiquity of change). The last assumptions are that, every society knows social conflicts (ubiquity of the conflict). These basic assumptions open the window of building the strategies, procedure and approaches in managing social and economic conflicts. Thus, the study adopted also Institutional Economic Theory (IET) which was developed by two prominent Austrians Paul Lazarsfeld a sociologist, and Oskar Morgenstern, an economist in 1963. These scholars built the argument to have ethical methodological individualism of both behavioralism and rational choice approaches, which considers processes social structures (Peter, 2000). These structures include schemes, rules, norms, and routines, which were established as authoritative guidelines for social behavior. These schemes depend on assumptions, firstly is by encouraging long term land investment (Roth et al., 1994; Peter and Pierre, 1998; Peter, 1995). A second assumption is that secured property rights also are thought to improve security of ownership because such rights encourage efficient resource use, while such rights reduce land-related disputes in urban regions and benefits in access to credit if land can be used as collateral (Deininger and Castagnini, 2006; Holden et al., 2008). Thus, institution Economic Theory addresses property rights that involve a relationship between the right holder, others, and a government structure to back up the claim. Therefore, it is remarkably to use these two theories because has guided the study to address the variables on land ownership, legal procedure and benefits of adopting them so as to minimize the continuing land disputes in urban region.

## **3.0 Study Area and Research Methodology**

The study was conducted in Dodoma-Makulu Ward (Dodoma urban district), the Capital City of Tanzania, which has population of 17, 097 inhabitants, where males and females were 8,219 and 8,878 respectively (URT, 2012). The choice of this area was due to



the frequently increase of land conflicts, poverty, food insecurity and exclusion of marginalized group in land acquisitions (Mwamlangala, 2013; DONET, 2012). The methods used so as to ensure triangulations of data in order to achieve validity and reliability of data, were Observation Guides, Interview Schedules, and Documentary review and Questionnaires as a tool (Bryman, 2012). The design used were Cross Sectional Design. The reason for selecting this type of design was due to its role which allow the use of both qualitative and quantitative approaches (Multiple Approach) of data corrections. The use of these two approaches help to triangulate data from different sources. The sampling unit of the population were the head of the family or anybody who were entrusted by family were responsible to be involved in the study. Therefore, the study used sample size of 110 of the respondents. The sample size of the respondents was obtained through simple random procedure under probability sampling. The simple random procedure was adopted through the following procedure: Acquisition of the list of households from the respective ward. Then, selecting by ticking names from the list given from Ward Executive Officer (WEO) up to the actual size of the sample required to be researched, after that, researcher wrote names to the small piece of paper by giving numbers to every respondent identified. Lastly, the researcher makes a rotary game which helped to know who are the respondents to be first researched or to fill the questionnaire guide (Bryman, 2012). But also, purposive sampling was used to select key informants from officials in different institutions. This sampling helped to triangulate information from the field. The study measured effectiveness of land institutions through Likert scale of five level (1= Strongly Disagree, 2= Disagree, 3=Neutral, 4= Strongly Agree, 5= Agree) and developed Mean Index ( $\bar{X}$ ) which indicated the magnitude of the actual percentages (%) from the measured attributes.

In this study, qualitative data were analyzed by coding and organizing them into themes and concepts of manageable units and quantitative were analyzed by Statistical Package for Social Scientists (SPSS.23), thus the analysis were descriptive and quantitative. Quantitative data were presented in the form of tables and figures to show the relationship between roles of involving stakeholders in addressing land disputes in Dodoma Urban district, the Capital city of Tanzania.

## 4.0 FINDINGS AND DISCUSSIONS

### 4.1 Demographic Characteristics of the Respondents

The study was interested to understand the demographic characteristics of the respondents because of its potential to determine their awareness on stakeholder's involvement in land matters. The study found that 21.8% of respondents have lived in the urban areas for the period between 5 and 10 years, whereas about a half of respondents (50.9 %) have lived in urban areas for the period between 10 to 15 years (Table 1). The majority of respondents ( 73.6 %) of respondents were males while only 26.4% were females. The study also took note that the land or permanent settlement is owned by men (who are obviously heads of households) and few females own land. Results presented in Table 1 showed that 69 % of the respondents were married. The findings suggest that married residents are obviously pressed to possess the permanent settlement, as compared to another group who were not married. The reason was given through In-depth Interview with District Land Officer in Dodoma City Council, he had this to say:

