City Growth and the Plight of Street Vendors in Dar es Salaam, Tanzania: The Need for Policy Coordination

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Abstract

Dar es Salaam, the commercial capital of Tanzania, is growing very fast. One of the sectors that have changed remarkably in recent years is the transport sector. A mega Bus Rapid Transit (BRT) project was recently introduced to help in solving traffic jam problems in the city. But as the City grows, some groups become more vulnerable than others. One of these groups is that of street vendors. In order to give way for the BRT project, hundreds of street vendors were moved by force from the Ubungo commuter bus terminal – which used to be a hub of street vendors – and relocated to a newly constructed market in a place called Mawasiliano or Simu 2000. Within the first week of the exercise there was chaos, and the field force police had to be deployed to restore order. Using in-depth interviews, focus group discussion, participant and non-participant observation, and quasi-experimentation, a study was conducted to explore the coordination of the whole exercise and how it affected the welfare of the relocated vendors. The study found two contradicting orders (one from the Municipal Mayor and the second from the District Commissioner) led to chaos and a lot of disturbance to the vendors. It is concluded that uncoordinated policies at the municipal level adversely affect the welfare of the street vendors. Lack of a comprehensive written national policy to manage the activities of informal traders in Tanzania is seen to be a major problem, calling for coordinated policies at the municipal level.

Keywords: Dar es Salaam, informal, policy

Introduction

In 2016 there was a campaign by the police to remove vendors from Ubungo, a famous crossroad place at the very gate into the city of Dar es Salaam, to a newly constructed market named Simu 2000. In putting in a bit of history, Msoka (2007) indicates that, the re-introduction of the Local government Authorities in Tanzania in 1984 was accompanied by insufficient funds. This, according to him, made municipal councils to devise various ways of revenue generation; the main one being

taxation of small businesses. The Simu 2000 market is a project of the Ubungo Municipal Council that aimed at collecting and formalizing street vendors, removing them from the Ubungo area close to the Bus Rapid Transit (BRT) project, and in this case, placing them in an incomplete and unfinished market structure.

So far, most of the vendors in Dar es Salaam in general and those of Ubungo in particular, have not been able to organize in order to influence policy making. Most of the policies that govern their activities are verbal pronouncements that vary between each election cycle (Msoka and Ackson, 2017). This may partly be due to their lack of assurance to permanence as Lyons and Brown (2009) have indicated. Although the middle and high-class people would use the term 'underemployed' to describe them, street vendors do not normally refer to themselves as underemployed but rather insist on the long hours of work, lack of access, little earnings and insecurity of their work conditions (Vargas Falla, 2016; Bromley 1997). The ILO recognizes informal economy as a sector of the economy that employs more than a half of world citizens (Vargas Falla, 2013). Malefaxis (2015) would rather use the term *self-organized business activities*. Lyons and Brown (2009) have suggested that the proliferation of small retail businesses in general, and street vending in particular, in Tanzania's urban centers must be understood as part of a broad economic context. It has been noted in the literature that the central government in Tanzania has been coordinating urban eviction campaigns to remove street vendors (Msoka 2007) but has not been able to come up with a coherent policy position that safeguards the welfare of the street vendors. There have recently been some hopeful developments in the policy and legal arena, but what remains undone is finding ways through which policies governing street vending are harmonized and uniformly coordinated at both national and municipal levels.

The next section presents the theoretical framework on how to understand street vending. For the purpose of this article, the rights approach is employed. The discussion starts with an understanding of what entails public policy and is then followed by a discussion, in short, of the major tenets of the rights approach (or rights-based approach) to street vending. The subsequent section presents a review of some relevant literature from Tanzania and elsewhere, followed by a description of the existent policies governing street vending in Tanzania. The methodology part follows immediately after and then a discussion of the findings of the study informing this article comes up. The final section covers a general conclusion and some policy recommendations.

