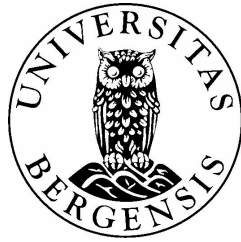


UNIVERSITY OF BERGEN



**IMPLEMENTATION OF THE NATIONAL ENVIRONMENT POLICY: A CASE OF
THE LOCAL GOVERNMENT AUTHORITIES IN DAR ES SALAAM CITY-
TANZANIA**

**Thesis Submitted to the Faculty of Social Sciences, University of Bergen, in Partial
Fulfilment for the Award of the Degree of Masters of Philosophy in Public Administration**

ROSEMARY OSWALD MRUMA

**Department of Public Administration and Organisation Theory
Spring, 2005**

DEDICATION

This work is dedicated to my husband Dr. Vedastus Wilfred Makene

ACKNOWLEDGEMENTS

I wish to first express my thanks and gratitude to the Almighty God for giving me the courage, ability, and guidance through the process of thesis writing.

I wish to acknowledge other researchers; a lot of ideas have been borrowed in the completion of this thesis. This research work would not have been successfully completed but for the assistance of a number of people.

I must express my profound and sincere indebtedness and gratitude to my supervisor, Prof. Audun Offerdal for his patience in making a thorough and critical review, comments and useful suggestions. Without his dedication, this work would not have become a reality.

My sincere gratitude also goes to Prof. Istiaq Jamil for his critical and insightful comments during thesis presentation seminars and Prof. Steinar Askvik for the ‘light’ he provided during research methodology and research design seminars. I also owe a great deal of thanks to the Senior Executive Officer of the MPA programme, Milfrid Tonheim for her support, encouragement and concern.

I owe a great deal of thanks to all my course mates for their support and encouragement. My special regards go Gerald Kagambirwe, Adam Fushein and Thomas Buabeng, for their comments on my work. I am highly indebted to Roberts Muriisa, for his intellectual guidance and comments during the writing of this thesis.

More importantly and admittedly, I deeply appreciate the financial support offered to me by the NORAD and the Faculty of Social Sciences under the NORAD programme during the period of my study.

I wish to express my indebtedness to the Administrative Officers for Ilala, Kinondoni and Temeke municipalities in Dar es Salaam for introducing me to the Municipal Directors of Ilala, Temeke and Kinondoni for permission to conduct my research. I also appreciate Local Government councillors, the Municipal Waste Management Officers, staff of the municipal

Planning and Coordination Departments, Municipal Committee Clerks, legal officers and Ward Executive officers in Ilala, Temeke and Kinondoni municipalities, for their cooperation and time during interview sessions of my research. Also I take this opportunity to thank the Officials at the Dar es Salaam City Council in the Waste Management, Environmental Planning and Legal Office for the cooperation they gave me during data collection period.

I wish also to record my thanks and appreciation to the following; The Director General for the National Environment Management Council (NEMC) and the Management of NEMC in general for the grant of study leave to me. Also the Director of Planning in the Division of Environment (DoE) and pollution control staff of Division of Environment for their relevant information on the role of Division of Environment on Environmental Policy (NEP) implementation.

To my respondents from the community, I am thankful for your time and dedication to answering the interview questions.

I acknowledge my fellow staff in the National Environment Management Council for information on policy issues provided to me during my data collection period.

My sincere appreciation and commendations goes to all members of my family especially my father Oswald Mruma and my mother Natalia Rose Mruma for their moral and material support, prayers and encouragement for my general progress and making me what I am today.

I want to save my warmest thanks to my husband, Dr. Vedastus Wilfred Makene, for accepting the sacrifices a husband inevitably experiences when a wife is away for studies. Thank you for your love, support and care during my two year study period.

However, I wish to state that except for the quotations and references made, I take responsibility for whatever is written in this thesis.

Rosemary Mruma,
Spring, 2005

Table of Contents

DEDICATION	I
THIS WORK IS DEDICATED TO MY HUSBAND DR. VEDASTUS WILFRED MAKENEACKNOWLEDGEMENTS	I
ACKNOWLEDGEMENTS	II
LIST OF FIGURES.....	VII
LIST OF TABLES.....	VII
LIST OF ACRONYMS	VIII
ABSTRACT	1
CHAPTER ONE.....	3
1.0 INTRODUCTION	3
1.1 Statement of the problem.....	7
1.2 Objective of the study.....	10
1.3 Research questions.....	10
1.4 SIGNIFICANCE OF THE STUDY	11
1.5 RESEARCH METHODOLOGY.....	11
1.5.1 Main approach to the study.....	11
1.5.2 Study Design	12
1.5.3.1.5.3 Selection of Cases and basis for comparison.....	13
1.5.4 Data Collection Methods	15
(a) Interviews	15
(b) Documentary sources	17
(c) Observation	18
1.5.5 Challenges Faced During Data Collection.....	18
1.5.6 Procedures for data analysis and interpretations	19
1.6 Organisations of the thesis.....	19
CHAPTER TWO.....	21
THEORETICAL PERSPECTIVES AND CONCEPTUAL FRAMEWORK.....	21
2.0 INTRODUCTION	21
2.1 THE CONCEPT AND PERSPECTIVES OF IMPLEMENTATION	21
2.2 A FRAMEWORK FOR IMPLEMENTATION ANALYSIS	24
2.3 THE CONCEPT OF DECENTRALISATION	24
2.3.1 Rationale for Decentralisation.....	27
2.3.2 Central–Local Relations in Tanzania.....	31
2.4 DEPENDENT VARIABLE OF THE STUDY	32
2.5 THE INDEPENDENT VARIABLES IN THE STUDY	33
2.5.1 Policy Standards and Clear Objectives.....	33

2.5.2 Financial, Human and Technological Resources	34
2.5.3 The role of Community Participation in Policy Implementation.....	35
2.5.4 The implementation Structure	37
2.5.5 Policy Instruments.....	39
2.5.6 Inter-organisational communication and enforcement activities.....	39
2.6 HYPOTHESES OF THE STUDY	41
CHAPTER THREE.....	43
DECENTRALISATION AND ENVIRONMENTAL MANAGEMENT IN	43
DAR- ES- SALAAM LOCAL GOVERNMENTS	43
3.0 INTRODUCTION	43
3.1 REASONS FOR REFORMS	43
3.2 ESTABLISHMENT OF THE CITY COMMISSION.....	45
3.3 ESTABLISHMENT OF THE COUNCILS	47
3.3.1 The Dar-es-Salaam City Council.....	47
3.3.2 Composition of the city council.....	48
3.4 THE MUNICIPAL COUNCILS	48
3.4.1 Historical Background of the Three Municipalities.....	48
3.5 STRUCTURE OF IMPLEMENTATION OF THE NATIONAL ENVIRONMENT POLICY (NEP) IN THE LOCAL GOVERNMENT COUNCILS	50
3.5.1 Urban planning and environmental committee.....	51
Main Responsibilities of the Committee.....	52
3.5.3 Solid Waste Management.....	53
(A) BY- LAWS ON WASTE MANAGEMENT ACTIVITIES	54
(b) Privatisation of Solid Waste Management Activities and Designing Institutional Structures for Waste Management Activities.....	55
(c)Need for Privatising Solid Waste Management	55
3.6 THE ROLE OF CENTRAL GOVERNMENT AND OTHER NATIONAL INSTITUTIONS IN THE MANAGEMENT OF THE ENVIRONMENT	56
3.6.1 The Role of the Division of Environment in the Management of Environment in Tanzania.	56
(a) Activities of the Division of Environment	57
(i) Environmental policy and planning section:.....	57
(ii) Environmental Pollution Control Section	57
(iii) Environmental Impact Assessment Section: -	57
3.6.2 The role of the National Environment Management Council (NEMC).....	58
3.7 ENVIRONMENTAL MANAGEMENT ACT OF 2004.....	58
3.8 SUMMARY	59
CHAPTER FOUR CHAPTER FOUR.....	60
IMPLEMENTATION OF NATIONAL ENVIRONMENT POLICY IN THE MUNICIPALITIES OF ILALA, TEMEKE AND KINONDONI	60
4 .0 INTRODUCTION	60
4.1 CASE 1: KINONDONI MUNICIPAL COUNCIL	60

4.1.1 Environmental Problems in Kinondoni.....	61
4.1.2 Policy implementation activities in Kinondoni Municipality	63
4.1.3 The role of community participation and environmental projects and programmes in policy implementation.....	64
4.1.4 Other Policy Implementation Activities	68
4.2.1 Location	70
4.2.2 Administrative set up.....	70
4.2.3 Environmental problems in Temeke municipality	70
4.3 CASE 3 ILALA MUNICIPAL COUNCIL.....	78
4.3.1 Ilala Council Profile	78
4.3.2 Environmental problems	78
4.3.3 Policy implementation activities	79
Specific activities done by the forest section include the following:-.....	81
4.4 COMPARISON ACROSS CASES.....	83
4.4.1 History, Setting of the Municipalities and Environmental Problems	84
4.4.2 Process of Implementing NEP.....	85
4.4.3 Problems of NEP Implementation.....	87
4.4.4 Trend of Solid waste Collection in the City (Tonnes per day).....	88
4.5 SUMMARY	89
CHAPTER FIVE	91
FACTORS THAT INFLUENCE THE IMPLEMENTATION OF NATIONAL ENVIRONMENT POLICY AND CHALLENGES FACED BY THE MUNICIPAL COUNCILS	91
5.0 INTRODUCTION	91
5.1 FACTORS THAT INFLUENCE IMPLEMENTATION OF NEP	91
5.1.2. Policy resources.....	92
5.1.3 The structures and Agencies for Policy Implementation.....	96
5.1.4 Choice Applicability and Understanding of Policy Instruments (Ilala, Temeke and Kinondoni Municipalities).....	98
(a) Environmental Standards and Indicators	98
(b) Unclear Soil standards	99
(b) Environmental Impact Assessment	99
(c) Economic instruments.....	101
5.1.5 Lack of Enforcement Mechanisms.....	101
5.1.6 Inter-Organisational Relationship and Co-ordination	102
(a) Relationship between NEMC and Division of Environment.....	104
(b) Relationship between NEMC and the local Authorities	105
5.1.7 Community Participation.....	105
SUMMARY	108
CHAPTER SIX CHAPTER SIX.....	110
CONCLUSIONS.....	110
6.0 INTRODUCTION	110
6.1 DISCUSSION AND INTERPRETATION OF FINDINGS	111
6.1.1 Factors influencing Implementation	111
i) Decentralization	111

ii) Policy Resources	111
iii) Community Participation (capability or willingness)	112
iv) Implementation structures.	112
6.3 Irrelevance of policy to local people.....	114
6.3 Waste Management.....	114
6.4 Findings in Relation to other researches	115
6.5 Implications for future research.....	117
6.6 Implications for practice	117
6.7 General Conclusion	118
APPENDICES.....	126
APPENDIX 3	128
INTERVIEW GUIDE	128
QUESTIONS TO THE LOCAL GOVERNMENT COUNCILLORS.....	128

List of Figures

Figure 1: Variables for the study.....	42
---	-----------

List of Tables

Table 1: List of Interview respondents	17
Table 2: Trees planted from 1999-2004	64
Table 3: Policy implementation activities in Kinondoni Municipality	69
Table 4: Livestock population in Temeke Municipality 2000-2004	73
Table 5: Trees planted from 2000-2004	75
Table 6: Analysis of policy implementation activities in Temeke Municipality.....	76
Table 7: Ilala Council Profile.....	78
Table 8: Trees planted in Ilala Municipality from 2000-2004	81
Table 9: Analysis of policy implementation activities in Ilala Municipality	83
Table 10: Trend of the solid waste collection in the city (Tonnes per day)	89
Table 11: Factors that influence implementation of the National Environmental Policy in Ilala, Temeke and Kinondoni.....	108

List of Acronyms

CBOs	Community Based Organisations
CCM	Chama Cha Mapinduzi
DAO	District Administrative Officer
DC	District Commission
DED	District Executive Officer
DEO	District Environmental Officer
DoE	Division of Environment
DSM	Dar es Salaam
EIA	Environmental Impact Assessment
EPM	Environmental Planning and Management
HD	Head of Department
HSC	Health Standing Committee
ILO	International Labor Organisation
JICA	Japan International Cooperation Agency
KICAMP	Kinondoni Coastal Area Management project
LG	Local Government
MTNRE	Ministry of Tourism, Natural Resources and Environment
MP	Member of Parliament
NEMC	National Environment Management Council
NCSSD	National Conservation Strategy for Sustainable Development
NGOs	Nongovernmental Organizations
NEP	National Environment Policy
NORAD	Norwegian Agency for International Cooperation
SDDP	Sustainable Dar es Salaam Demonstration Project
SUDP	Strategic Urban Development
SWDC	Sub-Ward Development Committee
UN	United Nations
USAID	United States Agency for International Development
WDC	Ward Development Committee
WED	World Environment Day
WHO	World Health Organisation
WWF-US	World Wide Fund-United States
UNEP	United Nations Development Program
UNESCO	United Nations Education, Scientific and Cultural Organisation

ABSTRACT

The government of Tanzania, with the support of a wide range of donors is implementing Local Government Reform Programmes. The three municipal councils of Ilala, Temeke and Kinondoni are among the Local government institutions in the 1st phase of the programme. The programme is one of the decentralized measures to improve service delivery at the local level, which includes management of the environment. The programmes are aimed at replacing the former control and command system of central government with a decentralized system that allocates authority and responsibility to local authorities.

The study is concerned with the process of the implementation of the National Environment Policy (NEP) in the decentralised Local Government Councils in Dar es Salaam, Tanzania. It analyses whether the shift of central government power to decentralised government units at the municipal level results, in successful implementation of public policies, especially the National Environment Policy.

The study is a comparative, case-oriented one in which Ilala; Kinondoni and Temeke municipalities are the cases. Qualitative approach of doing social research was employed in which interviews were conducted in the data collection phase.

In examining the implementation of NEP, both top-down and bottom-up approaches are used. In the top-down approach the analysis is presented by looking at the policy itself and examines the extent to which objectives of the National Environment policy are achieved/not achieved across cases and possible explanations for the outcomes. In the bottom-up approach, the study examines the network of actors participating in service provision in the cases and asks about their goals, strategies, and activities in relation to environmental management issues.

The main findings in the study are that linkages between decentralisation and implementation of the National Environment Policy are weak. This is because there is poor institutional structure, inappropriate legal framework and insufficient technical personnel. Local government councils in Dar-es-Salaam have defined improvement of service delivery and management of environment as one of its developmental priorities. In the National Environment policy document, local councils are supposed to have environmental committees from the municipal level to the village level. It is indicated in the study that although

environmental committees exist in all the three municipal councils, environmental problems are increasing. The study found that this is due to poverty as people engage in activities like dynamite fishing, clearing mangrove forests for charcoal just to make a living.

Another finding is that in terms of implementation of the policy, the municipal councils employ rather the top-down as opposed to the bottom-up approach. However, the study is of the view that a combination of the two approaches could be the solution to the problems of achieving sustainable environment management.

The main conclusion reached in the study is that the municipal councils face some problems in the implementation of the National Environment policy. Their capacity to implement the policy is affected by various factors. These are policy resources, such as financial resources, human resources and technology; understanding, and applicability of policy instruments, implementation structure, co-ordination and communication, the role of community participation, and the attitude of the local communities, as influenced by lack of culture of compliance to the laws.

CHAPTER ONE

1.0 Introduction

Agenda 21 was designed to achieve a balance between the needs of people and their environmental balance between the basic requirements of the living, and our inescapable, collective obligation to future generation. But the poor, the hungry and the diseased can not be expected to put the preservation of their environment above their struggle to survive this day, so they mine soil nutrients, cultivate steep slopes, cut trees for wood fuel, and overgraze range-lands. Many of them know this is harmful to the environment. But for theta, it is not the quality of life that is at stake, it is life itself.¹

Environmental protection has become an important issue in international politics (Potter, 1994). There has been increasing recognition that environmental problems are widespread especially in urban centres. Studies have shown that Tanzania is affected by different environmental problems including, pollution especially resulting from waste disposal and unplanned settlements. Dar es Salaam is expanding, in terms of both physical and population growth. However, this expansion has not been followed by increased physical infrastructure and social services. Urban expansion without effective urban governance means that substantial proportion of the population faces high levels of risk from natural and human induced environmental hazards. This can be seen in most major cities in Africa, Asia and Latin America, where a significant proportion of the population lives in shelters and neighbourhoods with very inadequate provision for water and the safe disposal of solid and liquid wastes(Hardoy et al,2001:4).

Specific problems in Dar Es Salaam City include, land degradation caused by tree harvesting activities for charcoal production in the rural areas. Charcoal is a major source of fuel (Hosier, 1993). Industrial, urban, and agricultural waste creates water pollution in Msimbazi River. (Ak`habuhaya and Lodenius, 1988). Environmental pollution is caused by solid waste which is dumped away from sites of sensitive areas due to little investment in waste management (Yhdego, 1995). There is also the problem of unplanned settlements with increasing cultivation and farming in the city. Mwandosya and Meena found out that, most of the gardening in Dar es Salaam region is in Kinondoni and Temeke municipalities (1998:94).

¹ Statement by His Excellency Benjamin William Mkapa, President of the United Republic of Tanzania at the World Summit of Sustainable Development, Johannesburg, South Africa, 3rd September, 2002.

A large number of cultivators in the open spaces obtained their plots during the economic crisis in the 1970s, whereby the government encouraged people in the city to cultivate every available land. In 1972, the government ordered the squatter settlements be improved rather than demolished. In the 1978 Master plan, squatting was accepted and the government focused on uplifting them. To date, 70% of the population in Dar es Salaam live in unplanned settlements.² Most households in unplanned settlements are for low-income groups. Sanitation is poor in these areas, and some studies have revealed that 3% of the households in Dar Es Salaam have no toilets (Mwandosya & Meena, 1998:30)

The study hypothesises that such environmental problems result from the way environmental policies designed to tackle them are implemented. Difficulties in implementing environmental policies are increasing throughout the world as a result of urbanisation, industrialisation and population growth. In Tanzania, the government is implementing the local government reform programme, which among other things, seeks to assign more responsibility to local authorities to manage the environment in their areas of jurisdiction³.

In 1989, the UN General Assembly convened a conference on environment and decided that environmental management should be developed from the national level. Tanzania is among the countries that participated in the conference. Strategies and measures to reverse the effects of environmental degradation and promote sustainable development in all countries were elaborated. This led to the 1992 motive by the conference of heads of state and government at Rio de Janeiro Brazil, to agree on course of action. This is Agenda 21, a basis for action of international community to integrate environment and development.⁴

The objectives of the agenda included the following; improving the quality of life of people through controlling rapid growth of uncontrolled urbanisation, and mushrooming of unplanned settlements in the cities in the developing countries, and control of waste generated in the production and consumption process. The means to achieve the objectives includes integration of environment and development in decision making and strengthen capacity building at all levels of the government.

² WWW.RUAF.ORG/READER/GROWING CITIES/Dar Es Salaam. Unplanned settlements in Dar Es Salaam and urban agriculture

³ Capacity Building for Environmental and Wildlife Policy Implementation in Tanzania, Work plan Revised(December 2002) submitted by WWF-US to USAID

⁴ NEMC Reports

Thus, a number of principles were adopted to achieve the goals of the meeting. They include the following: -

- a) In order to achieve sustainable development, protection of the environment shall be part of the policies pursued in that process.
- b) All people at all levels should participate in environment issues including public education, decision making and accountability.
- c) Enactment of effective legislation by states.
- d) Those affected by pollution or environmental destruction have to be compensated by the state.
- e) States should respect international laws in situations of conflicts.