*.... "Most married people prefer to find pieces of land so as they can establish their residents because of having children and other dependents comparing to unmarried people who they don't even feel that residents are more important and reduces costs of living. These unmarried people they just live-in ghettos house only with two or five people in their rooms sleep together" ....*

However, 40% of the respondents were from 45 to 59 while ordinary secondary level (35% and standard seven (28%). This imply that few respondents from the study were aware with the right of acquisition of land in the study area. The reason of not being aware with land rights was observed by the TULab (2019) noted that education impart competencies, skills, abilities and capabilities to human being for their livelihood and increases decision making power which is rightful on livelihood strategies to be adopted. Therefore, if a person fails to have education mostly also fail to know different things and make right decisions.

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

Attributes	Categories	% Proportional
Period to stay in Dodoma Urban	5 – 9 years	21.8 %
District	10 – 15 years	50.9 %
Sex	Male	73.6 %
	Female	26.4 %
Marital Status	Not married	14.5

Age	Married	69.1
	Divorced	3.6
	Separated	9.1
	Widow	3.6
	25-29	12.7
Education level	30-44	27.3 %
	45-59	40.0 %
	60 and above	20.0%
	Up to Standard 4	10.9 %
	Standard 4 – 7	28.2 %
	Ordinary Secondary Level	34.6 %
	Advanced Secondary Level	10.9 %
	College	15.5 %

Source: Field Survey Data, 2020

## 4.2 Involvement of Land Institutions in Addressing Land Disputes in Dodoma Urban District

### 4.2.1 Respondents Awareness on Land institutions which governs and manages Land Disputes in Dodoma urban district

Findings from Table 2 reveals that most of the residents in studied ward reported that they know land institutions which address land matters. The study calculated the Likert scale through Mean Index. It was revealed that at Mean Index Mean Index ( $\bar{X}$ )=2.4719 which display 69.8% of the respondents agreed that they know stakeholders which address land matters. The reason of knowing the stakeholders was given by one of the women, 51 years old, who had this to say:

... “We know the appropriate stakeholders which address land matters because of the existing land disputes in Dodoma City Council is where present different land cases but also the United Republic of Tanzania declared to establish Dodoma City Council as the one which addresses all issues about land development” ...

**Table 2: Awareness of Land institutions which Administrate Land Use Development**

Attribute	Strongly Disagree	Disagree	Neutral	Agree	Strongly Agree
Dodoma City Council	26.2	31.1	13.8	45.3	55.9
Non-Government Institution	23.3	16.2	11.6	6.6	22.2
Residents/Community of Dodoma	30.7	21.0	5.3	53.1	48.7
Private	12.4	5.9	10.1	8.4	9.9
District Tribunals	15.8	8.2	13.7	34.6	42.1
MKURABITA/Government	22.1	19.3	5.7	10.9	19.8

Source: Field Survey Data, 2020

The survey results are in the same vein with Haule (2017) study in Mbeya city and Kombe (2005) in Dar-es-salaam and Wabelo (2020) study in Ethiopia, reported despites of people to be aware with land institutions which addresses land matters they fear and they are not knowledgeable with the procedure and processes of presenting their land cases in respective authorities. This creates many land disputes in urban and rural areas of Tanzania. Furthermore, through Focus Group Discussion (FGD) in Makulu ward with residents, it was revealed that most residents face challenges of land conflicts because the Dodoma City Council does work effectively because they lack resources which is required to implement urban land use planning. Generally, the study observed that most people know the real institutions which address land matters but still land conflict exist to the Makulu ward due to lack of legal education on processing land cases and other challenges facing them relating to land development.