Access to the City - the Rights Approach

There have been several ways in which writers have tried to define and explain public policy. For the purpose of this article, Guy Peters seems to best capture the imperative for policy coordination. According to him, stated most simply, public policy is the sum of government activities, whether acting directly or through agents, as it has an influence on the life of citizens (1999). In this understanding the government choses and acts and its choices and actions affect or influence the lives of citizens. The effect of his influence to the poor street vendors in a fast-growing city may imply the shaking and even complete compromise of the very foundations of their livelihoods. The only recourse for such poor and vulnerable people must be found in their rights – naturally understood and backed

by an enforceable legal provision.

The rights-based approach to justice (and injustice) draws on the liberal tradition which understands rights to be naturally bestowed on all by God or another form of divine source. The rights of the poor are therefore the rights of humans by virtue of being so and because what is natural is what ought to be used as the standard for all legitimate human law (Watts and Fitzpatrick, 2017). The philosophical foundation that adequately explains the relationship between the poor street traders and the government authorities that make laws and policies is also to be found in the Kantian School of morality. In this style of political ethics, actions are understood as moral or immoral on the basis of natural duties that bind both parties.

The debate on rights (and particularly natural rights) has sometimes led to the labelling of the rights-based approach to social justice as 'deontological' because if rights are readily available to all they become prone to abuse and constraints to the pursuit of the common good. Dworkin (1977) is a case in point. The importance of the pursuit of common good is accentuated particularly in utilitarianism as promoted by such thinkers as Bentham (1789). It is logical and reasonable to argue for the 'greatest happiness for the greatest number' but the policy outcome of space use in modern neo-liberal cities has proven to allow for the greater misery for greater number of city dwellers. Our cities have continuously been more and more exclusive (Alison, 2017). As Watts and Fitzpatrick (2017) have noted, utilitarianism disregards distribution of well-being and fails to 'respect people as ends and not means (p.39). An alternative to the capitalistic commodification of urban space which results in the intensification of poverty is therefore found in Harvey's *Rebel Cities: From the Right to the City to the Urban Revolution* (2012). In it, Harvey argues that it is the quest for profit from urban land that led to the polarization in the distribution of wealth in our cities. As Harvey proposes, we need a fundamental re-creation of our cities and improvement in urban social relations.

One way of creating these inclusively growing cities is through good and well-coordinated urban policies. In Tanzania this is lacking as Msoka and Ackson (2017) have indicated – that the policy and legal framework has created an environment where compliance is simply impossible for street vendors. Tanzania has no 'single unified legal framework that addresses street vending' (p. 200). There is also no legal provision on how street vendors can access justice, neither is there a law giving space rights to street vendors. Municipal laws and policies differ from one municipality to the other, which leads to differences in treatment from one district to another. The only recourse for street vendors is the constitution which provides for right to work and own property – although the implementation of this does not seem to translate down to the rights of street vendors.

Many African countries failed to provide adequate education and employment to their people due to the introduction of the Structural Adjustment Programs in the 1990s (Mulenga, 2001; Zeleza, 1999; Msoka, 2007). An economic alternative for many people in these countries, therefore, became involvement in petty trading – one of the models being street vending. Mhede (2012) supports this view in his report on furniture manufacturing firms in Tanzania. He reports that the subsector of the industry is dominated by cluster based micro and small enterprises that operate along the road. He attributes the entering of hundreds of indigenous owned small to medium sized ventures into the sector

in the early 1980s to the introduction of the Structural Adjustment Programs (SAPs) in Tanzania. Studies have also shown that small (and mostly informal) businesses have a great capacity to create employment for the poor in developing countries, (Humphrey, 1995; Schmitz, 1995; Kweka, 2006). Malefaxis (2015) states that, *'Colonial strategies to tackle this ''problem'' found a continuation in the post-colonial administration of Dar es Salaam*'.