In order to satisfy these requirements and tackle different environmental problems faced by the country, Tanzania, designed the National Environmental Policy. The government formulated the National Environment Policy in 1997 as a measure to implement Agenda 21, to solve social economic problems in the country. This is the mainland environmental policy of 1997⁵; Zanzibar has its own environmental policy formed in 1992. The study is concerned with the way the policy was implemented in different local authorities within Dar-es-Salaam city.

According to Howlett and Ramesh (2003:5), public policy is “a choice made by government to undertake some course of action”. For the purpose of this study, environmental policy is defined as government decisions which state objectives and goals to be achieved, developed by public institutions, as guidelines for solving environmental problems. They clarify goals, strategies, resources and institutional framework for their implementation.

Against the above background, the National Environment Policy was designed as a framework for planning and co-ordinating environmental management activities aimed at minimising environmental problems. This facilitates close consultation and co-operation among actors.⁶ It was also proposed that local authorities should be involved fully in monitoring regulatory standards to ensure that they are in line with established environmental

⁵ The United Republic of Tanzania was formed in 1964, after the Union of two countries Tanganyika and Zanzibar Islands

⁶ Tanzania National Environment Action plan, A First Step, 1994, pg.23

laws and regulations.⁷ National Environment Action Plan states strategies for implementing National Environment Policy. This includes sectoral strategies, cross-sectoral strategies, and sector-oriented strategies (NEAP 1994: 26-37).

According to the policy document (NEP: 1997,9&10), the objectives of the policy (NEP) are:

- 1.) To ensure the present and future generation meet their basic needs without degrading the environment,
- 2.) To protect the environment through prevention and control of land degradation, water, natural vegetation and air
- 3.) To improve the productivity of degraded areas in the rural and urban settlements in Tanzania,
- 4.) To raise awareness and understanding to the public on the relationship between environment and development and to involve the community in the environmental protection activities.
- 5.) To promote international co-operation on environmental issues

Local governments are among the main implementers of the National Environment policy. They have undergone different structural changes relating to the decentralisation process in Tanzania. Before the changes, there was a centralised mode of government which started during colonialism and continued after independence. Decentralisation is important as far as management of the environment is concerned; it increases the flow of information to the local communities on decisions made by the government. It also enables elected representatives to govern most decentralised institutions and this may facilitate communication to the communities as far as environmental policy implementation is concerned.

The role of the local governments in the achievement of environmental policy goals is recognised by the National Environment Policy. It includes “overseen planning processes, and establishing local environmental policies and regulations” (NEP: 1997, 102)

Enhancing the participatory role of local governments and the communities in environmental protection is one of the government goals in combining environmental management and economic development. One of the reasons for the decentralisation of Dar es Salaam local

⁷ Proceedings of the National Conference on The National Conservation Strategy for Sustainable Development(NCSSD),held on 28th February –4th March,1994,at AICC Arusha Tanzania,pg.63

councils is to build partnerships with the local communities in environmental management. The government mobilises resources and ensures co-ordination for effective use of natural resources. It is argued that “local government ensures that resources can be better matched to the diversity of needs. It is local and therefore closer to the citizen”(King and Stoker,1996:12). Environmental policy incorporates local views and extensive consultation with stakeholders including the representatives of the local communities.

This study assesses the implementation of the National Environmental Policy in the Local Governments of Tanzania focusing on the decentralised local governments within Dar es Salaam City. Specifically, the study aims at comparing how the municipal councils implement the environment policy after decentralisation. Challenges faced by the municipal authorities are also explored and how the City council integrates and co-ordinates the implementation of the Policy in the Municipalities and the role of the central government institutions in policy implementation.

1.1 Statement of the problem

The increase in population in Tanzania has led to the expansion in the use of natural sources for people’s economic and social needs. The economic and social activities include mining, fishing, agriculture and industrial production of goods and services. Due to the scarcity of resources, many people are engaged in environmental degradation activities. Tanzania is affected by rapid growth of population and urbanisation⁸. Most of the environmental problems are linked to this increase in population. The economic conditions of the city and trade opportunities attract many people from other regions to Dar–es-Salaam. The population of the city is estimated at 3.7 million.⁹ This increase in population creates environmental degradation through people’s activities. The capacity of the local councils in the provision of services in terms of resources is overburdened.

In spite of government efforts to improve on the quality of public services by restructuring the local government systems in Tanzania in the late 1990s, the implementation level of environmental policy is still low. It is argued that, failure of the state in the management of the environment is caused by the centralised decision making power, and ownership of the natural resources by the central government, (Mniwasa and Shauri, 2001:1). There are

⁸ City council records

indicators that there is lack of adequate institutional capacity in development planning¹⁰ and lack of clarity in institutional mandates to manage the environment at the local levels. (Mniwasa and Shauri, 2001:28)

The National Environment policy document (NEP: 1997) states that its implementation depends very much on local authorities. The government empowers the local councils to formulate their own by-laws for the implementation of the main policy. Environmental committees are formed at the village, ward, municipal and city level for monitoring environmental management activities. However, there is poor coordination and low level decision making by the central government which is the formulator of the policy. As pointed by Mniwasa and Shauri (2001:25), by-laws formulation is slow and inefficient because decentralised institutions are limited by various factors. The bureaucrats, and not the councillors, do decision making process in the local authorities. It is argued that, this is caused by the low quality councillorship, that means, the council officers are better educated, more experienced and having expertise in environmental matters as compared to the low educated councillors who are sometimes more vocal on small policy decision issues” (ibid: 27).

The relationship between the central government institution responsible for policy formulation, and the local governments, responsible for implementation is important. The National Environment Policy recognises the role of local governments in achieving policy objectives (NEP: 1997). Policy implementation is done through the formulation of action plans. These are formulated from the lower levels of the councils at the village governments to the higher levels of the city councils. However it has been argued that, the policy has concentrated most of the powers and functions to the Vice President’s Office through the Division of Environment. The Ministry of Environment through the Vice President’s Office, is responsible for assisting other ministries and local institutions on activities related to the environment. However, the co-ordination role of the ministry of Environment is not clearly evident at the local level (Mniwasa and Shauri: 2001:15-16). Formulation and implementation of by-laws are among major reasons for the success or failure in the policy implementation.

The Local Government Act (Urban Authorities) of 1982, section 54 (1)(d) states that, each urban authority is responsible for taking necessary measures to protect and enhance the

⁹ City Council Strategic Work Plan 2002/2003

¹⁰ see www.aerthinstitute.columbia.edu/cubes/events/DarCS.htm of 14/6/2005

environment in order to promote sustainable development. There are indicators that the local communities do not consider sustainability on the use of natural resources during their day-to-day activities. For example, in Kinondoni municipality, deforestation is increasing and forest cover is decreasing due to processing of firewood, charcoal burning, processing of timber for building, and construction activities. Also, illegal mining, such as sand extraction and quarrying, and the use of illegal fishing like the use of dynamite threatens the availability of fish¹¹

In order to prevent and control degradation of land, water, vegetation, and air that constitutes our life support system, the government promotes and encourages environmental education and awareness at all levels of communities. Policy instruments, such as Environmental Impact Assessment, allow maximisation of long term benefits of development while maintaining the natural resource use. Environmental Legislation to implement regulatory elements of policy objectives, economic instruments such as taxation, subsidies and pricing incentives are stated in the policy, but still environmental problems are increasing. For example, the local government councils are trying to improve the condition and productivity of degraded areas including rural and urban settlements. However, 70% of population in Dar-es-Salaam live in unplanned settlements.¹²

In studying the implementation of NEP in the local authorities, the study hypothesises that the lack of sufficient policy resources affects the achievement of policy goals. Also public awareness and understanding of the essential linkages between environment and development; promotion of individual and community participation in environmental action, depends on the availability of resources.

Promotion of international co-operation on the environment agenda, and expansion of participation and contribution to relevant bilateral, sub-regional, regional and global organisations and programs, including implementation of Treaties, is among the policy goals¹³. The implementation of International treaties creates challenges to the policy implementation. Most implementation programmes are donor funded, but donor funds are not sufficient to cover all environmental issues. For example waste management activities in Dar

¹¹ Summary of the Environmental Profile Kinondoni Municipality, June 2001, pg.14

¹² Dar es Salaam City Council records

¹³ National Environment Policy document (NEP), 1997

Es Salaam are funded by JICA and ILO but municipal records indicates that there are piles of uncollected waste in the streets in Dar es Salaam.¹⁴

Involvement of local communities in decision-making activities and environmental management in particular has been a point of discussion in most environmental agenda in Tanzania. There is a lack of awareness on community participation on policy implementation although local authorities have undergone different decentralisation periods. As Mvano (2001:10) described, on this problem, there is inadequate enforcement of existing by- laws and lack of awareness on community involvement in waste management.

This study therefore explores the factors that influence the implementation of the National Environment Policy at the local council levels and challenges which local councils' face in the implementation.

1.2 Objective of the study

The objective of this study is to find out factors that influence the implementation of the National Environmental Policy in the local government authorities in Dar -es -Salaam. It is also intended to explore challenges these local councils face after the restructuring of the city council.

Therefore this, study focused on the following; -

1. Examining environmental problems in Dar-es-Salaam and environmental management activities undertaken by the authorities.
2. Explore the experiences of the local authorities on decentralisation and its impact on environmental management.
3. Explore the factors influencing the implementation of NEP and challenges faced by the local government authorities in its implementation

1.3 Research questions

The study explored the implementation of the NEP by the local authorities in Dar es Salaam City.

The main research questions were: -

¹⁴ Report on the Kinondoni Municipal Consultation Workshop on Environmental Issues, held from 9th to 12th

- 1.) How do the local authorities implement the National Environment Policy?
- 2.) How does the decentralization influence the implementation of NEP?
- 3.) How is the environmental policy funded?
- 4.) How does the relationship and co-ordination between the central government and the local government authorities hinder or facilitate implementation of NEP?
- 5.) What are the influences of social and economic condition on the policy implementation process in the local communities?
- 6.) How does the applicability of policy instruments impede or facilitate implementation of the environmental policy?

1.4 Significance of the study

The study is significant to researchers on policy implementation and local government reforms, and academicians in general, in broadening their understanding and knowledge about factors which influence policy implementation especially in third world countries.

Implementation problems and environmental problems change over time, therefore, the study identifies similarities and differences across cases on how the councils implement policies. Students of public policy and local government may use the study to understand more on policy implementation issues in decentralised institutions.

1.5 Research methodology

1.5.1 Main approach to the study

The study employed qualitative approach. As pointed out by Creswell (1994:22), qualitative research is exploratory. It takes place in the natural setting (ibid: 181). In this case, I visited the study areas (municipalities) and carried out investigations, exploring how the national environment policy is implemented. Qualitative research is interpretative. For interpretive researchers, “the goal of social research is to develop an understanding of social life and discover how people construct meaning in natural settings. The facts about environmental problems are usually left to the scientists to discern.”(Neuman,1997:68-69).

This study explores how local communities understand environmental problems and how this facilitates or impedes implementation of the National Environment Policy. There is increasing recognition, that scientific reality is not generated from objectives of the study but rather, it is socially constructed¹⁵. Therefore, the way local communities understand environmental problems may facilitate understanding the limits of National Environment policy implementation.

The above views and other reasons to be described, support the study to employ qualitative approach. Therefore the qualitative approach enabled me to understand how local communities interpret their environment, their environmental problems and their views in implementation policy on decentralised system. It is also useful in the study of theories related to decentralisation and environmental policy implementation through participants meaning of their local situations. Questions like how participants understand the term environment, what are the environmental problems in the area, what challenges they face in the implementation process, are among the open –ended questions asked the participants to enable the researcher understand the broad meaning of the situation and what local people do in their environmental situation. As Eichelberger cited in Mertens (1998: 14), the researcher constructs meaning on the basis of the interpretations of data with the help of participants who provided the data. Qualitative research strategy helps in looking at cases as a whole by comparing variables presents in the cases and their characteristics.

1.5.2 Study Design

As Nachmias & Nachmias cited in Yin, (2003:21), research design is a plan that guides the researcher in the process of data collection, analysis, and interpretation of findings. It is a logical model that enables the researcher to make conclusions about causal relationships between variables in the study.

Case study design is used in this study. A case study “is an empirical inquiry that investigates a contemporary phenomenon within its real- life context, especially when the boundary between the phenomenon and context are not clearly evident” (Ibid. 13)

¹⁵ Samantha Jones Paper on various discourses on land degradation in the Uluguru Mountains, Tanzania. . Journal of Rural studies, Vol.12.No.2. Pp187-199, 1996.

The study is about investigating the extent of environmental policy implementation, which is a contemporary phenomenon, in a real life situation in the local councils in Dar -es-Salaam.

Case study allows the researcher to obtain detailed data by comparing with other research methods like surveys because of the in-depth nature of investigation such as interviews. Data was collected through different methods like interview, observation and documentary sources, for over a period of two months i.e. June to August 2004.

In order to understand the nature of implementation of the NEP, case-oriented comparative research strategy was used to analyse the process of implementation of the National Environmental Policy in the three Municipal Councils.

Case study “tries to illuminate a decision or set of decisions, why they were taken, how they were implemented; and with what results” (Schramm in Yin, 2003:12).

By using case study, the researcher investigates why the National Environment Policy was formulated, and how policy decisions were implemented. In studying the implementation, intended and unintended policy results can be identified. This is because case study is focused on answering “how” and “why” questions. In this aspect, the case study enabled me to achieve the objective of this study, by exploring the extent of implementation of NEP, and how different factors influenced its implementation.

In the words of Pelumbo and Harder (1981: xii) the principal method used to study implementation is case study. The method points to factors that must be considered when developing a theory.

1.5.3 Selection of Cases and basis for comparison

According to Ragin (1987:1, “comparison provides a basis for making statements about empirical regularities and for evaluating and interpreting cases relative to substantive and theoretical criteria”. This study used a comparative approach to examine the implementation of the National Environment Policy in the three Municipal councils of Ilala, Kinondoni and Temeke, based on the similarities and differences concerning these three urban authorities.

a) The Similarities

Specific historical outcomes of centralisation in environmental management activities were compared and the influence of the current institutional arrangement under decentralisation on the implementation of NEP. The following were the key considerations in terms of similarities

First, Ilala, Kinondoni and Temeke Municipal councils were carved out of Dar es Salaam city Council, through the Local Government Authorities Act No. 8 of 1982. Therefore, they were not only created on the same day, but share a common institutional history. Sharing a common institutional history renders them to have a number of similarities.

Second, they have full autonomy in their decision making power as separate entities following the dissolution of Dar –es- Salaam city Council as per government notice number 110 of 1996 of 28/6/1996.

Third, it is imperative to underscore the fact that there is an apex political structure above the three municipalities, i.e. the Dar es Salaam city council. More importantly, elected leaders from the three municipalities constitute the full Council of the City Council.

Third, in a bid to increase decision making power at the local government levels and improve on public service delivery, all the three municipal councils are currently undertaking reforms.

b) Differences

In spite of their similarities, the selection of these cases was also influenced by their differences.

First, in economic terms, the government of Tanzania ranks Temeke municipality as the poorest among the three. The representative samples of Local councillors who are among the respondents in the study differ in the cases, due to their different economic environment. This may have profound implications on policy implementation and may augment data.

Second, all councillors from Ilala and Kinondoni belong to the ruling party whereas councillors from Temeke municipality are composed of both members from the ruling party

and the opposition. This difference in the political persuasions of the leaders provided me with a basis of making sound and helpful comparison.

Third, the municipalities vary in terms of their policy implementation structure. For instance the contractual terms for waste collection and disposal for Ilala municipality is three years, as compared to Temeke and Kinondoni municipalities which are one year. This fact shows that the three municipalities have a certain degree of autonomy, and at the same time, they establish working procedures differently, which in turn affects policy implementation differently.

Therefore, in this study, factors that influence implementation of the National Environment policy in one case are contrasted with those in other cases. Comparison offered me the possibility to generalise results from the three cases to all local governments. These comparisons were the basis upon which conclusions regarding the understanding that implementation depends on the number of factors.

1.5.4 Data Collection Methods

One of the benefits of using case study is the use of multiple sources of data. In order to acquire information needed to analyse the implementation of the National Environmental policy in the local councils, data was gathered from 66 individuals participating in the implementation in one way or another. The process combined in-depth interviewing, observation and examination of secondary documents.

In order to get access to each of the three municipalities of Ilala, Temeke and Kinondoni, a letter was mailed to the municipal Directors of each municipality, explaining the nature of research and described the needed information.

(a) Interviews

Interviews were conducted from mid June to late August 2004. The interviews were conducted in Swahili language¹⁶. Selection of participants for the interview was based on the relevance of their contribution to the understanding of the research problem. The first group of respondents was the local government staff. These were selected from three departments: - (a) The waste management department (b) Planning and co-ordination department, and (C)

¹⁶ Swahili is the National Language of Tanzania.

Administration and Finance department. These departments were purposefully selected so as to represent the widest possible range of information of policy implementation. In fact, every department is responsible for environment management in one way or another. Waste management, and planning and Co-ordination departments are responsible for the implementation of environmental related policies, while administration and finance were consulted for the general information on decentralisation, staff issues and seeking approval from municipal directors for conducting my research. Some of these respondents were employees of the former city council; therefore they have experience on the policy implementation of the two systems, before restructuring of the city council and after restructuring. In-depth interview with this category of respondents allowed me to get detailed information on the previous system of environmental management.

The second group of interviewee was local councillors. This group includes members of the environmental committee and other councillors from other committees of the council like finance committee. The third group of interviewees was Ward Executive officers. These were selected because they are the heads of ward development committees and members of ward tribunals responsible for settling environmental disputes. The fourth group includes staff from the National Environment Management Council (NEMC) and the Division of Environment (DoE). These were selected because they are responsible for policy formulation, they formulate environmental Impact assessment guidelines and are responsible for advising the government on environmental issues in general. Other interviews were held with legal officers and heads of waste management departments. The legal officers are responsible for the enforcement of environmental laws while the heads of waste management are responsible for overseeing waste disposal which is the major source of environmental pollution in the city.

The last category of respondents was local communities selected randomly from the general population. Three interviewees were selected from each municipal council. This category was selected because involvement of local communities in managing their environment is one approach of achieving successful policy implementation. Moreover, as already discussed, studies have pointed out that many environment problems result from the activities of communities which are related to the environment.

Table 1: List of Interview respondents

ORGANIZATION	INTERVIEWEE	POSITION
Ilala Municipal council	3	Members of community
Temeke Municipal council	3	Members of community
Kinondoni municipal council	3	Members of community
Ilala Municipal council	5	Councillors
Temeke Municipal council	5	Councillors
Kinondoni Municipal council	5	Councillors
Ilala Municipal council	1	Waste management Officer
Kinondoni Municipal council	1	Waste Management Officer
Temeke Municipal council	1	Waste Management Officer
City council	2	Waste Management Officers
Ilala Municipal council	3	Ward Executive Officers
Kinondoni Municipal council	3	Ward Executive Officers
Temeke Municipal Council	3	Ward Executive Officers
Ilala Municipal council	3	Planning and Co-ordination department
Temeke municipal council	3	Planning and co-ordination department
Kinondoni Municipal council	3	Planning and Co-ordination department
City council	1	Economic Planner
City council	1	Legal Officer
Kinondoni Municipal council	1	Legal Officer
City council	1	Committee clerk
Ilala municipal council	2	Committee Clerks
Temeke municipal council	2	Committee clerks
Kinondoni municipal council	2	Committee clerks
Administration and Finance	3	Ilala, Temeke and Kinondoni municipalities
Legal Division, Environmental Education Directorate, and Environmental Impact Assessment Directorate	3	National Environment Management Council(NEMC)
Public relations office, Planning department, and Pollution Control Department	3	Division of Environment
Total	66	

Source: Field data, 2004

(b) Documentary sources

Different documentary sources were used as secondary source of data. After obtaining primary data through interview, various documents were consulted to supplement the information from interviews. Through documentary sources quantitative data relevant for the study was obtained. Documents consulted include:

(a)Local government Acts such as: -

- (I) The local government (Urban Authorities) Act, 1982,
- (ii) Local Government Negotiating Machinery Act, 1982,
- (iii) The Regional Administration Act, 1997
- (iv) Local Government Finance Act, 1982

(b) Other documents reviewed are: -

(v) National Environment Policy Document of 1997,

(vi) Environmental Bill of 2004,

(vii) Local Government By laws like Waste Management By-laws for each municipal council

(viii) Environmental profile documents and local government reports.