### 4.2.2 Effectiveness of Land Institutions on administration and management of land conflicts in Dodoma Urban District

Furthermore, the study wanted to know the effectiveness of land institutions in managing land conflicts in Dodoma urban. Then, Figure 1 displays that about 81.6% of the respondents reported that land institutions are not effective in administrating and managing land conflicts in Urban areas. However, it was revealed through Likert scale Table 3 by calculating Mean Index that, at ( $\bar{X}$ )=3.2651 displays 76.8% of the respondents who reported that land institutions are ineffective in managing land conflicts among users. The

reason was observed during FGDs with respondents in the ward, reported that poor customer care, use long time in handling land use planning, corruptions are factors that hinder urban land use development which cause the emerging of land conflicts within the ward.

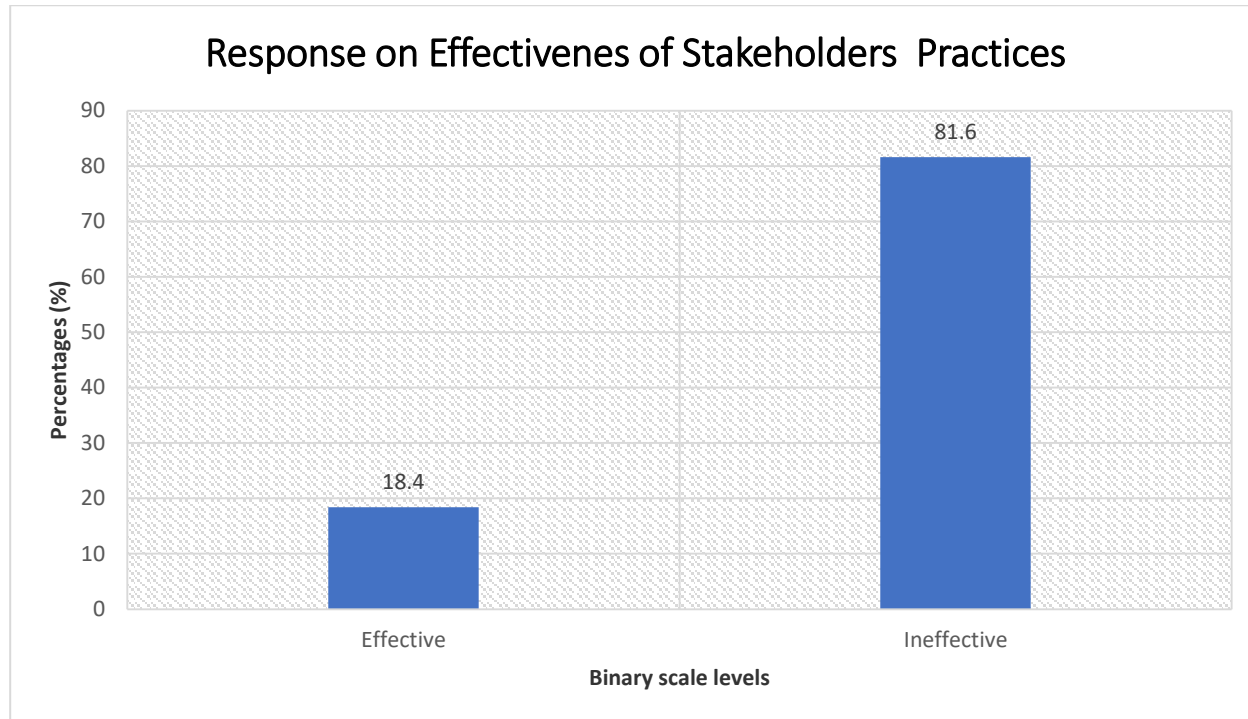


Figure 1:

#### Effectiveness Land institutions in Managing Land Conflicts

Source: Field Survey Data, 2020

Furthermore, the study observed the existence of land conflicts as it was reported during the interviews with one man, age 45 years old who had this to say:

*“Dodoma urban district is a mainstream of land conflict in the region. Dodoma urban authorities use Police force to interfere our right”. He added by saying that see that house was demolished by gladder from the Capital Development Authority (CDA) in 2011. This caused the death of one resident and one police in Dodoma urban.*

However, it was reported through In-depth Interview with Tribunal magistrate who had this to say:

*“Most people in Tanzania, specifically in Dodoma region are not conversant with the responsibility of land institutions, they are not able to distinguish different authorities which address land matters. Thus, they spend more time visiting offices which later creates sources of land disputes”.*