Nevertheless, Msoka and Ackson (2017) have indicated that 'mass informal markets in Tanzania' have their genesis in the economic hardships of 1970s and early 1980s exacerbated by the Kagera War of 1978. In 1983 the Penal Code, Cap 16 was enacted, and had the effect of labelling all informal self-employment as a practice against the tenets of *Ujamaa*. Tripp (1996) notes that the response of the government to the booming 'illegal' activities of street vending and other forms of informal businesses was the introduction, in 1983, of the Human Resource Deployment Act (HRDA). Later the Dar es Salaam City Commission saw that the HRDA was a source of revenue and expanded the licensing policy's span to include open-air vending (where the merchandize is displayed on the ground along the roadside) and road-side tables. It has been argued that policy implementation is the hardest stage of the policy cycle and that one of the major reasons for policy failure is reliance on the pre suppositions and premises of Causal Theories of public policy (Birkland, 2011). Following the innovation of the then President of the United Republic of Tanzania Benjamin William Mkapa and the arguments of the famous Peruvian economist Hernando De Soto, the Dar es Salaam City Council built a six-storied building in the Ilala Municipality, named Machinga Complex, which aimed at providing formal vending space for street vendors. The construction of the complex is a clear example of how a causal theory (or story) that what street vendors needed was only a formalized space structure misinformed public policy. Most space in the complex remains unoccupied while the vendors are found 'en-masse' along the streets nearby (Msoka and Ackson, ibid). As Lyons and Brown (2009) have put it, the present formalization process excludes large numbers of entrepreneurs. Its failure to address fundamental contradictions between current urban policy on micro-trade and the developmental objectives of broader formalization policies should sound alarm bells in the policy-making arena.

De Soto's (2000) belief that legalization of the informal assets of the poor would lead the capitalist prosperity beneficial for everyone lies in its inability to conceptualize informality as a differentiated process, embodying varying degrees of power and exclusion (Roy, 2005). Informality is an issue of distributive justice and entails more than mere upgrading of the physical environment which Roy (2004) has called "aestheticization of poverty". She has continued to argue that urban planning policies adopted by Third World governments should focus on the welfare of the poor – helping them to help themselves. India is one good example of what could be done to adequately include and accommodate street vendors into the modern economy (Chandra and Rajul, 2015). The sector seems to be well organized there and even state regulations have been put in place for the protection and guidance of the street vendors. There are specific NGOs advocating for the rights of and organizing the street vendors at national level. There are policies and laws in place also. In India, locations, sizes and even aspects of space are clearly dealt with. In India the concept of the natural market is said to be enshrined in the National Policy on Urban Street Vendors 2004 and this was invoked

by SEWA – a trade union of self employed women, including street vendors – who participated, on 19th of December 2009, in 'first ever Public Hearing on Displacements of Lives and livelihoods in Ahmedabad City' (Mahadevia and Vyas, 2017:106). The reasons for the displacements resemble the ones in Dar es Salaam, which included the introduction and construction of infrastructure for a new Bus Rapid Transit (BRT) (ibid).

Street vending is the most visible form of the informal economies in the urban settings. Laski (1982) has affirmed that *'...a state, which refuses one, the thing it declares essential to the well-being of another is making one less a citizen…its claim upon one is (then) built not upon its ethics, but its strength…a state must give to men their dues as men, before it can demand at least with justices, their loyalty'*. In the same vein Brown (2006) has indicated that the convenience of access for customers is 'of paramount importance' to petty traders given the small profit margins they make in each transaction. It follows from this theoretical position that where the state and its agents regard part of the economy as being informal then the same state has the duty to ensure that those who work in this sector are assured of safety and good working environment. One way of doing this is through good policy coordination.

Keith Hart conducted his field work in Nima, which is a big settlement outside Accra Ghana, between 1965 and 1968. He found that a very substantial part of economic activities was actually conducted outside the legal framework and was not easy to analyze using formal economic models (Nustad, 2004). Same arguments are central in the work of De Soto (2000). Researching in Bogota, Ana Maria Vargas Falla (2016) found that there was mismatch between what authorities accept as 'street vendors' and what they actually do to them when it comes to the questions of obeying the law and proper use of public space. According to her, street vendors were not considered workers but merely as invaders of public space. Government officials often argued about the need to formalize street vendors and move them into specific market places. Mahadevia and Vyas (2017) have noted that in India, natural markets by schools or bus stands are places that create congregation of vendors due to high demand but when the markets are disperses the vendors lose their income. They continue to argue that street vending forms a very significant segment of the unauthorized sector of the economy and accounting for an estimated 2% of the working population in some cities.