Through these documents I managed to understand the policy implementation structure, type of resources used for the implementation and the structure of the local government councils and how it related to the central government.

(c) Observation

I managed to observe how waste management activities were done in different local councils; the type of equipment used and how waste disposal is done. Also, when interviewing the participants, I managed to observe unplanned settlements areas like Manzese in Kinondoni municipality. In these areas, garbage dumped along the streets was observed. In Temeke municipality, illegal sand mining areas and unplanned settlements were observed, while in Ilala municipality in Kipawa Ward I observed cooking oil industry which might be causing a lot of environmental problems through the way diffuse is disposed.

1.5.5 Challenges Faced During Data Collection

It was a very difficult task to get councillors for interview because councillorship is a part-time job where councillors do not receive a salary from government for the work they do apart from their sitting-allowances during committee sessions. Most of them were not available in their offices. Appointments were interfered with due to unscheduled local government meetings. I managed to interview most of them after or before the meetings in the councils, and when they went to the council offices for follow-ups.

These interviews were also conducted in Swahili due to the fact that the language is widely spoken in Tanzania and most respondents were conversant with it than English.

Translation of some concepts from English to Swahili was a bit difficult, but the use of Swahili facilitated the exercise by observing participants' feelings on environmental issues.

1.5.6 Procedures for data analysis and interpretations

Qualitative techniques for data collection were used in the study. Data analysis was done progressively at each stage of data collection. This involved continuous reflection of the empirical data.

Triangulation

This is the combination of data collection methods to ensure that events and facts are supported by more than one single source of evidence (Yin: 2003:99). In this study, data triangulation is used to ensure clarity of the measures in the study, Multiple sources of data were used to examine the implementation of the National Environment Policy at the local government councils. Multiple sources of data increased the validity of data. This is because evidence obtained from one source is supported by evidence from other sources.

Coding was used to provide a description of participant's categorised findings for the study. Then interpretation of data was done. In this study meaning was derived from the comparison of cases.

In conveying the findings rich, thick description are used. As pointed out by Creswell, (2003:196) this "may transport readers to the setting and give the discussion an element of shared experiences".

Potential problems of construct validity also were addressed because multiple measures of the same phenomena are provided by more than one source of evidence (ibid.)

1.6 Organisations of the thesis

The thesis is divided into six chapters. Chapter one is the introduction and introduces the research topic. Methodology and objectives of the study are also discussed.

Chapter two is concerned with the theoretical framework. In this chapter I discuss in detail the theory that guides my discussion on the implementation of the environmental policy.

Chapter three discusses decentralisation in the local government authorities in Tanzania and its impact on the environmental management activities. In this chapter, the roles of central government institutions in the policy process are presented

Chapter four discusses the Implementation of environmental policy in the three Municipal Councils of Dar- Es- salaam in Tanzania.

Chapter five discusses in detail the factors that influence the implementation of the environmental policy and challenges.

Chapter six presents the summary and discussions of findings of the study

CHAPTER TWO

THEORETICAL PERSPECTIVES AND CONCEPTUAL FRAMEWORK

2.0 Introduction

Implementation of public policies has become an issue of great concern in many developing countries including Tanzania. This includes the implementation of the National Environment Policy (NEP), which was formulated in 1997. In exploring how NEP is implemented in the Local Government authorities in Tanzania, this chapter presents the theoretical framework of policy implementation in a decentralised system.

The theories discussed are the top-down and bottom-up perspectives according to various writers on policy implementation and the decentralisation process. These perspectives are then applied to Tanzania. In developing a conceptual framework, the chapter reviews implementation concepts and arguments developed by Van Meter and Van Horn (1975), Hogwood and Gunn (1984), Pressman and Wildavsky (1973), and Sabatier (1986). It also reviews concepts of decentralisation as described by Max (1991), Eriksen (1999) and others including Stoker (1998) on the issues of size, efficiency and democracy in local governments.

According to William Jenkin (cited in Howlett and Ramesh, 2003:6), Public policy is “a set of interrelated decisions taken by a political actor or group of actors concerning the selection of goals and the means of achieving them within a specified situation where those decisions should, in principle, be within the power of those actors”. This definition is selected because the study will explain variations in implementing interrelated decisions i.e. the National Environment Policy, by political actors or group of actors i.e. central government and local government institutions, across the three municipal councils selected in the study, by reference to specific variables and conceptual framework.

2.1 The concept and perspectives of implementation

Implementation means putting decisions into action. As stated by Hill (1997:17), implementation is the specification of objectives and translation of policies into practise. There are two main perspectives of the policy implementation process; - top-down and bottom-up perspective. In the top-down perspective, Mazmanian and Sabatier (cited in Hill and Hupe, 2002:7) describe implementation as the process of carrying out policy decisions incorporated in a statute in the form of executive orders or court decisions. They added that, implementation starts with passing of a statute, followed by decisions of implementation

agencies, the compliance of target groups, the policy impacts, both intended and unintended (of those decisions or outputs) the perceived impacts of agency decisions, and the important policy revisions. By using this perspective, the study considers the following: -

- (a) The extent to which the actions of implementing official and target groups are consistent with objectives and procedures outlines in the National Environment Policy of 1997.
- (b) The extent to which NEP objectives are attained across cases.
- (c) Principal factors that affecting policy output and impacts, both relevant to the official policy and other politically factors.

From the views of the top-down perspective, Van Horn and Van Meter (1975), in their work “*The Policy Implementation Process*”, have presented a model which, according to them can be used to analyse policy implementation. It involves actors within the organisation and across the boundaries of the organisation through the relationship between various implementers of policy.

Van Horn and Van Meter’s theoretical framework, starts from the policy itself where goals and objectives are established. Then they identify two characteristics of policy, which determine its implementation: (a) amount of change involved and (b) the extent of goal consensus among implementers. They argue that, implementation will be affected by the extent to which the policy deviates from the previous policies and the amount of organisational change required. They added that for effective implementation, implementing agencies are not required to involve drastic reorganisation in the process. (Van Horn and Van Meter 1975:459)

As explained in Hill (1997:281), the bottom-up perspective starts by identifying the network of actors involved in service delivery in one or more local areas and asks them about their goals, strategies, activities and contacts. It then uses the contacts as a vehicle for developing a network technique to identify the local, regional, and national actors involved in the planning, financing, and execution of the relevant governmental and non-governmental programs. Thus, it moves from street-level bureaucracy to the top policy makers. Therefore network of actors involved in service delivery in the local government councils, including policy implementation activities are identified. In analysing the implementation of NEP, the study identified actors who participate in planning of environmental management, financing of environmental programmes and execution of environmental policy programs.

Analysis of the implementation of NEP is not limited to the actual policy decision making and those who participated but also other actors in the community who do not participate in the process but have indirect influence on implementation. For example activities of people in local communities impinge on policy outcomes. Eriksen et al (1999:31) point out that, “Although peasants do not participate in policy making, they are not passive objects”. In the study, the bottom-up perspective is used to assess the activities of policy implementers like local government staff at the lower level of the council’s local leaders, and local communities in relation to the policy.

Goggin (1986:330) described implementation as “a problem-solving activity that involves behaviours that have both administrative and political content”. He elaborated more that behaviours are shaped by the decision making environment, type of policy at stake and type of people who manage programs and implementing organizations (ibid).

Therefore in my view, implementation incorporate targets which are set by a group of people be it government officials, members of parliament, local leaders or groups in a community, and a clarification of measures to be taken to achieve intended policy goals. It is also difficult to translate those goals into reality .i.e. actions.

In looking at the implementation process, policy outputs and outcomes are analysed. Outcomes are the things that are actually achieved, whatever the objectives of policy may have been. They are real results, whether intended or unintended, at the same time outcomes are not government actions (Ersson & Lane in Hill and Hupe 2002: 9).

Why use both top down and bottom up approaches?

The use of both approaches as suggested by Hill (1997:285) is pertinent where there is no dominant public program in the implementation. In the three municipal councils selected in the study, there is no dominant programme in the implementation of the National Environment policy. In addition bottom–up is concerned with understanding actors interaction in specific policy sector (ibid:284), while top-down approach is useful where there is dominant piece of legislation structuring implementation and when the policy’s technical theory is well established. It is more useful when the details of the programme are well spelt out for the street-level bureaucrats and the relevant citizenry to whom the policy intends to benefit. For example during the study period a bill for the National Environment Management

Act 2004 was passed by the parliament of the United Republic of Tanzania for the implementation of the National Environment policy. This act replaced the National Environment Act of 1983 and provide legal mandates for institutions responsible for policy implementation.

In considering the framework of this study, variables that influence the implementation of National Environment Policy in the Local governments in Tanzania are identified. These try to provide answers on how policy success or failure occurs across cases and within local government institutions.

2.2 A Framework for implementation Analysis

A policy normally contains goals and means to achieve them. For a successful implementation, the close linkage between organisations and departments at the Local level is crucial. Actions to be taken depend on the number of links (Pressman and Wildavsky as cited in Hill and Hupe, 2002:44). Also designers of policy have to consider direct means for achieving their ends (Pressman and Wildavsky in Nakamura et al, 1980:13).

In 1983, the Parliament of the United Republic of Tanzania passed the National Environment Management Act No.9 which established the National Environment Management Council. In 1990 the Division of Environment Department was formed, National Environment Action Plan (NEAP) was formed in 1994. This was followed by the National Environment Policy, which was formulated in 1997. The National Environment Action Plan provided a framework for making the fundamental changes needed to include environmental considerations in decision making in the country.

The local governments in Tanzania are the main implementers of policy. As mentioned earlier the local councils are decentralised. In that case therefore, the implementation of the national environment policy is within the decentralised system. In the following section, I discuss the concept of decentralisation.

2.3 The Concept of Decentralisation

As defined by Eriksen et al, (1999:14), decentralisation is “the transfer of public authority from the national level to any public agency at the sub-national level.”

UN (1962) as quoted in Max¹⁷, defines decentralisation as “*the transfer of authority away from the national capital whether by deconcentration (i.e. delegation) to field offices or by devolution to local authorities or other local bodies*”

Sectoral decentralisation

This is when the power to perform a specific sectoral function is transferred from the centre to a local authority which has this task as its single responsibility within its area of jurisdiction like health, or agriculture. Sectoral decentralisations facilitate the transfer of policies from central to local level (Eriksen: 1999, 38). In spite of the advantage of sectoral decentralisation, it is difficult to co-ordinate across sectors. There is always a problem of ensuring legitimacy and acceptance of policies by the community. Eriksen, (1999) notes that, this problem may be minimised by introducing public participation, which however is costly given the resources the government has to incur.

Public participation in environmental management activities is recognised in the Tanzanian National Environment Policy. It is indicated in the NEP document (1997:17) section 42, that, in order to ensure full contribution of private sector and Non-governmental organisations in the environmental policy implementation, full communication and cooperation between them and national and local authorities must be pursued.

Devolution

Max (1991:78) defined devolution as the transfer of power to local government authorities whereby local governments are empowered to make by-laws, raise revenue, and allocate resources for the provision of various functions on behalf of the central government. As pointed out by Dye (1993:330), local governments are creatures of the state, subject to the obligations, privileges, powers, and restrictions that the governments impose on them.”

The government of Tanzania, through its constitution, creates local governments and empowers them to collect taxes, provide services to the people, and regulate and control various community activities including the environment. Local governments in Tanzania function under the general supervision of the Central Government Ministry of Regional Administration and local Government under the Presidents Office.

¹⁷ The Development of Local Government in Tanzania(1991) pg.78

The above illustration agrees with Eriksen et al (1999:36), that, “decentralisation may take different forms, and it may involve different institutions and functions of government”. This study adopts the meaning of decentralisation as defined by Eriksen et al above. In this case it is the shift of mandate or power to plan and make decisions or manage public function from the higher level of authority be it a state, or government institution to a lower level of an organisation or sub-national level (Ibid: 36)

In Tanzania, decentralisation of authority and responsibilities was aimed at giving Local government authorities power to employ their own staff, make operational decisions over their budgets and re-organise council committees and local government functions and structure so as to deliver services more effectively and efficiently¹⁸. It has been argued that, until the late 1980s, decentralisation experiments in Sub-Saharan Africa were characterised by the majority of states to reinforce central control, rather than local autonomy. Until recently, involvement and participation of local communities was limited. Meaningful local participation is stressed in recent political pluralism. This has taken the form of political decentralisation or devolution of powers to representative local councils¹⁹.

Decentralisation of government in Tanzania was experimented first in 1926. In this period the British colonial regime established native authorities. Local authorities in this period had no jurisdiction over non-Africans residing in their areas. They were therefore not representative of the people. In 1962, the Local governments became fully responsive to the people and services were administered through the local governments. In 1972 the local government authorities (district councils) were abolished, followed by the urban authorities in 1973. (Max, 1991:79). In this process, a system of non-representative local government was replaced by deconcentration of government authorities.

In Tanzania, the system of deconcentration²⁰ aimed at giving people decision-making power on matters affecting their local issues, and providing them with staff and finances for implementing their activities. However, local development activities were planned and

¹⁸ See Local Government Reform Programme in Tanzania-Country Experience by Brig.Gen(Retired)Hassan Ngwilizi Mp,Minister of State, paper of 2002

¹⁹ William Tordof ”Decentralisation :Comparative Experience in Commonwealth Africa” The Journal of modern African studies,32,4(1994)pp.555

²⁰ “Entail transferring certain planning, financing and management tasks to local units of central agencies.” http://www.keysheets.org/red_11_decentra_gov.html

implemented at the district and regional level. The central government created district and town development councils.

These changes were also known as decentralisation. Objectives of these changes include increased people's participation in decision-making (Max: 1991:79-82).

2.3.1 Rationale for Decentralisation

An analysis of decentralisation and its impact on the policy implementation is important for us to map out the effectiveness and workings of the National Environmental policy of Tanzania. However, in order for us to fully appreciate the validation of decentralisation, we need to consider two important points; a) the freedom of decentralised authorities to access resources, and b) the freedom of decentralised authorities from influence.

a) Freedom to access resources; this involves the extent to which people can voice their needs such as fund requirements. It is related to the extent to which decentralised units can access information. Lastly, it relates to the extent to which elected committees help communities to access resources.

b) Freedom from influence. Decentralisation is expected to give people autonomy to decide on their own programmes, with minimum or no external influence.

These points provide a basis upon which we can evaluate the extent of policy implementation. In the first instance, the extent to which people can voice their needs may indicate the level of their participation in environmental management activities. Secondly, the more the people are given autonomy, the more they can decide on issues that affect them. Such autonomy may quicken the process of decision making and hence efficiency.

In this respect, I hypothesise that decentralisation may lead to better environmental policy implementation. According to official documents from the central government institution which formulates policy, decentralisation leads to better policy implementation²¹. This

²¹Dar – es- Salaam City council records

rationale is derived from views of various proponents of decentralisation.²² The following are some of the benefits for decentralisation: -

- It can generate financial, efficiency and quality gains by devolving resources and decision-making powers to local governments for the delivery of services.
- It creates efficiency because productivity of services will be maximised by allowing local government to take decisions on the allocation of scarce resources to local priorities.
- In the process, the decentralised units can become more accountable in resource allocation decisions.
- Quality of service can be enhanced because local government will be more sensitive to variations in local requirements and open to feedback from users of services.

Based on these perceived benefits of decentralisation the creation in Tanzania of a decentralised system focused on a) creation of efficiency, b) accountability, and c) improvement of the quality of service delivery became necessary. This was due to the problems that the Dar es Salaam city was experiencing as a result of high population growth, poor provision of goods and services, fallen revenue collection, and poor waste management due to inadequate trucks and other resources. There was also a problem of overstaffing. Worse still, the city council employees were largely unqualified for their jobs. During this time, the decision-making powers of the local government in Dar-es-Salaam were exercised by the city council as the large unit of local government. After decades of poor performance, reforms were introduced in the local government in 1996, including decentralisation in the decision-making and service provision in general²³.

The second hypothesis is that, decentralisation might lead to less policy implementation. This is because local problems are different from one community or council to another.

Cheema and Rondinelli (1983) pointed out that, “Decentralisation is more efficient than centralisation”. But, it is important to note that, there are also risks in decentralisation. There is no automatic assurance that increased political autonomy for local governments will lead to improvements in public service. Also, the technical capabilities of local government staff may be inadequate. Weak technical capacity at local levels may result in services being

²²See paper on Participation, Local Governance and Decentralised Service Delivery 1, at [http://64.233.161.104/www.ids.ac.uk/logolink/resources/downloads/Robinson Participation-en.doc](http://64.233.161.104/www.ids.ac.uk/logolink/resources/downloads/Robinson%20Participation-en.doc) of 14th June 2005.

²³ Dar- es- Salaam City Council records.

delivered less efficiently and effectively²⁴. There may be over-centralisation of resources, limited transfers to sub-national governments, a weak local revenue base, lack of local planning capacity, and limited changes in legislation and regulation.

In order to explore these challenges in relation to my study, I draw guidelines from Keating (1995) and Guy Peters et al (1998). Keating (1995: 132) points out that, the right size for municipal government is a matter of local circumstances. His arguments are derived from reviews of the arguments of supporters and opponents of consolidated local government. He examines some of the practical difficulties in achieving benefits of decentralisation. In his study on the debate on consolidation four issues were pointed out: -

1. Efficiency; which is concerned with the scale of structure that can produce most service, at least cost.
2. Democracy; what structure can best secure citizen control over government and proper accountability?
3. Distribution; which structure can achieve the most equitable distribution of services and tax burdens?
4. Development; which structures are best equipped to promote economic growth?

Keating as cited in Judge et al (1995: 121) explain that, “the arguments that larger units will enhance democracy has been criticised on the ground that it will be more remote from the citizen and discourage active participation”. It is sometimes argued that large-scale units will be more democratic since they can be given greater powers and functional competence, thus giving more local control over policy.” (Ibid: 119.) The study examines these arguments from local community views.

In presenting the idea of strong local government, local government elite’s view a strong local government as more independent of senior government and which can make its own policies. Senior governments views that the strong local government lies on its functions in its capacity to implement policy and undertake development, but not necessary to determine policy itself. The senior government relates the strength of the local government to its environment and not in relation to the centre (ibid: 121)

²⁴ See www.cddc.vt.edu/knownet/decentralisation.doc of 14/06/2005

In this case, therefore, different social groups may have conflicting interests in the management of environment that may conflict with those of others. Local government staff and other central government institutions may have their own interests. Petty traders or industrial owners may favour particular types of structure, or they may be divided among themselves.

From the public choice point of view, individuals define their own interests and pursue them. Democracy is viewed as a way of maximising the scope of their choice rather than a means of collective choice. Public choice theorists prefer a local government structure that is closer to the markets, allowing individuals to make choices about services, taxes and other policies (Keating in Judge et al, 1995: 123).

A more controversial issue is concerned with the quality of “calibre” of elected councillors. The most important concern in the 1960s was the need for large-scale and comprehensive planning. The speed of economic and social change, population growth trends, and new technology had put existing arrangements under strain. It was believed that planning should be long-term and broad in its scale (ibid: 119). This applied in this study particularly on the level of education of councillors in the Local councils, and their understanding of environmental policy instruments.