**Table 3: Opinions on Effectiveness of Land Institutions in addressing land conflicts**

Attribute	Strongly Disagree	Disagree	Neutral	Agree	Strongly Agree
Address land issues at a time	45.6	33.1	11.2	15.8	11.9
Practice Bureaucracy	34.2	45.1	5.1	23	18.5
Good Customer care is good	40.1	30.7	14.0	17.1	20.3
Have good technology	21.2	10.4	9.3	14.6	10.5
Use participatory approaches	45.7	49.2	4.9	18.2	13.9

Provide land information	36.1	29.7	7.1	11.3	16.5
Ability to manage land conflicts	34.3	39.9	8.4	8.3	19.8

Field Survey Data, 2020

The study went further through documentary review to investigate the truth of effectiveness of land institutions. It was reported from Legal and Human Right Centre (LHRC) that (Plate 1) which display land conflict in Dodoma – Makulu ward (Njedengwa) in 2011, where one police and one resident aged 32 years died during the fighting between police and residents. The findings implied that most officers they lack managerial skills which could help to handle these cases in participatory way comparing the use of force which cause conflicts with community. Concurrently, the study done by Bruce (2011) and Estifanos (2020) observed that, insufficient mechanisms and tools for substantive participation by community-based stakeholders leads to poor capacity of land institutions to adopt strategies of developmental planning, opposite to interview with Donet Networking Environmental of Tanzania (DONET) program officer who reported that

*“Dodoma urban is not a source of Land conflict because it uses legal tools in planning and managing land, the main issue is land officers who violate administrative procedure which directs o perform activities, thus people they dislike the urban administration deals with land issues.”*

The study findings are also concurrently with the study done in Nigeria by Kariuki (2005) who reported that, in 2003 to 2007 many residents were forcibly evicted from their houses while they had permanent legal documents in justifying their land ownership. But government demolished all houses in Abuja, by claiming that all people were against Abuja Master Plan, even if they had given legal documents for permanent ownership. The general observation by the study was revealed



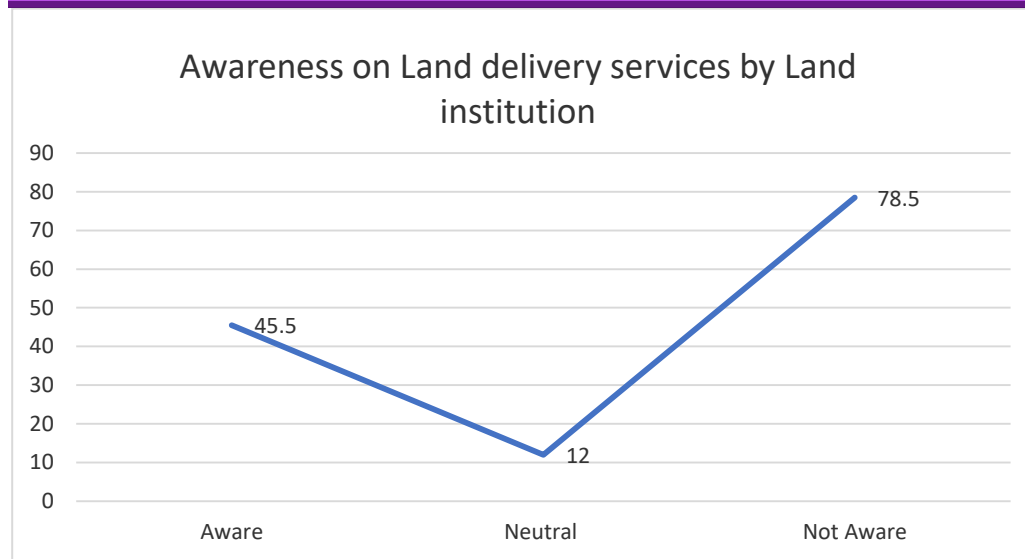
that land institutions are not effective in addressing land issues in studied area.