Brown (2017) argues that street vending is one of the most visible parts of the informal economy, providing a key source of new jobs particularly for the young people and also supporting significant urban-to-rural and international remittances. Hunter and Skinner (2003) report that a survey conducted in South Africa in 2003 revealed that 88% of traders were the sole breadwinners in their families, and that over three-quarters had at least three dependents, while 30% had seven or more. This suggests that street trading (including street vending) is very important for family well-being in Durban City. Crush and Faiyne (2011) have stressed the important role that street trading plays in food security showing that majority of traders were food sellers. This reality can partly explain why sometimes street vending is not adequately included in national social policy. But, one more facet needs to be added to this understanding: that it is imperative to make sure that the 'market places' they are forced into are actually adequate in both infrastructure and business potential, and that the whole exercise of moving them is administered through coherent policies.

Municipal authorities use different methods to manage street vending, which in many cases is regarded as illegal. Normally the municipal authorities in Tanzania and elsewhere use armed forces to remove the vendors form streets and relocate them. In many cases the street vendors resist and conflict erupts between them and the police. In many places and for a long time, street vendors have been seen as parasitic, unproductive, traditional, bazaar or unorganized. Scholars like Parra (2009) and Donovan (2008) - as referred to in Vargas Falla (2016) - have indicated that most of the political debate between 1995 and 2008 prioritized the issue of public space over the needs of people working in the streets. Austin (1994), in discussing the plight of poor black street vendors argued that, to them, breaking the law was the only way to survive. This is because the determination of the point at which to draw the line between the formal and the informal is a 'matter of political struggle' (p. 2119). They find it imperative to be vigilant about the regulation of entrepreneurial activities at local levels because their livelihoods hinge upon the available forms of regulation. To cite him:

> "Struggles over the regulation of street vending are nothing new. Cities have a long history of trying to drive vendors from the streets or to restrict their access to pedestrian traffic. Wherever and whenever street vendors appear, controversies over street vending almost always pit the same groups against each other. On one side are the vendors, their loyal customers, and …On the other side are city authorities concerned about taxes, congestion, sanitation, aesthetics, and property values" (p. 2121).

Devlin (2011) has described the laws that govern street vending in New York as "confusing, convoluted, contradictory and difficult to enforce with consistency" (p. 53). The result is that the environment in which the street vendors work becomes uncertain and subjected to power and influence of property owners and expressed in terms of surveillance, intervention and intimidation. To this could be added the adverse results of individual politician ambitions and contradicting policy positions of the municipal authorities. Nevertheless, more recent literature focusing on street vending in Africa, Asia and Latin America has raised several new issues such as economic contribution (Skinner, 2017), right to the city (Brown, 2017; Fernandes, 2017; Kinyanjui, 2014) political sensitiveness (Kristiansen, Brown and Raach, 2017; Kafafy, 2017) as well as new developments in policy and legal frameworks (Msoka and Ackson, 2017; Brown, 2017; Mahadevia and Vyas, 2017). Kinyanjui (2014) in particular, points out that the conflict between vendors and authorities has a very long history, particularly in Africa. According to her, consecutive local government authorities have worked hard to remove the informal economy from the central business district (CBD), choosing to contain it in the city periphery. The conflict over city space dates back to the colonial period when the city was segregated on the basis of race (p. 87).

The political sensitiveness of street vending is well captured in Kristiansen, Brown and Raach (2017) as well as in Kafafy (2017) mentioned above. Mohammed Bouazizi, a 26-year-old street vendor, set himself on fire in December 2010 and died in January 2011. He was protesting against constant harassment by the police and Tunis city officials. His death led to further protests that eventually became full-fledged cries for justice and democracy. Following this incident people rioted, beginning from Avenue Habib Bourguiba and Tahrir Square, then spreading all over the two cities of Tunis and Cairo. According to Kafafy (ibid), the outcry for democracy spread throughout North Africa

and the Middle East leading to the downfalls of presidents Mubarak in Egypt, Ben Ali in Tunisia and Gaddafi in Libya (pp:220). The aftermath of the revolution has brought about mixed results for street vendors in these and other countries, but in general, the condition of the street vendors has not significantly changed.