As pointed out by LEAT (2001)²⁵, most councillors in Tanzania have very low education and can not make follow-up on the activities of the local staff. The low level of education can affect the extent to which such councillors can contribute meaningfully to the formulation and implementation of policies aimed at ensuring environmental sustainability. The way local staff participate in formulating by-laws, and the way local councillors monitor policy implementation, and ensure citizen participation know their rights, such as land rights in such communities, are analysed in the study. For example, in some studies it is argued that, for decentralisation to work people need to be aware of their rights, to be able to implement them and to challenge when rights are not respected.²⁶

²⁵ Lawyers` Environmental Action Team(LEAT)

²⁶ see www.usangu.org/challenges/challenges-part 4g.pdf of 14/06/2005

2.3.2 Central–Local Relations in Tanzania

The central local relations through decentralisation can be analysed from two perspectives; autonomous model and integration model.

There are two sets of ideas between the autonomous and integrative model. The first idea stands for the autonomous model which stipulates that local governments should be autonomous because they are close to the community's problems and needs. The second idea is for the integrative model. It suggests that state delegates its power to the local governments because of its sovereignty (ibid.12). When measuring local autonomy a resource perspective can be used. This enables the exploration of whether local governments have greater or lesser control over their resources, such as constitutional–legal, financial, political and professional control (ibid.). In Tanzania, Local governments have at their disposal legal powers according to the constitution of the United Republic of Tanzania (1977). Lack of financial and professional resources has been the problem since their re-establishment in 1984 (Max, 1991, 143). I can hypothesise that lack of sufficient policy resources influence implementation of the National Environment policy.

In the autonomous model, central government and local governments are two separate spheres of government where by the state limit itself by monitoring the activities of local government. Autonomy of the councils may differ from one municipality to the other. Horizontally, this is analysed by looking at the existent municipal councils are independent of each other in decision and policy implementation processes. Vertical autonomy is assessed by looking at whether there is existence of local revenues for the provision of services. Or whether, the centre-local relations in terms of policy decisions are at a minimum. It is expected that through decentralisation “Local government councils in Tanzania will be free to make policy and operational decisions consistent with the laws of the land and government policies without interference by the Central Government Institutions”²⁷. Local governments may not only be dependent on central government but they may also depend on socio-economic status of the community. The socio-economic forces may influence local autonomy (Amnå: 14). In this aspect, I hypothesise that, the ability of the local council to raise revenue to finance environmental activities, depends on the ability of local communities to contribute to the local revenue base such as paying local taxes and other local fees and charges.

²⁷ A paper presented at the National Conference towards A vision of future Local government system, by ChaleG.-The local Government Think tank May 1996

The Integration model is stressed in the Agenda 21, whereby sectors which act independently of each other in environment management have to integrate in the decision making process for intersectional effects and improvement in co-ordination (NEP: 1997:3). Integration in this case involves environmental plans and programmes from the lower level of the local government to the higher level. To what extent are the environmental plans and programmes initiated from below?

When looking at the integrative perspective, local governments can be semi-autonomous political institutions with varying capacity for political action. According to the National Environmental Policy, the local governments perform functions of different sectors. In their central local relations one can observe partnerships (Ibid.13). I argue that, in partnerships, the local governments negotiates with central governments on the financial resources for implementing social services including environmental management activities, and the central governments depend on local governments for the implementation of policies. Matland (1995:4) points out that, "If local level implementers are not given the freedom to adapt the program to local conditions it is likely to fail". However, as mentioned earlier other factors like resources, economic and social conditions of the implementers may create challenge to local autonomy.

From the above discussion, it is important to note the role of community participation; the implementation structure, policy resources, and policy instrument form the independent variables in this study. These are factors that influence the implementation of the National Environment Policy, which is the dependent variable in the study.

2.4 Dependent Variable of the study

The degree of implementation of the National Environment Policy is the dependent variable in this study. The extent of these environmental policy implementation activities is assessed in the study. The municipal councils studied identify environmental problems and develop strategies for eradicating them. This includes formulation of environmental by-laws to achieve policy objectives. Various activities are planned by the municipal councils to implement environmental policy in order to: -

- (a) ensure sustainability and equitable use of resources,
- (b) prevent and control degradation of land, water, vegetation and air,
- (c) upgrade rural and urban areas in unplanned settlements areas,

(d) raise public awareness on environmental issues and promote individual and community participation in environmental action, and also,

(e) Promote international co-operation on the environmental agenda.

The extent to which NEP is implemented will be analysed by looking at the extent to which, and how the above objectives are met. This will also depend on the assessment of the following:-

(1) Whether environmental education and training is done,

(2) how municipal waste is collected,

(3) What approaches are used for example in combating air pollution, soil erosion, illegal mining, illegal fishing

The Central government Ministries in Tanzania formulate policies, delegate legislative powers, and grant resources to the local governments, which define the goals by formulating local environmental policies (by-laws). The question here is, how are these goals defined? Which processes are involved and who participate? How do they participate? Does the community participate? Which activities are involved and what goals are set? What are the strategies to implement the decisions? Does it involve any bargaining between the central government and the community?

2.5 The Independent Variables in the Study

Independent variables in this study are factors that influence the implementation of NEP. Van Horn and Van Meter (1975), point out variables that link policy and performance. They stress the psychological and human factors that can influence implementers' behaviour. These includes attitude of the implementers, characteristics of the implementing agencies, resources and social and economic conditions. Therefore the extent to which these factors determine the implementation of NEP is examined in the study. These factors may cause the outcome of the policy to be as intended or not as intended.

2.5.1 Policy Standards and Clear Objectives

Policy standards and clear objectives provide the basis for understanding the overall goals of the policy decisions. This is so because an elaborate legislative document provides concrete and specific standards for assessing programme performance (Van Horn and Van Meter, 1975: 464). Identification of indicators of clear objectives is important in analysing policy implementation. Policy standards and objectives are used to elaborate the extent to which

goals will be realised. In some cases policy standards are easily measured (ibid. 464). The extent of programme implementation will depend on the clarity of objectives and policy standards. If there are elaborate policy standards and clear policy objectives, there is a likelihood that conflicts among different objectives and alternatives will be minimised.

In the context of this study, these variables are applicable. The National Environment Policy has certain guidelines to ensure consistent environmental management. Paragraph 114 of the NEP provides that environmental indicators shall be defined. It is stressed that standards and indicators are necessary management tools for controlling environmental problems. The Division of Environment is responsible for developing management tools such as environmental standards as a means to address the scope. It stresses that environmental standards and procedures have to be in place for environmental legislation to be effective (NEP, 1997:29). The National Environment Action Plan (1994:42) also states that, a comprehensive legal framework for environmental issues and effective sectoral legislation should be established to address the following;

- (a) to ensure that all relevant permits/licenses contain environmental conditions,
- (b) Establishment of comprehensive regulatory pollution control programs on air, land and water based on establishment of emissions and quality standards.

Based on the above guidelines, reviewing and strengthening land tenure legislation was among the actions in response to policy standards. For example, local authorities had to facilitate local involvement and participation on land uses issues, while the central government institutions had to monitor the extent and nature of land degradation (ibid: 44-45). Therefore in order for me to determine the degree of implementation, I work on the premise that the clear the policy standards and objectives, the more likely the implementation success.

2.5.2 Financial, Human and Technological Resources

As pointed out by Van Horn and Van Meter, policies furnish more than the standards and objectives to assess implementation; they also make available resources to facilitate their administration (Van Horn & Van Meter, 1975:465). Resources include funds or other incentives in the program.

For the purpose of this study, policy resources include staff, financial resources and technology. Therefore, the government commitment on financing environmental activities may be important for successful implementation of the National Environment Policy. Increasing lack of local resources to facilitate implementation of programmes in developing countries has necessitated the support of donor community (NEAP, 1994:59). Therefore, the study looks at the role of international donor community as an important variable which influences the implementation of NEP.

The quality of human resources for policy implementation activities is crucial. It includes staff on the local government councils and other implementing institutions. The more trained they are, the more chances of successful implementation

On the technological aspect, the use of modern technology on waste management and disposal is important. As mentioned earlier, there is an increase in population growth in Dar Es Salaam²⁸. Therefore, when analysing implementation of National Environment policy, the type of technology used for collection and disposal of the increased domestic and industrial wastes is also assessed. Therefore availability of sufficient policy resources has a greater role on environmental policy implementation.

2.5.3 The role of Community Participation in Policy Implementation

Participation connotes involving people in activities that affect their lives. These include decision making and selecting programmes that may affect their life. Participation gives people a sense of belonging, ownership and responsibility. Participation represents a real occasion to influence the decisions about everyday life it narrows the gap between the rulers and the ruled (Kjellberg, 1995). Within the larger context of participation is the notion of community participation. Many definitions of community participation draw on the United Nations Resolutions, which were adopted in the early 1970s. One of such definitions view community participation as: “the creation of opportunities to enable all members of a community and the larger society to actively contribute to and influence the development process and to share equitably in the fruits of development” (United Nations, 1981, p.5, cited in Midgley, 1986), In terms of policy implementation, participation may relate to the way people get involved in issues that may affect the level of policy implementation. Muriisa (2001:25) identifies four areas in which people may participate;

- (a) Needs assessment; to what extent do people participate in the assessment of their needs? In this regard people may participate in identifying the environmental problems they are facing
- (b) Programme design; this type of participation involves people's involvement in providing the solutions for their problems. For example, to what extent, are people involved in deciding on the type of programme that affect them. The programmes should originate from people or communities affected.
- (c) Ownership of programs. To what extent can people claim ownership of programmes and projects such as tree planting aimed at solving environmental problems? In some instances people may consider a program as a burden. Unless people are sensitised into ownership of such programmes, implementation of such policy programmes may not succeed.
- (d) Level of involvement in programme management. Are people involved in managing the environmental programs? The level of involvement in managing the programme strengthens a sense of ownership of the programmes.

Upon the above background, I hypothesise that policy implementation is affected by the level of people's involvement in identifying the environmental problems they are facing, programme design and the extent to which they can claim ownership of the programs designed to influence environmental problems.

An examination of the above areas of participation facilitates the understanding of the extent of people's participation and consequently the extent of policy implementation. Participation if examined on the basis of the above points is a kind of an empowerment process. Such empowerment gives people a sense of responsibility towards managing the environment. Consequently, the level of policy implementation will depend on the extent of people's involvement. The more people are involved in assessment of their needs, providing solutions to their problems, managing such solutions and owning such solutions, the higher the level of policy implementation.

Understanding of the policy by the implementers is very important. The extent to which local councillors, local staff and the community understand policy and their attitude towards

²⁸ Dar es Salaam is growing at a rate of 4.7 per report on <http://216.239.59.104> of 11th June,2005

environment issues are crucial for understanding policy implementation. It is important for policies to state clearly how citizens should participate and what areas require their involvement. Not only how policies state but also to identify other forms of community participation for example information, consultation, project design, and evaluation.

Nakamura and Pinderhughes cited in Palumbo and Harder (1981:13), explain participation in a bargaining scenario. They argue that, participants recognise they have common and divergent goals, and seek the policy most favourable to them through bargaining. They added that, the bargaining strategy requires bargainers who are empowered to deal on behalf of their side and a capable of complying with the policy agreed on. To what extent the local people empowered to participate in the policy implementation process.

Folz (1991:223) finds that, citizens may feel more responsible to participate if they are involved in the decisions on services that are expected to affect their lives. As stated in the American Society for Public Administration Journal, (1972:222), “Information establishing policy for government programs should include a section requiring citizen participation.” In addition, it stresses that, administrators should notify affected citizens and community groups of project decisions and should consider citizen views and should inform them on government decisions at the earliest possible time (ibid.). Nakamura and Smallwood, (1980:2) also point out that; implementation of policies is dependent on economic factors, such as the availability of money and sociological factors. They identified these variables as interpersonal work relationships. Such factors affect citizen’s participation.

For example, people’s participation may depend on their economic situation. If a community is very poor, people can easily harvest and sell forest products without considering replacing them. Also if their level of education is low, they may not even understand environmental issues. In following chapters I have analysed the way local people accepted/not accept areas identified as dumping places for waste disposal in Dar -es-Salaam.

2.5.4 The implementation Structure

The implementation structure facilitates understanding of the extent to which environmental activities take place in the local authorities in Dar es Salaam. From the view of the bottom–up proponents, the top-downers tend to neglect the other actors by assuming that the framers

of policy decision (e.g. statute) are the important actors and others are impediments (Hill 1997:279). Consequently, they do not put into consideration ideas, issues or suggestions from other actors in the community such as the private sector, local implementing officials or street level bureaucrats. The initiatives of community based organisations, and the private sector in influencing policy in Tanzania is seen in the community based conservation and waste management activities. The way their views on the implementation structure are put into local councils' agendas or plans may influence implementation. Thus I ask: Are the views of the communities put on the council agenda? If yes, how do they come on the council's agenda? If not, what are the reasons for this?

On his part Hupe cited in Hill (1993:139), asserts that public employees who are interact with citizens, behave in ways that are unsanctioned, sometimes even contradicting official policy, because the structure of their jobs makes it impossible to achieve the expectations of their work. Resources such as time, money, human resources and skills are inadequate to the tasks they are expected to perform.

The interrelations between the central government institutions, the various stakeholders including the local communities in the implementation of policy will be assessed. As pointed out by Palumbo and Harder, common consensus on policy goals is important, if the community finds the policy complex, it may create difficulties in the achievement of goals. Policy makers may state their goals vaguely, for example when policy makers are not certain on how goals should be achieved and at what cost (Palumbo and Harder, 1981:4).

In spite of the reforms in the local governments, a number of gaps between the intended objectives and performance in policy may prevail. Palumbo and Calista (1990), point out that, gaps in policy implementation may occur, if;

- (a) Legislation passed at the national level and local levels is symbolic,
- (b) Legislation is not based on sound theory to direct what design the target group has to follow. The concepts are applicable in this study by assessing how economic and social conditions, implementation structure, availability of policy resources influence policy implementation.

Analysis of implementation structure facilitates understanding of problems encountered during implementation such as financial related problems. Who finances environmental

programmes? The bottom–up approach is useful when dealing with policy problem areas involving a multitude of public and private programs. In this case, the study presents the variables related to top-down and bottom–up approaches, which influence NEP implementation in the local governments in Dar-es-Salaam. As earlier noted, the study focuses on the relationship between central and local governments with particular emphasis on the experiences of various types of decentralisation. In this respect, the study observes the extent of local autonomy in decision making on environmental activities, and how such autonomy may influence the implementation of NEP.

2.5.5 Policy Instruments

As Woodside cited in Guy Peters (1998:162), policy instruments refer to the different means available to governments to attempt to achieve their goals. Understanding the range of policy instruments available and their differences is important for implementation. In order to effectively implement policies, policy makers must understand the range of instruments available and the differences among the instruments. The important question that may be asked here is whether the local policy makers understand this. Instruments are important but their roles can be problematic. Instruments are not stable and may change during implementation (Guy Peters and Van Nispen (1998:2). Instruments are contingent in nature. There is cross-national variation of instruments and their political utility and liability. Also effectiveness in the application of policy instruments is influenced by the interaction of various instruments operating simultaneous (ibid: 3). It is important to examine who designs the instrument and who participates in the application of instruments. Implementation will be successful if policy formulators, implementers and the community affected have a common consensus on the policy instruments.

2.5.6 Inter-organisational communication and enforcement activities

Montjoy and O’Toole, Jr (1984: 492) finds that many government policies need the efforts of two or more agencies during implementation. This is because co-operation between implementing agencies is important for achievement of policy goals. However, they find that co-ordination among organizations make implementation more complex. Van Horn and Van Meter(1975: 466). pointed out that communication within and between organizations is a complex and difficult process. In addition, two types of enforcement or follow-up activities are important in the context of inter-organisational relations. One type is that “technical

advice and assistance may be provided. Higher level officials can facilitate implementation by aiding subordinates in interpreting regulations and guidelines, structuring responses to policy initiatives, and obtaining the physical and technical resources to carry out a policy” (ibid: 467). As far as the study is concerned, the relationship between central government institutions responsible for policy formulation and advice i.e. NEMC and the Division of Environment, and the local government councils is assessed.

Another way is the use of normative, enumerative, and coercive power. The use of normative and coercive power is very common. In this way, the state use socialization, persuasion, and cooptation of state and local actors (ibid). For example, in this study, it is important to examine the nature and enforcement activities of policy instruments, how they are identified, like when establishing licensing procedures and/ or penalties as economic instrument to control deterioration of water resources. It is stated that, this requires co-operation between the Ministry of Environment, Ministry of Tourism and Natural Resources and the Local government authorities (NEAP: 1994: 51).

Another way to achieve influence is to get states and localities to participate in a program. In the study conducted by Van Horn and Van Meter it shows that, amount of federal influence over program increases as the percentage of the federal contributions rises in terms of funds (Van Horn and Van Meter, 1975:468). Therefore, it is important to hypothesize that, the successful implementation of NEP depends on the extent of communication, coordination and the nature of enforceable activities, and the amount of funds contributed by the state or donors in the policy implementation activities. Also local participation in the policy implementation depends on who designs the instruments, type of enforcement mechanisms, and the co-operation between the Central government institutions and the local authorities on various sub-processes relating to instruments.

In looking at inter-organizational communication and enforcement mechanism, institutional conflicts are also examined. In Tanzania the NEMC was established by parliament to formulate environmental management policies²⁹. It also coordinates the activities of other agencies concerned with management of environment including the local governments.

²⁹ See The National Environmental Management Act of 1983 established the National Environmental Management Council (NEMC)

Therefore it acts as an environmental communication centre and stimulates public participation in policy implementation activities. The Division of Environment was created in the then Ministry Tourism, Natural Resources and Environment, but later shifted with the NEMC to the Vice President's Office for environmental management matters. "The Division's lack of clear guidelines has resulted in overlapping responsibilities with the NEMC. It has also set off an intense institutional struggle between these two government agencies as to which oversees environmental issues in Tanzania. Problems between the NEMC and the Division have constrained environmental management."³⁰ The extent to which inter-organisational conflicts influence policy implementation at the local level is explored.