**Plate 1: Police force maintaining security and peace during land conflict at Njedengwa- in Dodoma- Makulu Ward: (Source: LHRC, 2011)**

#### 4.2.3 Knowledge on responsibility of Land institutions in land delivery services in Dodoma urban

The study finding in Figure 2 displays that about 78.5% of the respondents did not know the responsibilities of the land institutions in delivering of land services. The study went further by calculating the Likert scale through the mean index ( $\bar{X}$ ) = 40.8% . This imply that most majorities in the studied area they are not familiar with the responsibilities of land institutions in land delivery services.





**Figure 2: Awareness of Respondents on land delivery services in Makulu Ward**

Again, the study wanted to know if respondents are able to mention the responsibilities performed by land institutions, it is found that about 37.5% of all respondents said that land institutions increase land tenure security (Table 4). The implication of the study shows that respondents who had knowledge on the role of land institutions were few comparing to the number of households who were involved in the study.

**Table 4: Respondents Awareness on responsibility of Land institutions on land delivery services**

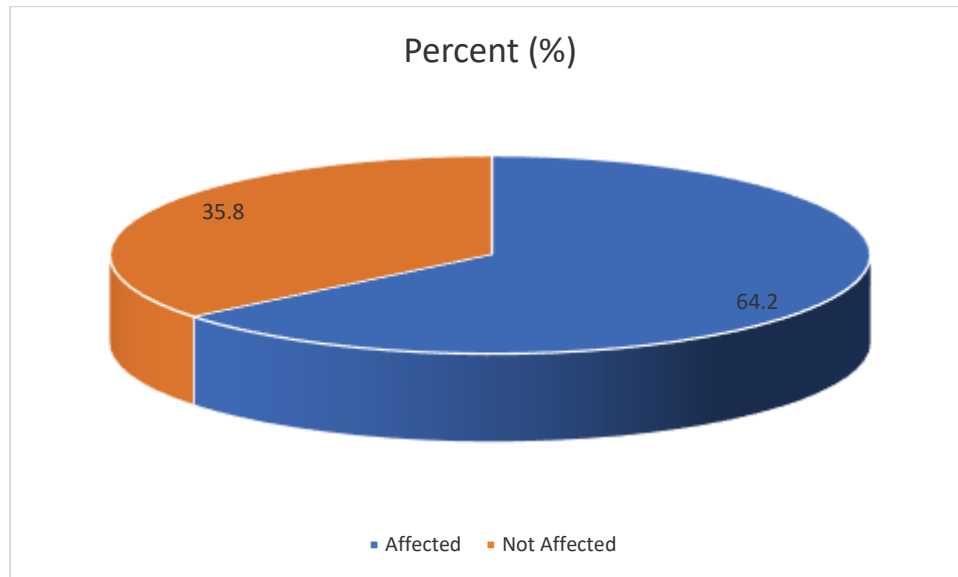
Roles of Land institutions	Percentages (%)	Percent (%)
To protect land rights	12	10.0
To avoid land conflicts	23	19.7
Increase land tenure security	45	37.5
Provides land titles as collaterals for loans	20	16.7
Boundary identification	5	4.2
Provide tribunal services	15	12.5

**Source:** Researcher, 2020

The results are in line with the Official report from VEO/street chairperson and Land Tribunal Court magistrate both they argued that, lack of education to most people in Dodoma urban about the responsibility land institutions still is a problem which creates conflicts among land users because they mix functions of Dodoma urban city and other non-government organizations. Moreover, the similar study done by Kim (2012) study in Korea, Mngumi (2015) and Rwechungura (2009) and Mwamlangala (2020) both study in Tanzania asserted that many land institutions in Africa are operating independently in land matters and they design their frameworks which guides land issues which are not parallel with government legal tools of land acquisitions and distribution. This causes the spark of land conflicts in many areas; thus, majorities fail to distinguish roles of these institutions. But also, researchers observed that institutions dealing with land matters are not cooperating well thus the majority fail to understand their roles in land administration and management to the studied area. The study results comply with an In-depth interview and FGD which reports that most respondents in studied ward they complained that politics has destroyed the whole process of land administration because every politician want to declare his or her directives towards the professionals in land administrative and management which cause a multiple functional of institutions which deal with land issues. Thus, the study concluded that most respondents are not aware with responsibilities of land institutions inland delivery services

#### 4.2.4 The Effect of Land institutions in land settlement Formalizations Processes

Moreover, the study wanted to know if respondents had been affected by land settlement formalization within the study area. The study revealed that (Figure 3) about 64% of the respondents had been affected by land institutions (Dodoma Urban Authority) during the process of land settlement formalization. The results imply that most people within the ward are being affected in the process of land formalizations which also affects their urban livelihood's.