Tanzania's policy framework governing street vending

Tanzania is yet to come up with a formal comprehensive written national policy to manage street vending. According to Msoka and Ackson (2017) each of the districts in Tanzania had its own legal arrangement for governing street vending. To be or not to be selling on particular streets depends (or depended) on pronouncements of political authorities both at municipal and national levels, which, at sometimes, were uncoordinated. One way to deal with this situation is through a form of formalization process. Formalization is an important part of urbanization and city growth. But growth should always aim at balance and inclusiveness. Formalization which does not respect good order and policy coordination may neither be effective nor sustainable.

In December 2018 the President of the United Republic of Tanzania Dr. John Pombe Magufuli inaugurated a nation-wide campaign of providing identity cards to all small traders including street vendors. The IDs are intended to take care of two principal issues regarding informal small trade. One is to remove the tension between vendors and municipal authorities and particularly the police. The second is to make informal small traders official tax payers through a payment of twenty thousand shillings as annual fees for the identity card. This policy development is a new one and more research needs to be done on its effectiveness. This study sought to know the first impressions of various stakeholders and the initial findings are included below. Nevertheless, the main focus of this study was how the removal and relocation of street vendors form Ubungo to Simu 2000 was coordinated.

Methodology

The study used a mixture of approaches and methods in order to capture different aspects of the complex phenomenon of street vending. Non participant observation was conducted each morning and evening for a total of 28 days in order to understand how the exercise of settling in the new environment was unfolding. The findings were recorder in note books and later analyzed thematically. The observations were qualified and enhanced by the use of a quasi-experiment method in which case two young vendors - one young man and one young lady were observed particularly for the first three months to learn what was happening to each of them as they were struggling to settle during the early days of uncertainty. The young man was selling trousers and was occupying a concrete stall inside the market structure while the young lady was selling vegetables. Both of them were befriended to the researchers and the daily talks were made cordial and friendly to collect actual events as well as their feelings about what was happening. The researchers decided to buy vegetables form the lady each other day and observe in the process what was happening to her. The stories were also recorded in note books and analyzed later. An in-depth interview was also conducted with the chairman of markets and bus stands for Ubungo municipality in his office. The interview was structured and the responses were recorded in writing and analyzed thematically.

A female PhD student who was also interested in the informal economy was involved in one session of focus group discussion in Ubungo. As she was female it was easy for her to befriend the women selling food near Oilcom Petrol Station in Ubungo. She also provided some data through participant observation. It was easier for her to collect data from these women on who was arrested and who was not and also about corrupt practices of the municipal militias in dealing with street vending in Ubungo. The results were also recorded and analyzed thematically. Relevant literature was also reviewed. Field work was done in Ubungo Municipality between April/May and August 2016 for the collection of initial data. One important policy development, that of the introduction of vendor IDs occurred during data analysis. This is also evaluated and analyzed. Informal interviews were conducted with a total of 16 stakeholders – 11 vendors and 5 general commentators in order to capture the very initial impressions on the vendors ID policy.

The experience of street vendors at Ubungo

On the 26th of August 2016 the Minister of State in the Prime Minister's Office-Regional Administration and Local Government ordered Dar es Salaam Regional commissioner to immediately make sure that all the vendors near the Bus Rapid Transit trunk lane in Ubungo are removed (for security reasons). He ordered for the deployment of a 24-hour police patrol in the area to make sure that the street vendors do not take advantage of the evening time. This announcement/order was a follow up only as the process of removing street vendors from the area had already started in April 2016. Similar orders had already been given by both the District Commissioner and the Mayor of Ubungo municipality. In Ubungo the study uncovered several issues regarding street vending relationship with local and national level political authorities.