2.6 Hypotheses of the study

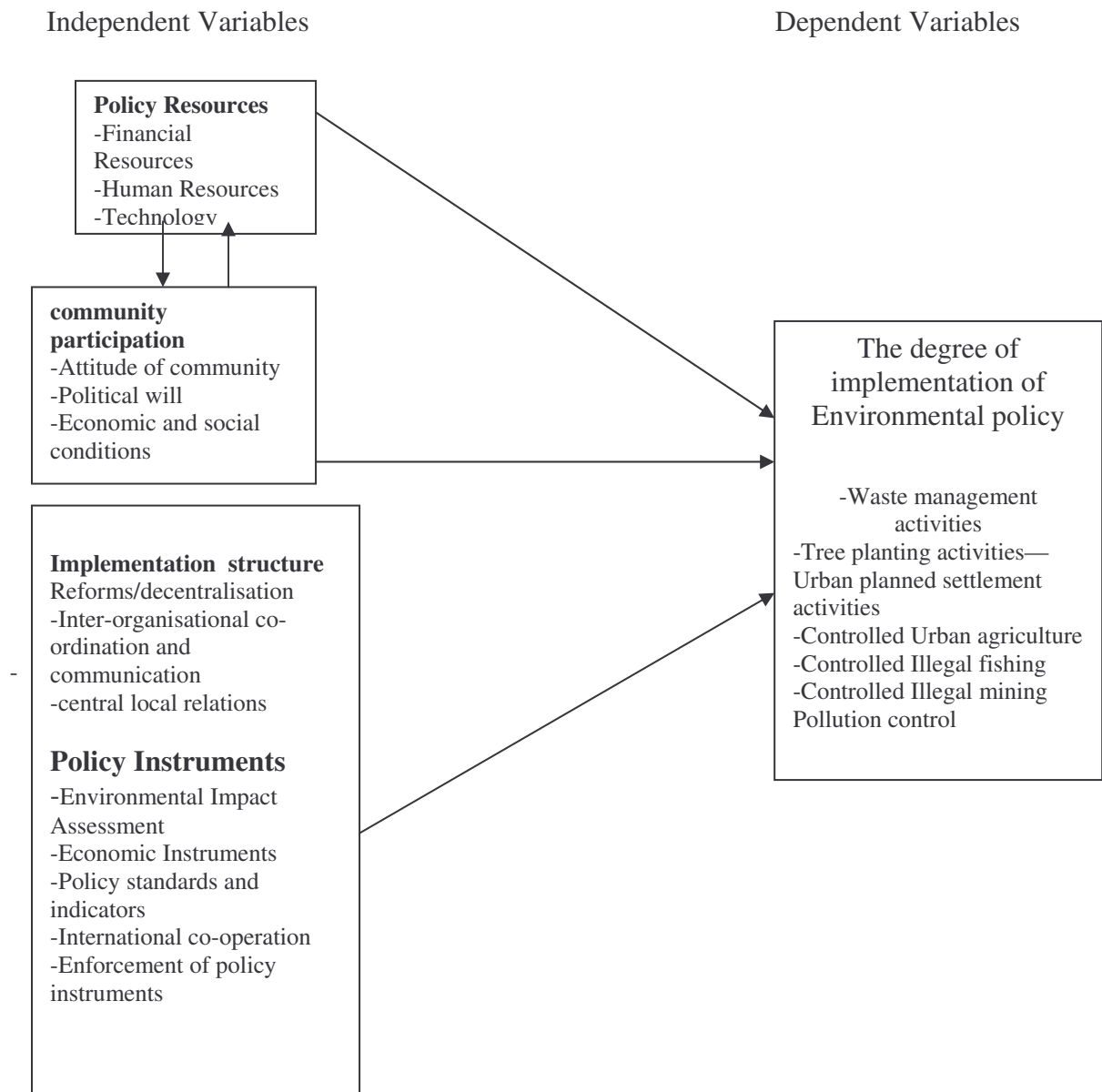
From the discussion about dependent and independent variables presented above, a number of hypothesis that guide the analysis are developed. Hypotheses are tentative statements that show a relationship between variables. In this study, they are assumptions on how the environmental policy in Tanzania is implemented.

- (a) Lack of sufficient human, financial and technical resources impede implementation of the National Environment policy.
- (b) Lack of knowledge on policy instruments like environmental impact assessment, policy standards and indicators, and economic instruments is associated with poor implementation of NEP.
- (c) Community participation on policy implementation determines its success.
- (d) Decentralisation improves or impedes policy implementation.
- (e) Lack of proper co-ordination and relationship between the central government Institutions responsible for policy formulation, and the local councils as policy implementers impede implementation of the National Environment Policy.

The relationship between variable may be presented in the following model.

³⁰ See www.lead.or.tz/publications/access.to.information/institutional_barriers

Figure 1: Variables for the study



Summary

The objective of this chapter was to present a theoretical basis and framework for the analysis of the research problem. In this study I argue that the extent to which a policy is implemented depends on a number of issues including availability of resources, policy instruments, clear policy objectives and policy standards. Based on these guidelines the chapter has presented that top-down and bottom-up theoretical discussions concerning implementation will guide the analysis. The following chapters expound on such issues, and provide empirical insights.

CHAPTER THREE

DECENTRALISATION AND ENVIRONMENTAL MANAGEMENT IN DAR- ES- SALAAM LOCAL GOVERNMENTS

3.0 Introduction

Having discussed the different theoretical approaches to policy implementation, this chapter presents an overview of the environmental activities of Dar-es-Salaam, as experienced under local government. The discussions based are on the decentralisation process and the condition of management of environment. There are different public sector reform programs going on in the country, including local government reform programs and other public sector reforms. This chapter is focused on the results of the local government reforms, and their influences on the management of the environment. The role of the local governments in the implementation of the National Environment Policy, and the reasons why it was important to decentralise the structure of the local government in relation to environmental management are presented. The study is based on the municipal councils in Dar es Salaam City. The roles of the city council and the central government institutions on management of environment are also explained.

Dar es Salaam city council is among the 38 councils in the 1st phase of local government reforms. In this case, I present the process that the government followed since the reforms started in the city in 1996. This involves the delegation of power, responsibility, and authority from the central government on the use of resources, and provision of goods and services by the local government authorities. The main objective of the reforms is to improve quality access of public services³¹.

I outline the process of reform from the Dar es Salaam city council to the city commission, and to the establishment of four local authorities of Dar es Salaam city council; Ilala Municipal council, Temeke Municipal Council and Kinondoni Municipal Council.

3.1 Reasons for reforms

The reasons for the Local government reforms are to improve service provision in the city through community participation (Local government Reform agenda, 1996). It is on this basis

³¹ Dar -Es -Salaam city council Reports(2001)

that it was stressed that, for a successful implementation of the reforms the structures of the councils should reflect the new roles.

Dar es Salaam was declared a township in 1920 and upgraded to a Municipality in 1949. It acquired the city status in December 1961 under the administration of the Dar es Salaam city council. The functions of Dares Salaam city council were transferred to the regional administration, and this led to the deterioration of service provision and development in urban areas. In 1978 the system was abandoned and urban local authorities were reinstated.

In August 1992 Dar es Salaam joined the Global sustainable cities program. In this program environmental problems in the city, which needed solutions, were identified and discussed. As the only local government authority in the area, the city council was the main provider of all services including the infrastructure. An Environmental planning and management approach was adopted after Dar- es- Salaam joined the sustainable cities programme. It emphasises the principles of bottom-up planning, capacity building and stakeholder involvement in decision making.

A Strategic urban development plan (SUDP) was prepared and a framework for Land use was drawn. Infrastructure and utilities important for urban productivity and poverty alleviation were identified. In 1992, Sustainable Dar es Salaam Demonstration Project (SDP), which manages environmental development, was established.

However, it was discovered that there was poor governance in city management. The city council did not have sufficient resources for the provision of various services. There was an increase in un-serviced settlements and environmental pollution. In 1958, the population in the city was 78,000 in 1988 1,400,000 and in 1995 1,700,000. Due to the increase in population, the amount of waste generated from the industries and residential areas increased, to the extent of endangering the life of the people. The city lacked human resources and instruments for implementing environmental activities. The city council had a large number of workers more than its establishment but most of them were not qualified in environmental matters.

In June 1996, the Minister dissolved the Dar es Salaam City council and the Dar es Salaam City commission was appointed³². The minister realised that there was a need for reform in the city council so as to improve service delivery. In terms of environmental management, the reform activities include re-designing the institutional structure for waste management activities. Before 1996, management of solid waste was very poor due to the following reasons; (a) Low budget allocation for the activity, example 30%-35%, (b) Inadequate trucks, equipment and machinery, for example in 1988-1993 only 2%- 4% of the waste generated could be collected and transported, (c) Poor local perception of the community on waste management, (d) Poor infrastructure and institutional arrangement, (e) High rate of urbanisation

3.2 Establishment of the City Commission

Section 4 of the Government Notice No. 110 of 1996 replaced the city council powers to the city commission. As stated in the Dares Salaam City Commission (Appointment) Order, 1996(5) (I),” The commission shall perform all the functions of the Council)³³. The commission was given a period of three years from 1996 to 1999. In this period decentralisation involved participation of people in the provision of services and decision making on development issues, revenue collection, and improvement of central local relations.

The city commission was given two main tasks:

- To provide goods and services in more improved ways
- To restructures the city by formulating four authorities; Municipal councils and a city council, which are autonomous and responsible to the people.

The city was decentralised into 3 municipalities of Ilala Temeke and Kinondoni and these were responsible for environmental management.

As described by the Ilala Municipal Council Waste Management Officer,

In this period the capacity of private sector to implement environmental activities especially on solid waste management was low. It was thus, the responsibility of the municipalities to manage and implement environmental programmes in their areas

³² The Dar Es Salaam City Commission, Subsidiary Legislation Printed by the Government Printer, Dar Es Salaam, Tanzania. The Minister here means the Minister responsible for Regional Administration and Local Government.

³³ Section 76 of the Local Government Urban Authorities Act, of 1982,empowers the Minister to dissolve any urban authority, if he is satisfied that it has failed to perform its functions, or any other written law or performed its functions contrary to the manner compatible with the local government

The reforms were divided into two phases: -

Phase one were reforms under the city commission, and phase two, reform were under three newly established municipalities and the city council. In Jan 2000 the commission ceased and the administration structure was put in place. By comparing the implementation of NEP between the local authorities in Dar es Salaam, two aspects will be presented here, central – local relations and the relationship between the local government and the society in the implementation of policy.

Under the above changes, local government functions and responsibilities were reorganised and improved. It was observed in this period that, the commission strengthened participation, decision making, and management of public resources.

The restructuring of the Dar-es- Salaam City is one of the reform measures in the local governments in Tanzania. In reference to the National Conference “Towards a shared vision for local government in Tanzania,” held May 29-31, 1996, the objectives of the reforms were specified as the improvement of service delivery to the public, and the main strategy to do so was identified as decentralisation³⁴.

It is stressed in local government reform agenda 1996-2000 that, local government authorities should be largely autonomous in managing their own affairs. They have to operate in a transparent and accountable manner, their political leaders should be democratically elected, have strong and effective institutions; should derive legitimacy from the services they provide to the people, and respond to the local needs. In addition, they have to facilitate participation of people in planning and executing development programmes and foster partnership with civic groups. The main principles of the reforms were to let people participate in government at the local level and elect their councils, to bring public services under the control of people through their councils, and securing finances for better public services.³⁵

Regarding the autonomy, it was noted that, the level of responsibility and self-reliance in Tanzania is important in determining the level of local autonomy. But the autonomy is not clearly realistic as most of the functions performed by the local government authorities are the ones which were legally transferred to them by the central government. There are so many

³⁴ Environmental Profile report for Kinondoni Municipality ,January 2001

³⁵ *ibid.*, page 4

controls from the central government. It is argued that, the central government has to support decentralisation at the lower levels.³⁶

In the implementation of environmental activities, the city commission transferred its powers to three zones of Ilala, Temeke and Kinondoni. In these zones revenues were collected within the zones for implementation of environmental plans, which formerly was done by the city council. This improved transport, water and health services. 8.8 billion Tanzanian Shillings (Equivalent to 8.8 million US\$) was collected in 1999 it includes revenues for running all activities in the zones).³⁷ In this period, staff were transferred from the city to the zones. And others were retrenched due to lack of required skills. The number of administrative wards was increased from 52 to 73.

3.3 Establishment of the councils

3.3.1 The Dar-es-Salaam City Council

The City council is composed of twenty members; nineteen belong to the ruling party CCM³⁸ and one is from opposition party and a Member of Parliament for Kigamboni ward (See Appendix 1).

Functions of the City Council

The functions of the city council as stipulated in the Local Government Act.No.8 of 1982 section 69 (A) are

- (a) To co-ordinate the powers and functions of the urban authorities regarding infrastructure and land use planning,
- (b) To prepare a coherent city –wide framework for the purpose of enhancing sustainable development,
- (c) To promote co-operation between the city council and, or amongst local government authorities within the city areas,
- (d) To deal with all matters, in which there is interdependence among the urban authorities;
- (e) To support and facilitate the overall functioning and performance of the urban authorities;

³⁶ A Vision for Local Government in Tanzania, Draft Report on the National Conference on "Towards a Shared Vision for Local Government in Tanzania" Held at the White Sands Hotel Dar Es Salaam May 29-31, 1996, pg.20

³⁷ See City Council Reports "Tafiti na Uchambuzi wa Hali ya Utaoaji Huduma Jijini, pg 9

³⁸ CCM (Chama cha Mapinduzi) - Meaning a revolutionary party in Tanzania formed in 1977.

(f) To provide peace and security and emergency services such as fire prevention and control, ambulance and police;

(g) To perform such other functions as may be agreed upon between the City Council and other urban authorities; and

(h) To perform major functions relating to protocol and ceremonies.

3.3.2 Composition of the city council

Section 19 (4) of the Local Government Act no.8 (1982) provides the composition of Dar-Es-Salaam city council;

- Mayor elected by councillors of the urban authorities within the area of the city council from among elected councillors;

- Deputy Mayor elected among councillors in the city amongst elected councillors except that where the mayor is one urban authority, the deputy mayor shall be from a different urban authority;

-All constituency Members of Parliament and at least two women members elected from amongst women Members of Parliament from and resident in the city;

-Three councillors from each of the urban authorities and one of whom shall be a woman;

-The mayor of each urban authority within the city council

-The mayor of each urban authority within the city council .The Mayor shall hold office for the period of five years and may be eligible for re-election to that office after that period.

Deputy Mayor in this case shall hold office for a period of one year and may be eligible for re-election to that office

-The City Director and non-governmental who shall be the secretary at all meetings of the city council but shall have no right to vote

3.4 The Municipal Councils

3.4.1 Historical Background of the Three Municipalities

Kinondoni, Ilala and Temeke were established as districts in 1972 following the introduction of the Decentralisation Policy in Tanzania. Prior to that time, Dar es Salaam City and Coast Region were forming a single region known as Coast Region which was constituted with Mzizima, *Kilwa*, *Rufiji*, *Kisarawe Bagamoyo* and Coastal Districts. Later on, the region was subdivided into two regions namely Coast (Pwani) and Dar Es Salaam. While the former was formed Kisarawe, Bagamoyo, Rufiji, Mafia, Mkuranga and Kibaha Districts, the later was formed encompassing Ilala, Kinondoni and Temeke Districts. Of recent, a portion of land was

apportioned from Mkuranga District and added to the Temeke municipality's area of jurisdiction.³⁹

Administratively, the municipalities execute their duties through, The Municipal Council; Ward Development Committees (WDC) under the leadership of Ward Executive Officers (WEO) and Councillors, Sub-Ward Development Committees (SWDC), Village Governments and Members of Parliament.

However, regarding administrative functions at district level in accordance to Regional Administrative structure, the hierarchy was organised in the following manner: District Commissioners was the Authority at the apex, followed by District Administrative Officer (DAO), District Executive Directors (DED) and Heads of Departments (HoD).

The system existed until 1996 when the Government dissolved the Dar-es-Salaam City Council due to poor performance, and in its place Dar Es Salaam City Commission was instituted. The Commission was vested with all responsibilities of the dissolved Dar Es Salaam City Council. The Dar Es Salaam City Commission lasted until January 2000 when Dar es Salaam City Council was put into operation again.

The administrative hierarchy of Dar es Salaam City Council was reformed by establishing Municipalities of Ilala, Temeke and Kinondoni and Dar es Salaam City Council at the apex. The system was operational until the General Elections of October 2000 were held and Councillors in all municipalities were elected marking the start of formal operations of Municipal Councils. Despite having Municipal Council status, the City Council at the apex is in place with an overall role/responsibility of co-ordinating functions in the three Municipal Councils as per The Local Government (Urban Authorities) Act of 1982. The councils collect their own revenues and have authority on their use and employ their own staff. All the activities are supervised and approved by the full council as the supreme decision making body.

³⁹ Environmental Profile of Temeke Municipality

3.5 Structure of Implementation of the National Environment Policy (NEP) In the Local Government Councils

It is stated that, the Local Government authorities are “a determining factor in fulfilling environmental policy objectives”⁴⁰. They are close to the communities and govern the day-to-day activities in their areas of jurisdiction. Article 27(1) of the constitution of the United Republic of Tanzania provides that every person is obliged to safeguard and protect natural resources. There are various government institutions and non-governmental organisations working in the field of environmental protection. This can be observed in various sectors.

Before the reforms, three city council departments were responsible for waste management: Health, engineering and urban planning. The health department had the immediate responsibility of solid and liquid waste. In the three districts of Ilala, Tememe and Kinondoni the district health officers were the heads of solid waste management. Health Standing Committees (HSC) supervised the activities of city cleaning. The committee was concerned with planning and execution of waste management activities including removal and disposal. The private sector, community based organisations and the public were not involved.

As mentioned earlier, before the National Environment Policy was formulated in 1997, environmental management activities were undertaken by the former city council. There was a sustainable city programme started in 1992 as an initiative of the UN – Habitat to enhance the capacities of local authorities in Environmental Planning and Management (EPM) it was focusing on: improving environmental information and technical expertise, improving environmental strategies, decision-making, and improving implementation of environmental strategies⁴¹.

Activities in the programme were based on local capacity building, reliance on bottom-up and demand-led responses, promotion of inter-sectoral and inter-organisational collaboration and broad based participation of private and community sectors in environmental activities. Consultation meetings between the city council and the stakeholders to discuss environmental issues in the city were also conducted.

⁴⁰ National Environmental Policy,(1997),section 101,,pg.30

⁴¹ Records from interviewing City council Environmental Planning Coordinator,2004

After the meeting, working groups were formed with special tasks to co-ordinate the city's efforts to address participation priority issues. The number of participant in the meetings or task groups was changed depending on the issues and focus. They reviewed and assessed alternative strategies and negotiated agreement by considering resource availability (financial, technical and material). They also developed action plans – for implementation.

They negotiated and resolved issues like economic instruments by laws (investments) for instance; -

(a) The Dar–es–salaam city council (collection and disposal of refuse) by law of 1993,section 8, states that, “The City council shall arrange for disposal of trade and domestic refuse collected ...and of all refuse deposited,”

(b) Dar–es–Salaam city council (Animals in the city area) By-law which stipulates fees chargeable for permits to keep animals and to move animals

(c) Dar es-Salaam city council forest products fees by law of 1993 which requires that any person who brings forest products to the city should have clearance from an authorised officer.

Other activities were mobilisation of the people and training on environmental protection.

After the reforms in 2000, the City Council, through the Sustainable Dar- es- Salaam Programme, co-ordinated issues that cut across all the three municipalities. These include, infrastructure, transportation and land use plans. It also prepares city-wide framework for the purpose of enhancing sustainable development through environmental protection. In this way co-operation between the three municipalities and the city council is improved. There is Sustainable Ilala Programme, Sustainable, Temeke Programme and Sustainable Kinondoni Programme, formed after the decentralisation. The city council co-ordinates and collaborates with the municipal councils through consultative meetings. In the mobilisation of resources the municipal councils co-ordinates non-governmental organisations (NGOs) within their areas of jurisdiction, for example in Kinondoni there is Kinondoni Integrated Coastal Area Management Project (KICAMP).

3.5.1 Urban planning and environmental committee.

This committee performs its functions under procedures stipulated by the Local Government Act.No.8 of 1982 section 55(2), and Act number 19 of 1983 which established the National Environment Management Council.Local authorities are empowered to establish committees

of urban planning and environment. It is stated that, each committee shall consist of not more than one third of the member of urban council (Municipal Council)⁴².

The environmental committee is responsible for land development, settlement plans and environmental management activities. The National Environmental policy clarifies more on the role of the environmental committees. They are responsible for “co-ordinating and advising on the obstacles to the implementation of environmental policy and programmes, promoting environmental awareness, information generation, assembly and dissemination on the environment relating to the district, ward or village”(NEP: 1997:31).

Main Responsibilities of the Committee

- (a) Proposal on land use plans and supervision of land allocation activities for settlements.
- (b) Approval of waste disposal areas and cleaning activities
- (b) Review on land use plans and environmental management budgets
- (c) Advise and propose areas for mining activities
- (d) To propose on marine plans, lakes and drivers marketing areas, recreational areas, car packing areas etc.