**Figure 3: Effect of Land institutions in land settlement Formalizations Processes**

**Source:** Researcher, 2020

The study observed the feeling of the respondents that even in 2011 similar effects had been happened, through In-depth -interview with one of the respondents, woman with age 42 who reported by condemning that, in 2011 *before death of my husband we had muddy house after his death I worked hard to build my good house now Dodoma urban with investor called SINANA enterprise destroyed my house because have power and am weak so am stumbling with my children.* ". In the same vein, during the year 2011 up 2020 the ward had re-experienced the similar challenge with an endless land conflict (Interview and FGDs report, 15<sup>th</sup> June, 2020).

Furthermore, the researchers went further to identify the effects that were faced by respondents within the study area. The results displayed (Table 5) below indicates that there are many effects which faced by respondents in the study area, but the key effects were Confiscation of piece of land (26%), Broke of road (14%), Demolition of toilet ( 13%),The new road pass between my ground/piece of land (16%) and other's disturbances (11%).Results imply that, the process of land settlement formalizations under Dodoma Urban Authority affects much residents within the region. It seems that the process is friendly but which contain some element of politicization which undermine professionalism of land officers to work more efficiently and effectively.

**Table 5: Effects of Land Settlement Formalization in Dodoma-makulu Ward**

Multiple Response	Frequency	Percent (%)
Confiscation of piece of land	150	26.2
Demolition of houses	45	7.9
Demolition of toilet	72	12.6
Broke of road	80	14.0
Demolition of fens	23	4.0
Cutting of trees and flowers	14	2.4
Demolition of my shop	34	5.9

The new road pass between my ground/piece of land	89	15.6
Other's disturbances	65	11.4
<b>Total</b>	<b>572</b>	<b>100.0</b>

Source: Field Survey Data, 2020

Thus, the study tries to compare the truth from the respondents and Land Officers. It was revealed from the Land Officer in Dodoma Urban City Authority that most people are condemning the system that is affecting their livelihoods which is not true because the Ministry of Land and Housing has procedure and rules which guides the management and administration of land. These challenges are existing because most people are not participating in meetings and other seminars which address all these issues of land management. Furthermore, Researchers observed that investors negotiate with the government without involvement of indigenes. This action causes conflicts between indigenes, investors and government. It is in the same vein to Shivji (2009) who authenticated that: "It is common knowledge that any investor invests first to serve his interests before serving your interest. In line with Machira (2011) and Kabisch *et al.*, (2015) postulate, what we are experiencing is a situation where investors are using cheap labor and our land, first and foremost to maximize profits which are later externalized. They would rather grow flowers than food for the starving Zambians. If the major intention is to develop, why then should they invest in areas where there is existing development, why not invade bare land?" (Machira, 2011). Study results is supported by Haule, (2017), Beret *al.* (2015) in German and Sikor (2004) in China contends that land conflicts occur due to grabbing land to residents by giving investors and multiple allocations of land which is caused by corruption and lobbyism between stakeholders or institutions officers and investors. The study observed that, stakeholders dealing with land matters are ineffective in addressing free-market economy (investment) on land which results in land disputes.

#### 4.2.5 Roles of Land institutions in addressing gender equality in land ownership

Also, the study wanted to know the awareness of the respondents about the role of stakeholders dealing with land matters in addressing gender in land acquisitions and distributions. The study findings (Table 6) displayed that 54.5% of the respondent reported that land institutions to some extent consider gender in land acquisition and ownership. The study findings, implies that most people in studied area had no knowledge about the role of gender inclusions in accessing, use and distributing land. The result displayed does not comply with National Land Policy of 1995 and Act 24 (1) of Constitutional of Tanzania of 1977 which states that, ensuring equal access to land by all Tanzanians.