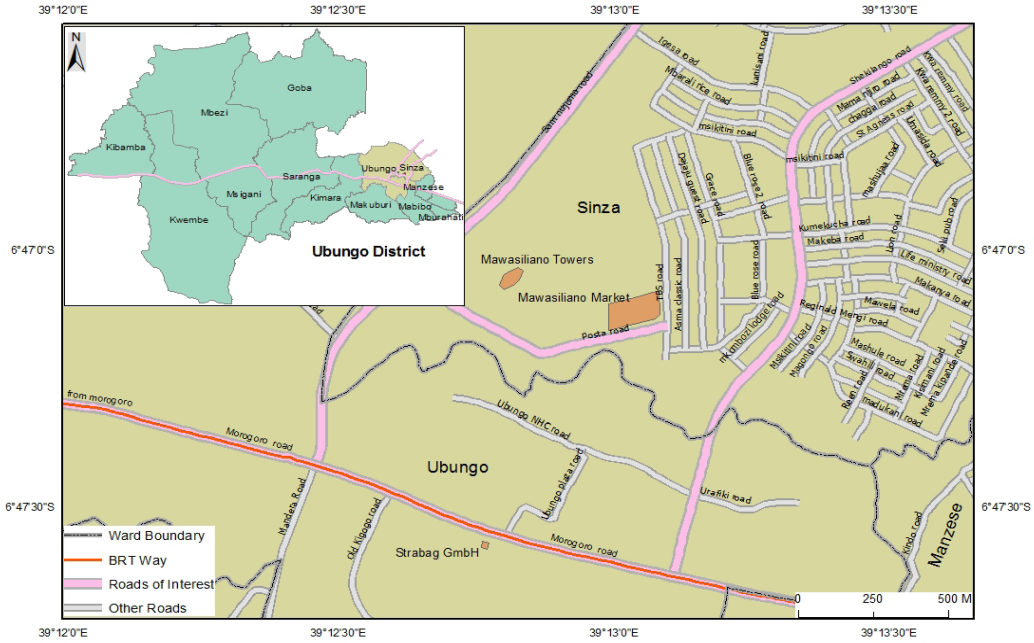

Fig 1: Map of Ubungo showing the study area, the position of the BRT project and the Simu 2000 Market.

Just as Nustad (2004) found in Cato Crest in South Africa, politics play a significant role in sparking misunderstandings during formalization processes. In Dar es Salaam, when the authorities were moving the street vendors form Ubungo to the New Simu 2000 market (about 200 meters off Sam Nujoma Road as one heads from Ubungo to Mwenge) in order to give space for the Bus Rapid Transit trunk lanes, the Mayor of the Ubungo Municipality gave an order that went against the initial plan of the markets department of the district. The market is a project of the Ubungo Municipal Council and was planned to host not more than 500 traders. But by the time of the study more than 700 had been registered and the market was constantly expanding beyond the formal structure as the new comers were trying to create their own plastic sheet stalls. Still one of the authorities remarked as follows:

> *'We are going to register them all. Even those who are outside must come in. We do not want anybody along the road. The initial plan was to register them at their wards and bring in equal numbers from each ward. But the Mayor has told them all to come; so, we are waiting to see what happens. There are few people who have been here for months. There were no customers but they persisted. These ones are going to be given priority'* (Source: Municipal authority – office of the chairman of markets and bus stands, Simu 2000).

The official position was only informed by the initial plan of the Municipal council. Nevertheless, the largest wave of vendors who joined Simu 2000 market were not following this logic. The Mayor, who happens to have been from an opposition party, had ordered them to swarm into the market and occupy any empty space they found! Two different understandings evolved as one vendor remarked:

> *I am not going to respect any (earlier) contracts. They booked all the concrete stalls for people who are not traders. The councilors and other politicians have assigned them to their wives and relatives. We shall never accept this rubbish!* (Source: Observation, Simu 2000).

There was a clear misunderstanding between the Mayor and the District Commissioner's office - and the vendors knew it. The office of the Manager for Markets and Bus Stands also indicated dissatisfaction due to this confusion. The burden seemed to lie on the vendors as quite a large number of them could not find space in the new market and they had no one to turn to. They had to squeeze in every inch along the dusty and sunny road joining Sam Nujoma and Sinza.