On air pollution control activities, it proposes by – laws concerning environmental issues and regulations. The councils formulate their by-laws for environmental management activities. For example there are laws related to implementation of environmental plans for integration, which include: -

- (a) Township Ordinance Cap. 110, provides for the regulations of urban building and pollution, nuisance and space areas.
- (b) Tree planting activities follows regulations of planting, maintaining and protecting tree By-laws of the city council of 1989.
- (c) City council (Animals in the city) by – laws is used which limits the number of animals to be kept and insist on zero grazing and control livestock keeping activities in the Municipalities

On fishing activities, one of the Environmental Policy objective is to ensure that the environment is preserved, and society obtains nutrition from fisheries resources (NEP: 1997:36), it emphasise that “sectoral policies and programmes have to take account for the sustainable marine resource exploitation when addressing poverty eradication” (ibid: 8). In

⁴² Local Government Act No.8 OF 1982,Section 42(I)© and section 42 (4)

this regard the municipalities formulate by-laws to ensure that they control destructive fishing methods through imposing regulations such as combating dynamite fishing and the use of poisonous chemicals. They promote alternative fishing methods and processing by integrating fish farming methods and other environmentally beneficial means to ensure that policy objectives are incorporated in their activities. Authority tools are also used to control industrial pollution, protection of endangered species, through proper fisheries management, mitigation and prevention of coastal, and water ways degradation.

As described by Schneider & Ingram (1990:514), “authority tools are statements backed by the legitimate authority of government that grant permission, prohibit, or require action under designated circumstances”. In this case, the legitimate authority of government is the local government councils. For example, the three municipalities follow the Fisheries Act of 1970 regulation 26(1)⁴³, as amended in June 2000 which stipulates that: -No person shall: -

- (a) Use poison to kill or catch fish,
- (b) Posses fish killed by poison,

Preventing and controlling land degradation, water and vegetation, is one of the Policy objectives (NEP: 1997, 9). It is stated that:

The local government authorities are empowered to acquire land by request President to use powers conferred to him by the land Act in order to revoke a right of occupancy in respect of the land to be controlled or prevented from degradation⁴⁴.

3.5.3 Solid Waste Management

After the restructuring of the Dar es Salaam City, solid waste collection and disposal was privatised. Before 1996, the city council was responsible for waste collection and disposal. Currently, community based organisations, Non governmental sectors, and the private sector are partners. After reforms in the city council, the four authorities; the city council, the Ilala, Temeke and Kinondoni Municipalities, formed their departments on waste management

Decentralisation is observed in waste management activities whereby every municipality formulates its own waste management by-law. These are; -

⁴³ Fisheries Act of 1970 as amended in 2000,pg 846 of Amended Laws

⁴⁴ Local Government 8urban Authorities Act.No.8,1982 section60(1)(b)

- Kinondoni Municipal Council Waste management and Refuse Collection fees) by-laws 2000,
- Temeke Municipal Council (solid waste management) (collection and Disposal of Refuse By-law, of 2002, and,
- Ilala Municipal Council (Solid waste management)(Collection and Disposal of Refuse) By-law.

These by –Laws repealed the former Dar –Es-Salaam City (Collection and Disposal of Refuse) by-law of 1993. From 1993 –1996, the City council appointed contractors to render refuse collection services on its behalf. In addition, issue of business licences were subject to the payment of refuse collection charges which among its rules includes the one states that, “...no person shall be issued with business Licence unless he produces a receipt certifying the payment of Refuse Collection Charges⁴⁵

After restructuring, the City Council is performing a co-ordination role of waste management activities. The Municipalities formulate their own plans and budgets, and hire their own contractors. The contractors are hired through tendering. The municipalities through the environmental committees advertise tenders for waste collection and disposal. The environmental committees within the wards assess the applications and recommendations, which are then sent to the councils for approval

(a) By- laws on Waste Management Activities

As explained above, in implementing the NEP at the local authorities, the environmental by-laws formulated act as guidelines.⁴⁶ Temeke Municipal council’s (Solid waste management Collection and Disposal of Refuse) came into effect on 25th January 2001. Kinondoni Municipal Council Waste Management and Refuse Collection Fees) By law came into operation on 16th November 2001, and Ilala Municipal Council (Solid Waste Management)(Collection and Disposal of Refuse) came into operation on 30th August 2001. Both Ilala and Temeke waste management by laws were made under section 80 of the Local Government Act of 1982 but Kinondoni waste management by laws was made under section 6 and 13 of Act number 9 of 1982 which is Local Government Finance Act.

⁴⁵ Dar Es Salaam City Commission By-laws 1982-1993, Pg 5, sect 12, of collection and disposal of refuse by –law

⁴⁶ Local government Act No.8 of 1982, section 80(1) empowers every urban authority, subject to the consent of the Minister to make by-laws for the carrying into effect and for the purpose of any function conferred on it by virtue of the Act or any other written Law.

(b) Privatisation of Solid Waste Management Activities and Designing Institutional Structures for Waste Management Activities

In 1998, the city commission established an independent waste management department in the city, and waste management structures in the municipalities to improve solid waste management. These institutional arrangements combine efforts from private enterprises, community-based organisations (CBOs) and the informal sector, which are considered important for the proper implementation of environmental plans.

The city council owns the dumping sites at *Mtoni* in Temeke District. The Municipalities pay fees for disposal of waste to the city council. This process is integrated in the City council environmental committee meetings which is formed by the councillors representing all the three Municipalities

(c) Need for Privatising Solid Waste Management

Solid waste is generated from residential areas, business, market centres and in industries. Existing records show that solid waste management was very poor before privatisation. In 1997, solid waste generated in Temeke was estimated at 1058 tonnes, but only 68 tonnes would be collected and disposed by the municipality. While in Kinondoni the amount of solid waste produced per day was estimated at 970 tonnes but the amount collected was 180 tonnes. There was a realisation that the local communities were not well sensitised on the issue of environmental management under the centralised system. Therefore, their contribution towards management of environment was low. For example, in 1994, the enacted refuse collection and disposal by-law covered only 10 wards out of 52 wards. In 1995, the number of wards dropped from 10 to 5 due to poor co-operation from the residents. In 1996, the Dar-es-Salaam City Council added five contractors to provide more services to 24 wards out of 52 and the daily refuse collection rose up to 148 tonnes per day from previous 80 tonnes per day. However, refuse collection dropped again due to frustrations on the side of contractors caused by little refuse collection charges paid by few customers⁴⁷.

As far as the public theory is concerned, the local government structures in Dar es Salaam were also required to be closer to the markets and hence the waste collection activity was privatised. The privatisation of the waste management services from the councils view was to

improve in the implementation of environment management activities, and a means of collective decision making.

3.6 The Role of Central Government and Other National Institutions in the Management of the Environment

The President's Office is the overseer of Local authorities through the ministry of Local Government and Regional Administration. It approves the budget and allocation of Local Government's funds from the treasury. It is also concerned with the approval of by laws made by the Councils, through the Ministry of Local Government.

It is argued that many government policies require the efforts of two or more agencies during implementation (O'Toole et al, 1984: 492). In this case, there are other Ministries that play greater a role in waste management by approving by laws on land use. For example, the ministry of lands has to approve land allocation plans for dumping sites.

3.6.1 The Role of the Division of Environment in the Management of Environment in Tanzania.

The Division of environment is the department under Vice President's office under the Ministry of Environment. The Division of Environmental has the overall function of policy making, co-ordination and monitoring environmental planning and policy oriented environmental research.

It was created in 1990 as a department under the Ministry of Tourism, Natural Resources and Environment through a Presidential Instrument. In 1995, it was transferred to the Vice President's office in order to co-ordinate environmental management in the country.

The Mission of the Division of Environmental is to provide advice for environmental issues, to develop cross-sectoral and integrated approaches at the policy and programme levels and responsible for inter ministerial co-operation on environmental management.

⁴⁷ Ilala Municipal council reports

(a) Activities of the Division of Environment

(i) Environmental policy and planning section:

This section performs the following activities;

- (a) Formulates, analyse and reviews National Environment Policy and National Action Plans and program
- (b) Liaison with government ministries, NGOs research institutions and inter-sectoral committees on environmental planning, co-ordination and monitoring.
- (c) Development and co-ordination of broad-based conservation program and projects, which are beyond single – sector approaches.
- (d) Formulation and review of environmental awareness raising program
- (e) Reviewing and reporting on the state of the environmental and the implementation of agenda 21 at national level.
- (f) Liaisons with International and multilateral organizations like UNEP, UNDP, UNESCO, SADC and other environmental management activities requiring international co-operation and assistance.

(ii) Environmental Pollution Control Section

- (a) Formulates and review policy and legislative measures for pollution control and management.
- (b) Initiation and supervision of environmental education and awareness raising program on environmental pollution.
- (c) Liaison with international organisations dealing with pollution control and management such as UNEP, WHO, ILO, UNDP, UNESCO etc.

(iii) Environmental Impact Assessment Section: -

- (a) Formulation and review of the framework for environmental legislation.
- (b) Formulation of proposals on complimentary sectoral legal provisions for environmental management.
- (c) Reviewing of policy legislation and directives in various government and non-governmental institutions contributing to environmental degradation.
- (d) Formulation of guidelines and criteria for environmental impact assessment
- (e) Formulation and review of environmental indicators and standards
- (f) Reviewing and approval of environmental Impact Statement and monitoring implementation of EIA requirements in development projects

(g) Evaluation and professional advice on activities undertaken by NEMC⁴⁸

3.6.2 The role of the National Environment Management Council (NEMC)

NEMC is the leading technical advisory, co-ordinating and regulatory agency, which is responsible for protection of environment and sustainable use of natural resources.

It was established by an *Act of Parliament no.19 of 1983* to perform an advisory role to the government on all matters relating to environment management.

In addition it has the following roles; -

- (a) Co-ordinate the technical activities of all bodies concerned with environmental matters;
- (b) To enforce environmental regulations (norms, standards, guidelines and procedures;
- (c) To assess, monitor, and evaluate all activities that have impact on the environment;
- (d) To promote and assist environmental information, communication and capacity building;
- (e) To seek advancement of scientific knowledge on the root causes of the changes in the environment and encourage the development of environmental sound technologies;

3.7 Environmental Management Act of 2004

This is an Act to provide for legal and institutional framework for sustainable management of the environment (Environmental Management Act of 2004). “It outlines principles for management, impact and risk assessment, prevention and control of pollution, waste management, environmental quality standards, public participation, compliance and enforcement, to provide basis for implementation of international instruments on environment and the National Environment policy”⁴⁹

The Act provides for the establishment of National Environmental Advisory Committee that shall be the advisory body to the Minister. It is formed by members from public institutions, private and civil society (Ibid: 25).

According to the Environmental Act;

- a) There will be a Regional Environmental Adviser who will link the regions and the Director of Environment (DE). He/she will be appointed or designated from the advisers in the regional secretariat”.

⁴⁸ Division of Environment reports

⁴⁹ A Bill for Environmental Management Act 2004, was on Parliamentary Discussion on June 2004, passed by The Parliament of the United Republic of Tanzania in October 2004.

b) There will also be District Environmental Officer (DEO) who will report on the state of environment at the local level and perform monitoring and review of environmental activities. Currently there is regional environmental committee and Parliamentary Committee on Environment.

The Local government authorities are responsible for undertaking periodic studies to determine the type of solid wastes generated from markets, business areas, and institution and determine appropriate method for sorting, storage or disposal of waste⁵⁰.

3.8 Summary

The purpose of this chapter was to present a framework for the understanding of the process of implementation of NEP. In the chapter, I have presented the historical processes through which the decentralisation in relation to environmental management evolved. I have also presented the formal structures responsible for the management of environment. These structures are responsible for the implementation of NEP. In the next chapter I will present empirical discussions on the implementation of NEP.

⁵⁰ See Environmental Management Act,(2004) section 115(1)

CHAPTER FOUR CHAPTER FOUR

IMPLEMENTATION OF NATIONAL ENVIRONMENT POLICY IN THE MUNICIPALITIES OF ILALA, TEMEKE AND KINONDONI

4.0 Introduction

This chapter analyses the implementation of the National Environment Policy in the local councils in Dar es Salaam. Discussions on the background of the Local governments in Tanzania and their roles in the management of environment show that the establishment of Ilala, Kinondoni, and Temeke Municipal councils is the result of the current administrative reforms. The discussions are based on data gathered from observations and interviews with local government staff and local councillors. In analysing the implementation of NEP, the environmental problems in the city are also discussed since the NEP was created to alleviate such problems. Understanding such problems will provide a basis of analysing the extent of implementation of NEP.

The National Environmental Policy identified possible reasons for the current deterioration of national environment. These include inadequate land, poor water management, inadequate financial and human resources, and rapid growth of urban population, vulnerable nature of local governments and inadequate institutional co-ordination (NEP: 1997, 5). However, environmental problems in Dar -es- salaam were identified since 1992 during the city council era and some problems led to the dissolution of former city council in 1996, in favour of a decentralised system. In spite of decentralisation, environmental problems still exist in all the municipalities. Reports from the city council indicate that these areas lack sufficient services that relate to environment. As a result, there are increased outbreaks of diseases such as cholera⁵¹. This chapter will answer the following questions: To what extent is NEP implemented? In this chapter, I will discuss the levels of implementation of NEP in the three municipalities, which are my study cases

4.1 CASE 1: KINONDONI MUNICIPAL COUNCIL

The Government Notice No.4 of 2000 issued by the Minister of Regional Administration established Kinondoni Municipal council as an autonomous body. The council covers an area of 531 square kilometres, including urban and rural areas. The population of the municipality

⁵¹ City council report (annual report 2002/2003) indicates that in 2001, 1728 people in the city died of cholera, whereby 1364 were children and 364 adults.

was 621,389 as per the 1988 National census. With an estimated population increase rate from 4.8-6%, by the year 2001, the population had increased to 1,289,841⁵².

4.1.1 Environmental Problems in Kinondoni

As indicated in the municipal records: mangrove trees are threatened by salt mining activities done in the mangrove swamps. Also there are building and construction activities done along the Indian Ocean coast, which result into destruction of mangrove trees. The Council owns 3030 acres of natural forest, which act as habitat for different types of animals like crocodiles and python. However, these forests are on the decline. This is revealed by one interviewee who said:-

Forests are slowly disappearing; People harvest forest resources and sell forest products. It is a way of obtaining their daily needs (Ward Executive officer Mbezi Louis -Kinondoni)

Another problem is illegal fishing. The use of gunpowder (dynamite) is a major problem in fisheries industry. The illegal fishing method destroys fishing grounds and coral reefs, and contributes to the decreasing of fish resources. Further more, some fishermen use poison to catch fish, while others use destructive fishing nets. Such methods do not only destroy fisheries resources by massive destruction of fish including young ones, but they also pollute the waters.

Fishing is the major activity in Mbweni, Ununio, Kunduchi and Msasani villages in Kinondoni Municipality. In 2000, there were 1,701 registered fishermen who use traditional traps and hand lines. However, there is increased recognition that such fishermen do not follow quality standards such as fishing guidelines given by the fisheries department. Instead they resort to illegal means, which do not conform to NEP standards. The use of illegal fishing methods allows fishermen to harvest huge amounts of fish, in a short time and hence a more profitable venture for them, yet unsustainable in the long run. In an interview with the Natural Resource Officers in Kinondoni he had this to say:

Poor people in the coastal area, especially fishermen gain quick money by using dynamite and other destructive fishing methods

⁵² See “Mpango Mkakati wa Uboreshaji wa Mfumo wa Utoaji wa Huduma 2002-2005,Halmashauri ya Manispaa ya Kinondoni”Pg.1

The increase in unplanned settlements also creates environmental problems in the municipality. In these areas, lack of basic infrastructure such as drainage system, poor roads and pit latrines were reported, especially in Kunduchi and Mbweni areas (Burra, M: 2001)

During the study, I observed that in the squatter such as in Manzese, streets are encroached by building structures and become impassable by large trucks. In these areas, people are busy with their petty trading activities. Such activities do not only interfere with sewerage disposal but have also led to the increase of garbage in the city, since such places are inaccessible by large garbage collection trucks.

In an interview with the municipal planner, she expressed disappointment about the way settlements are planned. She said that: -

There is an increase in unplanned settlements in our municipality. Developments in these areas have not followed proper housing plans and as such most of these areas are inaccessible especially during the rainy season. Garbage is deposited every where in the squatter areas (Municipal planner Kinondoni)

A councillor for Mbarahati said:

The increase in the amount of industrial wastes in settlement areas is caused by lack of proper urban plans which failed to allocate land for industrial expansion” (Councillor for Mbarahati Ward in Kinondoni Municipality,

It was noted that as the population increased, the need for settlement areas was not well addressed by the authorities. Eventually, people started constructing homes without following proper plans thus leading to unplanned settlements. This problem was compounded by lack of coordination among planning municipal departments. The study found that there are problems in planning and co-ordination among municipal departments. One interviewee said that:-

Physical developments grow faster than urban planning. Lack of institutional co- operation in urban planning is the source of problems. There is an increase in squatter areas in many places. Sewerage systems are not properly installed; this creates problems in rain seasons in areas with high water table like in Mbweni ward in Kinondoni (Councillor for Mbweni Ward).

For in stance, it was observed that, most unplanned settlements are inhabited by the poor urban dwellers, they are not guided on where to build, and the municipality can not provide

basic housing for them. Urban agriculture in the valleys is also predominant. Msimbazi valley is one of the largest valleys where urban agriculture is practised. There is a lot of environmental degradation on valley areas.

4.1.2 Policy implementation activities in Kinondoni Municipality

Implementation of NEP in Kinondoni municipality is geared towards the attainment of municipal environmental goals. There are environmental committees in the municipality running from the village to the municipal level. The functions of the committees are similar in all municipalities as explained earlier in chapter three. The committee ensures that implementation involves environmental conservation, protection of natural vegetation such as mangrove trees and also that cut trees are replaced with others.

In order to ensure that this is done the committees have passed different by-laws in respect to certain environmental issues. Such laws have limited the cutting of trees in Msimbazi valley. The natural resource officer pointed out that,

Both the central government and municipals (local government) have formulated by-laws regarding implementation of policy at the Msimbazi Valley (Natural Resource Officer-Kinondoni Municipality).

In addition, there are some technical improvements in the ways activities are carried out. In tree planting activities, trees are categorised according to their nature and locality. The types of trees, which need to be planted, differ from one area to another. This is because different trees are suited for different environments. It is the duty of the department of environment to identify which type of trees is suited to each type of environment.

In areas, such as coastal areas, Oysterbay, Kunduchi and Boko, Trees planted include – coconut, mangrove, flower trees, etc. In valley/river areas like Msimbazi, Mwananyamala - Tandale, Mbezi, Tegeta, Mpiji and: Trees specified and planted are - *Ficus spp*, *Senna siamea*, and *Azadractor indica*, *Acacia Spp*. In open/agriculture areas such as Kibangu, Kiluvya, Goba, Salasala, Mbweni, Bunju, Kawe, trees planted are; – *Leuceana Leucocephala*, *Eucalyptus Spp*. *Terminalia*, *Acacia Spp*. *Tectona grandis*, *Albizia Lebbeck*, *Casuarina equilifolia*.

Residential/industrial areas which includes Kimara, Ubungo, Tegeta, Mikocheni and Wazo have the following types of trees– *Azadracta India*, *Senna Seamea*, *Casuarina (Mivinje)*, *Dinolex Legia Tectona sp*, *Ficus benjamine*.⁵³

It is worth noting that the specification of trees to be planted in certain areas by the council staff is one of implementation activity to ensure that policy standards are followed to protect land degradation.

Table 2: Trees planted from 1999-2004

YEAR	Target(Tree seedlings)	Implementation (Planted seedlings)	Tree seedlings
1999-2000	460000	191068	41.5%
2000-2001	600000	569340	94.9%
2001-2002	300000	482238	160.74%
2002-2003	300000	305378	101.79%
2003-2004	400000	300000	75%

Table 2 above indicates that there was a 53.4% increase in number of trees planted in the year 2000-2001 after decentralisation. The municipal council provided the resources such as seedlings, ploughs and conducted awareness raising on tree planting activities. However the number dropped by 85.74% in 2003-2004. The drop in the number of planted trees may be explained by the lack of monitoring staff to supervise the planting.