**Table 6: Roles of Land institutions in addressing gender equality in land ownership**

Responses	Frequency	Percentage (%)
Consider gender right in land ownership	32	29.1
To some extent considers land ownership	60	54.5
Does not consider at all land ownership	18	16.4

Source: Field Survey Data, 2020

In the same vein, the study investigated through FGDs and In-depth interview the dominant land institutions which does not and perform equitability in land ownership. It was reported that family institutions do consider gender in accessing, use and distributing land. But government institutions consider gender equality in land ownership.

This means that, it is the objective of the policy to facilitate an equitable distribution of and access to land by all citizens. This principle is replicated in the section 3(2) of the Land Act No. 4 of 1999 declares that the right by women's to access, use, distribute and sell it should be known that is the same right to men's at the same standards and conditions and section 23(2) (c) of the Village Land Act No.5 of 1999 also it notes that during the process of Village land use planning by Village land council when starts to implement the registration of land within village, it should consider the applications of women's equal to men's. Also, section 161(1) and (2) of Land Acts 4 of 1999 it notes that the right to own land by joint or double allocation between men's and women. The study findings noted that land stakeholder officers are violating rules and ethics of the land policy which shows principle of equality and equity between men and women in land ownership which cause lack of awareness to people about gender equality in land acquisitions.

#### 4.2.6 Opinions on the strategies which address land conflicts in Dodoma urban district

The study asked respondents on the main strategies which can address the problem of land districts in urban areas. Results Table 7 shows that 31% of respondents reported that, education of land laws should be provided to citizens of Tanzania, 22% claimed that

provision of land planning and surveying technique/geodetic and cadastral to stakeholders. The results were similar to the study findings, it was observed that government should practice advocacy to all residents in regions in order people to be aware of all legal procedure of land acquisitions. This was argued also by Bruce (2011) and Solana, (2013) confirmed that in collaboration of governments and other stakeholders should provide and implement legal laws educations which describe the means and ways of land acquisitions by local people. In the same vein, report from FGD and Key informants authenticated that, unawareness of the land legal tools which guide and regulate the use, access and distribute land to local people is still very low which results to sparking of land conflicts in a study area. Furthermore, the study quoted one of the women (56) years during the interview who reported that I bought my land were my house is seen from one man (45) without legal documents which justify the real owner of the land now the seller of this land is demanding my bought land but I will fight until death. However, the study generally, noted that land education and surveying was the dominant response as the strategies which can address land conflicts in urban areas.

**Table 7: Proposed strategies to be practiced by Land institutions in addressing land conflicts**

Attributes	Frequency (n=110)	Percentage (%)
Settlement area should be planned and surveyed	3	2.7
There must be coordination between land Institutions and citizens.	6	5.5
Regular exchange of land institutions which fail to implement settlement projects	12	10.9
Provision of land certificate/deed of land acquisitions.	14	12.7
The government should make clear amendment of land laws in Tanzania.	7	6.4
Provision of land planning and surveying technique/geodetic and cadastral to stakeholders	25	22.7
Education of land laws should be provided to citizens of Tanzania.	34	30.9
To eradicate exclusion in land distribution.	8	7.3
Effectiveness of land laws should be practiced	1	0.9

**Source:** Field Survey Data, 2020

#### 4.0 CONCLUSION AND RECOMMENDATIONS

The study findings reported that respondents know institution which deals with land matters which is Dodoma urban district. Also study findings revealed that stakeholders dealing with land matters have no capacity to deal with land issues. The study reported that many respondents had no title deeds for their land, thus they are being affected by investors, stakeholders who deal with land issues practice corruptions and bureaucracy. The study concludes that Dodoma urban district has frequent incidences of land conflicts due to poor institutional capacity in land governance and lack of land policy education to people. In 2018, Dodoma region has authorized and powered to be a city region; therefore, the study recommended that the government under ministry of land and other practitioners like NGO's should look at a milestone in strategizing plans by focusing on size of the region land, population growth, and fiscal and physical infrastructure investment in relation to policies reviews which answer the new challenges of the world so as to escape urban land disputes. Also, the study recommended that land registration should be on line (digitalization) in order to capture many people at time like happening in Ruanda and South Africa.

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## 6.0 : CONFLICT OF INTEREST

No any conflict of interest

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