Scramble for space

According to vendors interviewed within the first week of the relocation, the mayor had just told them to relocate to the new market structure and grab and use any space they found empty. People came in and labeled the concrete stalls available using chalk or charcoal. They wrote their names or nicknames and most of them qualified their labels with a threatening remark (something like: *this stall is booked by so and so, touch it and you will see!*). Others used tree branches and shrubs to earmark their spaces while yet others put children and other relatives to watch out – sometimes overnight – until they had organized for a proper occupation. Much chaos cropped up in the first week of the relocation. By the time of the first observation session we found that people were still fighting. Two women were in a very hot quarrel with a young man over a concrete stall. The young man claimed to have placed shrubs on the stall. The women claimed that they did not find any

shrubs there and they were only following the order of the Mayor – to display their merchandise on any space they found empty. As one woman shouted:

> *We want to see merchandise on the stalls and not branches of tress! That is what the Mayor said. So if I come here and find only branches we shall put our merchandise!* (Source: Observation, Simu 2000).

The order from the Mayor of the Ubungo municipality was supposed to be coordinated and harmonized with the plans of the other municipal authorities. As the order was vague, each vendor chose to do what befitted them best. Because of the general chaos in the area, settling in the new environment was a serious problem for the vendors. As indicated above, the researchers had designed to use one lady that was selling green vegetables in a quasi-experiment exercise. After a long time of observation, it was noted that the lady had been moved four times within the market area. She said:

> *They told us that the rough concrete space in the front part is for shoe sellers. But we see other people not selling shoes. They have moved me four times and even here I am not sure if they will still remove me or not* (Source: informal interview with a vegetable vendor: Simu 2000)

The second vendor who was used for quasi-experimentation was a vendor of used trousers. His case was different from that of the vegetable vendor. He had occupied a concrete stall within the market structure. In one of the early days of contacts he said:

> *I am just displaying my trousers (for sale) but I am not sure if they will come and remove us or not. We are told that there are people who had contracts since before we came here. But for three days nobody has claimed this to be their space* (Source: Informal interview: Simu 2000)

Up to the end of the observation period, nobody had appeared to claim the space and the vendor of used trousers continued to occupy it. Nevertheless, the situation was not the same with all other vendors. Some were removed y force by earlier occupants. Already a week into the relocation program, many people were at limbo. People were not sure whether the district marketing department was going to heed and accept the new arrangement introduced by the mayor. Some worried that perhaps the initial owners of the spaces would show up and start a claim. The authorities had not said anything and the vendors were not doing any meaningful business so far. The settlement in the market was very slow. This affected the businesses of the vendors. Some resorted to going back to the streets near Ubungo and sell in the night.

Crackdown and corruption

This lack of clear policy direction has opened room for corruption. Militiamen at municipal level in Ubungo have used this loophole to confiscate the merchandise of street vendors by force and to force them to keep paying illegal unofficial fees if they are to continue with their businesses. Special crackdown operations are conducted from time to time but the street vendors are always there. This is because they have been turned into a project of the local government authorities.

Women are particularly targeted. A group of five women sell food close to a fuel station in front of a huge building that hosts more than thirty offices near the main bus terminal of Dar es Salaam. This space of about 17 square meters in contested for because it is strategic for a small business. What is ironic is that there are some kinds of business that are not as disturbed as these women – who feed a lot of people each day! There are book sellers, watch repairers and car repairers who use the same space and are rarely arrested – if at all. Newspaper vendors are also relatively more stable than the women food vendors. It seems that it is easier for the corrupt authorities to solicit money from these women by scaring them. When asked what she thought about this, one woman said 'big guys are never arrested'. One of the women said during a focus groups discussion:

> '*We know we are not wanted here but where shall we go? We had our stalls by the road side and they destroyed them. Then the ward militiaman comes to collect money every time. We know him. Even from a distance, I can show you when he is coming for money. He pretends as if he is passing but we know him. He wants to arrest us for money. They will take us to the police station but we will come back again*' (Source: Women food vendors in Ubungo: FGD)