4.1.3 The role of community participation and environmental projects and programmes in policy implementation

In analysing the implementation of NEP, in Kinondoni, it is important to discuss the role of community participation in environmental activities. It is indicated in the committee reports there are environmental programmes and projects in which community participation is observed⁵⁴. The communities involved in the municipality are various environmental groups, political groups, community-based organisations or non-governmental organisations

⁵³ Minutes of the City Commission Meeting held on 6th April, 1999

⁵⁴ Minutes of the Town Planning and Environmental Committee Meeting of Kinondoni Municipal Council held on 12th February, 2004

In order to increase the involvement of communities in environmental activities, the government has used different means. There is Coastal Environment Award Scheme (CEAS) formed in 2001/2002. In this scheme, environmental conservation groups in the municipality are included in the competition where they fill special forms. Competition may be between schools, individuals, groups or Institutions. Winners are awarded different prizes during the annual world environmental day held on the 5th June, every year. CEAS has helped in the motivating people/group to conserve the environment.

There is also Kinondoni Integrated Coastal Area Management Project (KICAMP). The project sponsored by the Swedish Government. The project in collaboration with other NGOs in the municipality planned to plant 900,000 trees from 2001 to 2005. The project conducts community-based assessment of the natural and socio-economic environments in order to create environmental awareness and build capacity of the local community in protection of their environment.⁵⁵

Community Infrastructure Urban Programme (CIUP) also involves communities participating in the policy implementation in the council areas. This is a programme sponsored by the US government. It promotes infrastructural development in the squatter area, such as *Manzese*. The programme has so far led to the provision of 20,000 plots to squatters in the municipality in areas of Bunju and Mbweni.

The role of Community participation on environmental activities is observed here because people are required to contribute to the project operational costs. Therefore, the roles of community participation on environmental policy implementation activities like tree-planting activities and contribution to the cost of projects that target improving the environment is an important component for successful NEP implementation.

In analysing records from these projects, I observed that, most of the environmental activities are donor funded, which implies that policy implementation is donor dependent. When looking at the politics of decentralisation, foreign donors also play a major role in Tanzania. The International Labour Organisation (ILO) has organised entrepreneurship training to 20 cleaning contractors and to the responsible environmental officers in Kinondoni. This is due

⁵⁵ A report on Coral Reef Monitoring at Fungu Yasin and Mbuday Island conducted in June 2002 for KICAMP pg. 1

to lack of financial resources on the part of the municipality to provide services to the growing population.

The heavy dependency on donors has a limitation in that when donor support is withdrawn, activities are stalled. Data further shows that most people in the community understand environmental activities as mainly tree planting and waste management and therefore have not paid attention to other environmental problems such as use illegal fishing methods. As shown in the municipal records below, there was an increase in tree planting in 2001/2002 as compared to 1999/2000. Local leaders participate in community awareness in tree planting activities. The local leaders also obtain more financial incentives from activities, which are donor funded.

As commented by one interviewee: -

There are environmental committees at the ward level, which constitute the councillors at the wards. The committees make follow up on tree planting and waste management activities and other environmental issues.

These committees have security guards employed by the council for patrolling in the Msimbazi Valley where they report in case of any environmental problem that arise".
(Ward Executive Officer in Kinondoni Municipality)

In Agriculture emphasis is made in discouraging the use of chemicals which may cause environmental pollution. But most people in the community are not aware of soil pollution from chemicals.

As said by one interviewee:

Even myself and most local councillors do not understand issues like water quality and other standards which creates difficulties in awareness campaigns on environmental pollution
(Ward Executive Officer for Bunju in Kinondoni Municipality).

There are still problems of land tenure where individuals own Msimbazi Valley rather than being the free/open space. During villagization policy the central government allowed people to cultivate along the valleys. Therefore, implementation of by-laws relating to cultivation and land tenure systems is still difficult. Efforts are made for the valley to be taken by the government in order to discourage people who do activities that destroy the environment. However, such efforts are often frustrated.

In this aspect, it is observed that the relationship between the local councils and the central government is important for better performance of policy. However, the implementation of some by-laws like penalties or the use of economic instruments like fines is still low. In addition the social economic factors such as low incomes of the people make them contribute less to the economic instruments such as taxes and fines, thus limiting their application. For example, Kinondoni Municipal Council waste management and Refuse collection fee by-law was formulated and published on 16/11/2001 through Government Notice number 353. It aimed at regulating all solid and liquid waste management in the Kinondoni Municipal Council.

Currently there are plans made by the municipalities to have their own disposal sites for example *Kizundi A* and *B* identified in Kinondoni. The collection points are established to reduce haphazard disposal of solid waste in the streets⁵⁶. Kinondoni municipal council budgeted for T.Shs. 85 millions in 2001/2002(equivalent US Dollar 85000) for buying vehicles and trailers for waste collection. The community participates in waste management through payment of refuse collection charges. However, there is still poor implementation of this activity; in some areas people are not willing to pay refuse collection fees. There are also environmental groups, which signed contracts with the municipality for garbage collection. The tenders are awarded on competitive basis to the winning bidder. The bids are assessed by technical persons and tenders awarded accordingly.

The private companies and environmental groups are assessed by the environmental committees at the ward level. Assessment involves verifying the type of equipment which they have and their financial capacity to collect and dispose municipal waste (Head of waste management department in Kinondoni)

Although payment of waste collection fees is still very low, I observed that collection of fees enhances local autonomy in decision-making over financial resources and facilitates provision of waste management activities. The private companies are contracted by the municipality to conduct waste collection activities while the community pays refuse collection charges to the contractors (council). This to some extent enhances waste collection.

As shown in the waste management department records: -

(a) A total of 388,360 Tons of solid wastes have been produced (Jan –Dec 2004)

⁵⁶ Field notes,2004

(b) A total of 191,580 Tons of solid wastes have been removed. A total of 181 trips of liquid wastes have been drained by the Municipal Vehicles

There are few vehicles used in the removal of waste in the municipality. There are only 10 vehicles of 6 cubic meters each, while a total of 55 vehicles with capacity of removing 4.5 tons per three trips are needed.⁵⁷ Because of this, waste control has not been improved much. Also, the council planned to have waste management staff and a temporary waste deposit area in every ward by 2005. Currently this has not been achieved. This has made implementation difficult.

As described by various interviewees;-

Waste deposits in Goba village create destruction of water sources in the catchments areas. In some areas like Goba village people's awareness towards payment of refuse collection is low. The council has inadequate staff to conduct awareness training in every area" (Ward executive officer in Kinondoni municipality)

4.1.4 Other Policy Implementation Activities

It was observed from the study that economic conditions of the local communities in Kinondoni contribute much in environmental degradation. Economy of coastal people depends on artisan fishing, small holder farming, subsistence forests and small-scale trade. In order to harmonise people's activities with environmental management requirements, community training is conducted to increase environmental management awareness.

Control of illegal fishing training is one of the training conducted by the local council staff to raise awareness on dangers of illegal fishing and environmental destruction. This is a major activity in Mbweni, Kunduchi and Msasani Villages. In 2000 the municipality established four fishing grounds in the villages of Mbweni, Ununio and Msasani with 1701 registered fishermen and fishing equipment. For the purpose of controlling environmental degradation at the seashore the Kinondoni Municipality has entered into agreement with SIDA to implement KICAMP Project. It has also constructed fish markets in Kunduchi, Mbweni and Kawe⁵⁸. The training of local citizens in fisheries management reduced illegal fishing while creation of markets led to the improvement of people's income levels since they could sell their products in the local markets.

⁵⁷ Field notes,2004

⁵⁸ Field notes from Municipal records,2004

Table 3: Policy implementation activities in Kinondoni Municipality

Dependent Variables	Extent of policy implementation
Waste collection and disposal measures	<ul style="list-style-type: none"> • Low level of waste disposal due to lack of resources such as staff and vehicles.
-Resources sustainability Land degradation control Control of coastal erosion Pollution Control	<ul style="list-style-type: none"> • Improved tree planting due to community participation • There are still problems of pollution, coastal erosion and land degradation.
Proper management of forests	<ul style="list-style-type: none"> • Low implementation due to lack of sufficient policy resources
Proper Urban settlement plans.	<ul style="list-style-type: none"> • Low implementation in some areas due to lack of adequate municipality capacity. • An improvement in implementation in areas of Bunju and Mbwani.
Safe and efficient water supply	<ul style="list-style-type: none"> • Mixed implementation. High in proper settlements areas, Low in areas where there are un proper settlements.
Eradicate illegal mining	<ul style="list-style-type: none"> • Low implementation, there is illegal sand mining as source of income for poor people
Eradicate illegal fishing activities	<ul style="list-style-type: none"> • Improved management of fisheries resource due to increased awareness and establishment local markets
Pollution control activities	<ul style="list-style-type: none"> • There has been an improvement in settlement planning due to donor support for upgrading settlements areas • Pollution along the rivers has been minimised

Source: Notes made during data collection

4.2 CASE 2: TEMEKE MUNICIPAL COUNCIL

4.2.1 Location

Temeke is one of the three municipalities forming Dar es Salaam City. The other two being Ilala and Kinondoni municipalities. It is bordered by the Indian Ocean in the east, Mkuranga and Kisarawe districts to the south and west respectively and Ilala municipality in the northeast. It covers an approximate area of 656 square kilometres.⁵⁹

4.2.2 Administrative set up

Temeke is divided into three divisions; Chang'ombe, Mbagala and Kigamboni. There are 24 wards and 159 sub wards. The Municipal Council has 34 Councillors, 2 of them are elected Members of Parliament, 24 are elected Councillors and the remaining 8 are women nominees for special seats. Before decentralisation, the municipality was under the control of the city council. Also, the district commissioners were at the higher level in ranks followed by district administrative officer, district directors and heads of departments. After restructuring, the Municipality is performing its activities under the new changes including merging of some of the departments. At present it has 9 Departments as compared to 15, which used to exist before the restructuring.⁶⁰

4.2.3 Environmental problems in Temeke municipality

According to the 2002 National Population Census, the Temeke municipality, (which is also a district) had a total of 768,541 people with 187,609 households. Of the total population, 387,364 were male and female were 381,081. Currently the population is estimated to be 1,021,755⁶¹(See Table 12).

An increase in unplanned settlements is one of environmental problem in Temeke. “These are settlements where people live in poor quality houses and in a large numbers. The areas are developed without official plan and approved scheme. People live and settle on land without legal rights”⁶² Unplanned settlements are observed in areas of *Mtoni Kijichi, Kibonde Maji, Buza and Vijibweni, Keko and Mikoroshini*.

⁵⁹ 2Programu ya Miji Endelevu Temeke Municipality pg. 1

⁶⁰ Maelezo mafupi ya Mazingira ya Manispaa ya Temeke-2001.pg2

⁶¹ Temeke municipal records

An increase in unplanned settlement is a problem but there are other environmental problems associated with this problem in the area. They include increased solid waste from domestic consumption. This includes polythene bags, parts of crops which are not consumable e.t.c. In these areas there is a lot of garbage on the streets. Respondents pointed out a number of problems related with unplanned settlements.

Most people who live in unplanned settlements use pit latrines which overflow during rain seasons". (Waste management Officer Temeke)

A councillor in Temeke observed that:-

The increase in unplanned settlements goes with the increase in land degradation caused by sand mining, and cutting of trees along river banks for construction activities in Temeke. (Female councillor Temeke Municipality)

Other activities in the communities that have a threat to the environment are economic activities. These include industrial activities, agriculture, trade and commerce and informal sector. There are nearly 40 major industries clustered in Chang'ombe ward. Subsistence and commercial farming, small-scale enterprises, trade and commercial activities encompassing whole sale and retail trade, fisheries, animal husbandry and building materials and mining (sand extraction and quarrying) activities are also practised. Further, records show that, the government and the private sectors employ 20% of the residents in the municipality. The informal sector accounts for about 49%, agriculture 13%, with 18% being other types of employment-otherwise known as elementary occupations.⁶³

Industries in Temeke include manufacturing and processing industries which are dominant in Chang'ombe, Mbagala and Vijibweni in Kigamboni. Industries situated in Kurasini, along the Mandela highway, and part of Kilwa road. These are mainly service industries that include garages and warehouses.

In agriculture, the main agricultural cash crops include cashew nuts and coconuts that are basically grown in the peripheral areas of the municipality. Food crops include maize, rice, vegetables and fruits. In the municipality 45000 hectares of land is available for agricultural activities.

⁶² See Land Problem and Unplanned Settlements in Temeke Municipality, pg.3-4

⁶³ Revised EP report Temeke Municipality

Different perceptions about the impact of economic activities on environment are held by people from different departments. For example, I found out that there are divergent views over the impact of agriculture between the administrative and technical staff. During an interview with the ward officer, it was revealed that,

Temeke has a lot of land, for agriculture. There are no serious land degradation problems in the municipality (One Ward Executive Officer).

This view contradicts the arguments of the Agricultural officer who opinionated that:-

Not every land in the municipality is good for agriculture, people use irrigation system but this pollutes the rivers (Agriculture Field Officer Temeke)

The above divergent views limit policy implementation. For example, the agricultural officer had this to say:

When debating budget allocations certain activities are not considered as important. For example, sensitisation of the population on how to conserve land, proper use of fertilisers is given a low budget profile because of the general perception that agriculture poses a little threat to land degradation in Temeke.

Increased environmental problems resulting from agricultural activities were found to be increased in Temeke. It was noted also that, poor agriculture systems (methods) and practices such as excessive use of industrial fertilisers, insecticides is commonly used by the farmers. This is one of the major causes of the soil and land degradation. As said by one of the councillors in Temeke: -

There is soil erosion in many agricultural areas in the council like in Chamazi area also most farmers use fertilisers and their farms are along river valleys. This cause water pollution in Mzinga River

Few people (households) in Temeke do livestock keeping. It is a common practise in urban areas. Most of them practise indoor livestock keeping. The livestock population includes dairy cattle, which has increased in recent years. Free grazing is the most serious problem for cattle keepers. Although free-range grazing is a common practice in the rural areas whereby mixed farming is also practised, large-scale livestock keeping is not common. Table 4 shows that there is an increase in animal keeping from 2002 to 2004. It is also indicated in the study that Temeke is the poorest municipality, and there are more rural areas in Temeke than in other municipalities. Agriculture was found to be the most dominant activity in Temeke than in

other areas. This implies that, environmental problems caused by urban agriculture are more found in Temeke than in other municipalities.

Table 4: Livestock population in Temeke Municipality 2000-2004

Type of Livestock	2000	2001	2002	2003	2004
Cattle Indigenous	6550	6085	7540	6850	5620
Exotic-dairy	1500	1580	2050	3000	3000
Sheep and Goats	1955	2030	2600	3350	3636
Pigs		4000	1807	2000	2015
Camels	10	15	40	58	61
-layers(chicken)	58,480	60,222	88,3000	99,980	150,000
-broilers(chicken)	180,000	150,000	100,000	100,000	100,000
-local(chicken)	20,100	26,530	26,300	27,500	28,000
Geese/ducks	-	-	-	-	1960

Source: Agriculture and Livestock Department, Temeke Municipal Council, 2004

The Informal Sector

Informal sector activities are taking place in several locations in the Municipality. Many of them are to be found along main roads, open spaces, around markets, public institutions such as schools, hospital, public and private offices etc. Major activities: include second hand cloth sellers, fishermen, miners, food vendors, etc.

The informal sector has several implications for the implementation of NEP:

a) It is noted that, many of these businesses do not have valid business licences thus frustrating municipal efforts towards revenue collection b) There are few officially designed areas for these activities. The most prominent petty trading areas in the municipality include Tandika, Mtoni, Keko, Chang'ombe, Mbagala, and Kigamboni. However, people organise informal markets which are predominantly illegal. They operate without proper permits. The municipality has a total of 22 markets out of which 14 are formal markets and the remaining constitute the informal markets. The markets not only contribute less to revenue base necessary for NEP implementation but they also contribute to the increase of solid waste in the area. The markets including the famous Tandika wholesale Market are in poor conditions. As noted by one interviewee:-

Petty trade generate substantial quantities of both liquid and solid waste like pieces of wooden crates, plastics and papers. Vectors such as flies which boom all around the area are responsible for increasing the spread of diseases (Waste management officer Temeke)

It is a common behaviour for the petty traders to collect and dump garbage in any open space. These traders are not bothered about the environmental impact of their activities. They are only concerned with disposing off waste and getting space in which to conduct their business. This, in a way, leads to the abuse of land, and hence environmentally unfriendly activities. People's attitude towards environmental activities is quite different from the council expectation. Cleanliness of the municipal area is perceived as council's responsibility. This has resulted into destroying the physical appearance of the planned streets in the municipality⁶⁴.

This problem is also caused by an increase in unplanned settlements where the council have no sufficient resource to control municipal waste from petty business. Even ward tribunals have no power to force them to pay refuse collection fees. Petty traders come from other municipalities to Temeke (Interviewee one Ward Executive Officer)

Tree harvesting is still a problem; during the study it was revealed that there are no outstanding forest reserves existing in Temeke Municipality. Chekeni Mwasonga, Yaleyalepuna and Chamazi hills, which were once covered by forests, are at present almost bare. Along the coast and especially around river estuaries, there are nearly 2051.7 hectares of mangrove forests which are also on the decline.⁶⁵

This was revealed by some interviewee who said: -

Most Temeke residents have poor economic conditions, they rely on firewood and charcoal for fuel (Woman councillor in Temeke municipality)

Most respondent said that cutting trees for firewood and charcoal is one of the major environmental problems. In order to reverse this trend, the council put more efforts in the activities that reverse the trend of cutting trees such as tree planting. As revealed from the interviews conducted. Tree planting is one of the major policy implementation activities.

In order to implement environment policy one of the activities is that, the council conducts tree-planting campaigns. The campaigns started since 1990. Both the council staff and non-governmental organisations conduct them (One Natural Resource officer Temeke Municipality).

⁶⁴ Environmental Profile for Temeke Municipality

⁶⁵ Municipal records from natural resource department in Temeke

A councillor in Temeke expressed his hopes on the policy implementation activities especially on tree planting: -

Tree planting campaigns in which we are fully participating, have started to bear fruits. Nowadays we can easily see that around institutional areas, residential and along the streets and at several open spaces, trees have been planted.

Table 5: Trees planted from 2000-2004

YEAR	TARGET	PLANTED	PERCENTAGE
2000	740,000	573,140	76.4
2001	255,000	268,561	105
2002	300,000	405,218	81%
2003	500,000	652,365	130.5
2004	500,000	401,210	80

(Source: Municipal Tree Planting records, 2004)

The above trees are planted in the nurseries of Mtoni area 500.000 and Amani Gomvu area 100,000

In fisheries activities, the municipality conducts meetings for discussing fishing methods between the technical staff, fisheries researchers and fishermen⁶⁶. The meetings are for awareness raising on impact of illegal fishing on endangered species like Marine Turtle, Dugong and Dolphins. The meeting aimed at achieve the objectives of the Fisheries act No.3 of 1970 which was amended in December 1997, to cope with policy implementation objective of protecting the productivity and biological diversity of coastal and aquatic ecosystems through prevention of habitat destruction and over exploitation.

The meeting increased people's awareness. As a result, illegal fishing has been reduced although not entirely stopped. The mangrove forests which act as habitat for fish are to some extent maintained although; they are declining in some areas.

From the interviews and discussions made with the respondents and available municipal records; environmental activities can be summarised in the table 6 and 7 below.