Lyons and Brown (2009) have indicated that legislation regarding and affecting the working of street vending has largely been left to municipal councils in Tanzania. What has been found out in this study is that in most cases what has been left to the municipal authorities is the implementation of the policies (in most cases specific pronouncements from higher political authorities). Yet, in all cases, pronouncements of higher authorities like the President or the Prime Minister override the policy positions of the municipal councils regarding street vending. This leaves the vendors at limbo – never being sure of what they are required to do. Even the introduction of the vendor ID has started to show signs of mismatch in policy implementation practices at municipal levels. By the time the vendors were initially moved into the Simu 2000 market, the national vendor ID policy was not yet in place. The IDs were introduced in December 2018. Before that the vendors were supposed to pay for their space in the market. The study Stalls inside the Simu 2000 market were abandoned up to an estimated 40%. Most of them lamented that business was not good in the Simu 2000 market. One major question is, if vendors, both inside and outside the markets are recognized through the IDs, who is supposed to occupy the stalls inside the market and what are the regulatory and fiscal implications for the municipal authorities that constructed the markets?

Although this policy is still very new, a few other questions have already been noted. One is that some vendors think it is a move to segregate vendors and push the very small street vendors out of Dar es Salaam. The second is the question whether the IDs mean that now street vendors are allowed freely and permanently in the city. The third is that the annual contribution of 20,000 may bring in another nuisance from the municipal police and militias when it comes to enforcement. The fourth is that there is still no clarity on the limits in roles between the Tanzania Revenue Authority (TRA) and municipal authorities regarding collection of these taxes from street vendors. The last one is the question of how the maximum required capital of four million Tanzanian Shillings is determined and how merchandise agency is controlled so that big traders do not get a loophole. This new policy is being implemented all over the country and the level of its success should be measured at a later stage beyond the timing of this article.

Conclusion

As we have shown, many times the directives concerning street business in Tanzania are in the form of individual leader decrees/pronouncements and not clearly documented legal requirements. This approach, in many cases, leaves out the rights of these vendors. Tanzania could develop, not only policy guidelines at municipal level but also well codified laws at national level. If pronouncements of the leaders could work, then coherent policies could also work. The current policy on vendor IDs spearheaded by the President of the United Republic of Tanzania is a commendable step in the direction of policy. Clearer directives and policy guidelines are required in order to avoid possible differences in implementation practices among the municipal councils. The duties of each office and authority should be made very clear. The span of responsibility between municipal councils and the Tanzania Revenue Authority should also be made clear. Because the provision of IDs pre supposes recognition, coordination of the administration of the IDs must employ a rights-based approach.

The authorities in Ubungo Municipality indicated in an interview that the street vendors were very difficult to get rid of. According to him, there were always new vendors introduced into the streets. Some were coming freshly into the city from rural areas but others were going back from allocated spaces to the streets. The efforts of the authorities should not be to 'get rid of' the street vendors but to find feasible ways to include them in their urban development policy and processes. The adoption of a policy on street vending may not be a dream that materializes in a few days. But street vending is an on-going activity implying human economic survival. As the vendors are awaiting a coherent national policy, at least the administrative pronouncements should be adequately coherent and coordinated. A situation where the Municipal Mayor gives one instruction and the District Commissioner gives another and contradicting one, is not the best for the poor street vendors.

The administration of street vending is complex and requires good, well thought through policies that are also well coordinated at both national and municipal levels. Street vending has proven difficult to completely eliminate. It is a systemic problem. Modernization and growth of cities can treat street vendors unfairly if not well coordinated. In a country like Tanzania where the street vendors are not well organized to be able to demand collectively for their rights and justice, it is easy for policy implementation processes to be misused by the instruments of force like the municipal police. One way of approaching the challenge for adequate policy frameworks is through the rights-based approach as it has the potential to ensure treatment of all urban socio-economic classes and groups and provide for fair treatment through well designed and coordinated implementation of laws and policies.

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