⁶⁶ Ref.no.FS.G/Vol.1/2 - Temeke Municipal Council Reports

Table 6: Analysis of policy implementation activities in Temeke Municipality

Dependent Variable	Extent of NEP implementation
Waste collection and disposal measures	<ul style="list-style-type: none"> • Low. because of poor enforcement of by-laws, • Increased informal sector increase industrial refuse. • Failed to control air pollution, increase in unplanned settlements and solid and liquid waste. • In Low income areas municipality failed to obtain revenues and waste management contractors failed to collect refuse collection fees
-Resources sustainability Land degradation control Control of coastal erosion Pollution Control	<ul style="list-style-type: none"> • Improved tree planting due to community participation • There are still problems of pollution, • coastal erosion and land degradation • Municipal staff conducts awareness raising on environmental degradation but fail to visit all municipal areas leads to increase in land degradation and water pollution
Proper management of forests	<ul style="list-style-type: none"> • Low management of forests due to poor incomes, • A success to a small extent in tree planting campaigns conducted by the municipalities but failed to eradicate tree harvesting • increased tree harvesting
Proper Urban settlement plans.	<ul style="list-style-type: none"> • Upgrading of unplanned settlements is slow, • Municipality identified new suitable places for petty trading but failed to control an increase in petty trading along main roads. • municipality failed to control garbage dumped in open spaces by petty traders in unplanned settlements
Safe and efficient water supply	<ul style="list-style-type: none"> • Municipal council failed to provide water supply in unplanned settlements areas. •
Eradicate illegal mining	<ul style="list-style-type: none"> • low implementation because illegal sand mining is one source of income for poor people
Eradicate illegal fishing activities	<p>an improvement in implementation due to availability of staff for awareness raising activities on fishing sites</p> <ul style="list-style-type: none"> - conducting Illegal fishing awareness training conducted on 21st 25th June 2004 in Temeke Municipality, 25 fishermen from Kimbiji village participated, 30 from Ameni village and 40 from Buyuni village participated. - Fisheries Act No.3 of 1970 as amended in 1977 is applied in the municipality • -Issuing of penalties like a fine of ths.300000 is paid or six months imprisonment for the breach of the law leads to decrease in illegal fishing incidents
Pollution control activities	<ul style="list-style-type: none"> • low implementation due to Lack of understanding of policy instruments like Environmental Impact Assessment • Lack of sufficient policy resources and unclear standards leads to increase in pollution • Lack human resources to enforce instruments • Poor urban settlements due to poor settlement plans.

Summary

From the discussions presented on this case, it is observed that, poor co-ordination between the municipalities, coupled with lack of financial resources and proper plans hinders implementation of The National Environment Policy. The sources of funds for the municipality like Kinondoni include local taxes and levies. Local people perceived that, Local financial autonomy is very much influenced by the central government. This case however demonstrates that there have been marked improvements in activities that boost improvement in the environment. For example, tree planting has increased, training in fisheries and marine management have to some extent increased awareness of the dangers of illegal fishing. This has impacted on the control of illegal fishing.

4.3 CASE 3 ILALA MUNICIPAL COUNCIL

4.3.1 Ilala Council Profile

The profile of Ilala municipality is presented in table 9 below

Table 7: Ilala Council Profile

1.	Population	637,573 Male 321,903, Female 315,670
2.	Wards	22
3	Sub-wards	65
4	Villages	9
5	Councillors	32
6	Party Profile of council	One (1) political party (CCM)

Source: Field notes, 2004

4.3.2 Environmental problems

Like Temeke and Kinondoni municipalities, air pollution is one of the environmental problems in Ilala municipality. As far as most local government staff views are concerned, air pollution and unplanned settlements are major environmental issues in the municipality.

Air pollution from household waste is a problem to local governments due to the growth of urbanisation and unplanned settlements. One house in Ilala ward used to accommodate one family but nowadays they accommodate at least four families. There is also an increase of illegal garages, which operates in residential areas (Ward Executive Officer Ilala)

I observed that, air pollution from households comes from type of fuel used by many people in Ilala municipality. There are a lot squatter areas and most people staying in these areas can not afford to buy electricity for cooking and other home consumptions. Firewood and charcoal is used as an alternative source of energy. Most roads are not passable during rain seasons, infrastructures are poor. Houses in these areas are built without proper plans. Many houses are over crowded, people use pit latrines. Garbage is dumped along the roads and in market areas. For example in Vingunguti, Gongolamboto and Kipawa areas there is air pollution households, and from oil and soap industries.

The study also found that unemployment is high in these areas. There are a lot of petty traders in these areas. This indicates that social and economic conditions in Ilala contribute to the increase in environmental problems. Local leaders also support this argument. For example, one local councillor who said: -

In Kiwalani area many people live in squatters. Residents do not follow land regulations, houses are built in open spaces and unsurveyed areas (Kiwalani Ward Councillor-Ilala)

In addition, there are so many sources of air pollution.

Air pollution from industries is a problem. Most industries in Kipawa Ward like soap and cooking oil have short chimneys, this threaten health of the people who live near the industries (Councillor Kipawa Ward –Ilala Municipality)

On waste management activities; in the municipality, few people in some middle income areas pay refuse collection fees, while in some areas like Mchikichini people do not pay at all. Waste management is one of the major environmental problems in the municipality. I learned that some local leaders are aware of waste management by-laws more than the policy in general. One example is from the interview with one councillor who has long experience who said: -

There is no environmental policy, there is waste management policy

I observed this when I asked some local leaders about how they understand the National Environmental policy. There is no waste management policy by the time this study was conducted. However, most interviewees, more than 50% expressed their concern about waste management activities.

4.3.3 Policy implementation activities

In analysing policy implementation activities, on waste management; the municipality conducts awareness raising seminars to the communities on payment of refuse collection charges and other taxes to improve municipal's financial capacity in implementation. However in some areas there is community resistance to pay refuse collection fees, for example in Mchikichini area, mentioned above. From the interviews, people resist to pay for the collection of garbage because, according to the interview with local community, the municipality does not help them. In addition they are poor, they wondered how they can pay they pay refuse collection charges when getting food is difficult?

Another approach is designating areas for solid waste dumping. The council collects waste and dumps it in such areas. However, over the years this has resulted into conflicts between local residents and the council. People are aware of environmental pollution in dumping areas and have protested against such action by local government. For example, 353 Vingunguti residents took Ilala municipal council to court for environmental pollution at Vingunguti dumpsite. The Vingunguti dumpsite was then closed by a court order. The cause of action was “dumping solid and liquid waste at Vingunguti area as a result of polluting areas/environment and endangering health and lives of the plaintiffs/applicants”⁶⁷. Such an act suggests that the citizenry is aware of its rights and is helping in tackling environmental issues, especially when it is directly affected.

Control of land degradation is also one of policy implementation activities done in the Municipality. According to the interview with agriculture officer of Ilala the council control land degradation by preparing and distributing leaflets on land issues. It has improved policy implementation on land issues; however, only 66 leaflets were prepared and distributed in 2003-2004. I argue that, this amount is low compared to the number of households in the council. However, the training has helped to increase community’s knowledge on land rights and sustainable land use. Other activities on land issues and sustainable agriculture include:-

- a) Farmers training on implementation of by-laws on Livestock keeping, and
- b) Land evaluation and payment of compensation to original land owners before surveyed and distribution of land to the communities.

In tree planting activities, the municipality conducts awareness raising campaigns and educates community through meetings and mass media on advantages/danger of forests and how the community can help the municipality on in forest conservation activities. Each year the municipality has a target of 500,000 seedlings to be planted, however, in 2003, the seedlings planted were few because of the drought. Also one of the tree nurseries (Mchikichini) was given to petty traders for business purposes instead of raising seedlings. In spite of these limitations, tree-planting activity is to some extent successful. This is supported by the view of the natural resource officer, who said that,

⁶⁷ See Reports and position of cases handled by Dar Es Salaam City Council. High Court Civil Case No.316 of 2000, mentioned on 30th May 2002.

In tree planting the council has achieved an average of 83% of its planned target.

He expressed his contentment on improvement in policy implementation activities. He added that, the communities are well sensitised in tree planting and management from household to municipal level.

Specific activities done by the forest section include the following:-

1. Preparation and planting of trees in urban plantation hazardous areas
2. Sensitization of local communities on nursery technique, planting and tree management for 22 wards in Ilala municipality.
3. Management and protection of forests found in different areas in municipality.
4. Conduct patrol for the purpose of monitoring illegal harvest of forest products.

Many NGO's/CBO's are formed for the purpose of forest management and protection and, it has contributed to the decrease in illegal cutting of trees.

Table 8: Trees planted in Ilala Municipality from 2000-2004

	UNIT	2000	2001	2002	2003	2004
1	Area Covered (Ha)	4	8	10	14	18
2	Number of seedlings planted	372,000	476,775	296,000	7,733	225,000
3	Number of trees grown	316,200	433,865	224,960	5722	207,000
4	Survival Rate (%)	85%	91%	76%	74%	92%
	Number of NGO's (CBO's deals with Afforestation programme)	3	5	7	10	11

Source: Ilala municipal tree planting report, 2004.

In solving environmental problems caused by unplanned settlements; the municipality conducts training to the communities in collaboration with the central government institutions like Ministry of Lands and settlements and other NGOs. The council collaborates with political leaders and technical staff so as to have a common stand on educating the society on environmental issues. This underpins the fact that inter-organisational collaboration is important for successful implementation of environmental policies.

Sensitisation targets certain areas of concern including, the citizen's rights and responsibilities towards environment protection. In an interview with the councillor in Kiwalani Ward it was revealed that,

In Kiwalani Ward, the community is educated on four areas; to recognise their rights as individuals in society, importance of land rights, legal settlement development issues and to protect health in settlement areas (interview with Councillor Kiwalani Ward)

This indicates that there are some improvements in awareness raising activities on land issues in the municipality.

Increased collaboration between government and other agencies in environmental management is also observed. Participating institutions include; environmental groups, industrial groups, public institutions and parastatal organisations.

In the table below, a summary of the analysis of environmental policy implementation in Ilala Municipality is presented.

Land evaluation and awareness raising activities on land issues shows some improvement in reducing an increase in unplanned settlements. However, the number of areas surveyed is very low as compared to the municipal needs. I observed that, the council plans to evaluate and distribute 20000 plots of lands to the community to 20000 households. I found that, the number is very low when compared to the municipal population, which live in unplanned settlements. According to the interviewees, most people who live in unplanned settlements are low-income earners; they can not afford to buy surveyed plots from the municipality. Most of the people live below the poverty line and are engaged in illegal activities which affect the environment.

Table 9: Analysis of policy implementation activities in Ilala Municipality

Dependent Variable	Extent of NEP implementation
Waste collection and disposal measures	<ul style="list-style-type: none"> • Low implementation in some areas, • Hampered by insufficient trucks for garbage collection, • Hindered by the of sufficient staff
-Resources sustainability Land degradation control Control of coastal erosion	<ul style="list-style-type: none"> • Awareness raising on land issues increases, • however there is still land degradation and coastal erosion
Proper management of forests	<ul style="list-style-type: none"> • Tree planting improved due to increased awareness raising activities
Proper Urban settlement plans.	<ul style="list-style-type: none"> • Increased level of upgrading in unplanned settlements • plots of surveyed lands for new settlement plans increased, however, • they do not satisfy the increased population in the council
Safe and efficient water supply	<ul style="list-style-type: none"> • Low implementation, • many settlements areas are not planned, • there is lack of sufficient water and sanitary services in most areas
Eradicate illegal mining	<ul style="list-style-type: none"> • Wards Tribunal follow-up on Sand mining along river valleys • sand mining has reduced but need for more enforcement
Eradicate illegal fishing activities	<ul style="list-style-type: none"> • An improvement in implementation due to availability of staff for awareness raising activities on fishing sites NGOs and Municipality conducts training on dangers of Illegal fishing activities like the use of improper fishing nets and dynamite fishing
Pollution control activities	<ul style="list-style-type: none"> • Low implementation, water pollution increases at Msimbazi river • Increased air pollution in unplanned settlements areas

In analysing policy implementation activities, the table shows that in Ilala Municipality from the year 2002-2004, policy implementation activities on forest sector has improved. The municipal council has managed to decrease illegal harvesting of trees. Also the number of Non-Governmental Organisations (NGOs) and Community Based Organisations (CBOs) formed for the purpose of forest management and harvesting is increasing.

4.4 Comparison across Cases

When comparing the cases of my study, I have focussed on several factors, which have guided the discussions presented in the cases. These factors include history, the process of policy implementation, and the extent of implementation.

4.4.1 History, Setting of the Municipalities and Environmental Problems

In the first place, three municipalities of my study, Kinondoni, Ilala and Temeke have a common history. They all belonged to the former Dar es Salaam city council. The three municipal councils were created at the same time, i.e. in 2000. I also realised that they have been having increasing population. From the study I found that increasing population in the municipal councils is the biggest contributing factor to environmental problems. For example, the problem of solid waste was realised to be related with increasing population and unplanned settlements.

However, in spite of the similarities in historical terms, the three municipalities differ in set up and location. It was learned in the study that compared to other municipalities, Temeke municipality has the size as big as the other two municipalities together; Temeke is having more rural areas compared to other municipal councils. Because of this agriculture was found to be the most dominant activity in Temeke. Therefore environmental problems caused by agriculture were common in Temeke than other municipal councils, which were facing problems mainly resulting from unplanned settlements, and poor industrial refuse disposal. The dominance of rural settings in Temeke, compared to the rest may also explain why it is the poorest among the three cases.

The municipalities of Kinondoni, Temeke, and Ilala were found to be experiencing more or less similar environmental problems. However, I found that some problems were more dominant in some municipalities compared to others.

In Kinondoni, it was found that, depletion of forestry resource especially the mangrove forests was more than in other areas. Illegal fishing was also found to be more prevalent in Kinondoni, than in other municipalities. I learned from the study that illegal fishing methods such as using small nets and use of dynamite and poison are predominant.

Similarly, environmental problems related to environmental diffuse were found to more prevalent in Temeke and Ilala. In Temeke, there are about 40 major industrial activities. In addition, informal sector was found to be contributing more in terms of solid waste in Temeke. Increased environmental problems resulting from agriculture were found to be more prevalent in Temeke. Temeke being more rural than other municipalities practice agriculture

in which industrial fertilizers form a major input. As a result, there is increased land degradation and water pollution where the water table is high.

In Ilala and Temeke, unplanned settlements were found to be more predominant. Solid waste was found to be a major environmental problem. Air pollution resulting from such waste was found to be more dominant. It was found that because of poor settlements and poor housing plans, most of the squatter areas are inaccessible especially during the rainy season. Therefore solid wastes remain uncollected.

It should be noted however that, all problems mentioned above are found in the three municipalities but in varying proportions. In the same wave of argument there are environmental activities, which are distinctly similar across cases. For example, I found out that different illegal activities exist in the municipalities. In Temeke, Kinondoni, and Ilala, illegal sand mining and quarrying exist. Sand mining is done at Mjimwema area in Kigamboni ward in Temeke. People clear vegetation and leave behind gullies and valleys for soil erosion. In Ilala Municipality sand mining is done in areas of Kipawa ward, where it is reported that some people perform illegal mining at night.

4.4.2 Process of Implementing NEP

Although the municipalities are given guidelines to follow for the implementation of NEP programmes, their creation as autonomous bodies have given them chance to design their programmes. For example, through the decentralised systems the municipal councils have power to collect their own revenue and allocate funds for environmental management activities. They also employ their own staff, and in some cases the central government provide experienced staff to support the reforms. Secondly, municipalities design and initiate their implementation structures like the waste management departments in each municipality.

However, I found that, some activities have dominated across cases. In the first place, tree planting has dominated as an environmental management activity. Tree planting is registered as one of the successful programmes implemented under NEP.

Tree planting in the three municipalities follows main policy standards. Policy standards followed by the Municipalities of Ilala, Kinondoni and Temeke include specification on the number of trees to be planted in the municipalities every year and the type of trees to be

planted in certain areas. The local government staff follows the National Election Manifesto in which every municipal council has to plant 500,000 (Five hundred thousand) trees annually. The routine tree planting in the municipal councils is made a competitive activity which is rewarded when celebrating the World Environmental Day (WED). On this occasion, municipalities compete in terms of the number of trees planted. The competition is also extended to Community Based Organisations (CBOs) and Non Governmental Organisations (NGOs) in the municipalities.

On tree planting the communities are heavily involved: - requests for tree species are obtained from the local people through their environmental groups, which get assistance from the council. The groups compete on tree planting and during world environmental Day they receive different awards from the council. Local government council, encourage local people and groups to plant trees so as to meet their targets.

Tree planting targets is one of performance criteria put in forest staff evaluation forms. (Interview with Natural Resource Officer Ilala Municipality)⁶⁸.

This approach of staff evaluation using an environmental activity has motivated staff to work hard towards encouraging communities to participate in the activity. This might be one of the reasons why tree planting is one of the successful environmental activities under NEP.

It was also learned in the study that the municipal councils follow integrated approach to resource management in which the local governments (municipal councils) co-operate with government ministries. As pointed out by the Municipal Forest Officer of Temeke Municipality,

Participatory Forest Policy was formulated in 2003. This allows community to participate in forest activities. Ministry of Natural Resources and Tourism communicate with the local authorities in implementation of forest activities. There is joint conservation and joint patrol for renewable resources.

In relation to this, the central government continue to support the municipal councils through employment of support staff. For example, the Municipal Natural Resource Officer for

68 Also a member of Council Reform Team

Temeke Municipality is employed by the Central Government and the municipal council employs other forest staff.

For successful implementation of NEP, the three municipal councils decided to increase awareness of environmental problems in the municipalities. The council staffs motivate environmental groups and the community at large by conducting environmental awareness training. Interview with Natural Resources Officer in Temeke municipality indicates that there is an increase of the level of awareness of environmental problems and their rights to manage environment. This is supported by findings from local council record indicating training on different environmental issues. For example, Illegal fishing awareness seminar conducted from 21st to 25th June, 2004, benefited 25 fishermen from *Kimbiji*, 40 from Buyuni, and 30 from Ameni, village (local council records).

From the interviews, bush fires/casual burning of trees when clearing lands for farming activities are decreasing in Temeke due to awareness raising campaigns and the involvement of councillors in the activity. Similarly, awareness of the environmental hazards such as pollution has also increased. For example, it was learned from the study, that in 1990, residents of *Tabata* area in Ilala Municipality took the City council to court for environmental pollution from the point of views of the residents, air pollution was caused by the municipal council which dump waste in their area and the court ordered the closure of the dump site. In the same municipality in 2000 the *Vingunguti* dumpsite was closed through the same procedures.

4.4.3 Problems of NEP Implementation

In spite of decentralisation, lack of policy resources still prevails in all the municipal councils. This problem has made the municipal council to continue depending on the central government and city council for the execution of its programmes. For example, the city council owns dump sites. The municipal councils have to pay the city council for dumping municipal waste and maintenance of the dumpsites. Despite the reforms, the environmental problems still prevail in the dumpsite areas due to the lack of sufficient financial resources. The dumpsites cost the city council Tshs.306 millions per year compared to the revenue collected in the areas of Tshs.182 millions.

From the study, I found that the private sector involvement into service provision has increased. For example the private sector is actively participating in solid waste collection. But in general, the following observations were made: -

(a) The Rate of removing waste has not changed. This was attributed to lack of financial resources. It was found that in the three municipal councils, the private sector has little capacity to fulfil the needs of the services they provide due to poor financial resources; vehicles used for the collection of waste needed repair but there were no sufficient funds,

(b) There was low response from the private sector to provide certain services. For example, people with enough resources to operate the cleaning services have not turned up to engage in the service provision.

(c) There is poor community participation in waste removal and contribution of operations charges to the contractors. The community still perceives that waste removal is a duty of the council. This has led to increased accumulation of solid waste due to unplanned settlements and illegal activities, lack of money to collect and transport waste to the dumping areas due to low contributions from the community.

4.4.4 Trend of Solid waste Collection in the City (Tonnes per day).

Data concerning trends of waste collection in individual municipal was not readily available. However, the study learned that, solid waste collection in the city has improved over time (see table 13). This improvement has been contributed by different municipalities.

Table 10: Trend of the solid waste collection in the city (Tonnes per day)

Year	1998	1999	2000	2001	2002	2003 (By September)
Waste generated	1772	2145	2240	2400	2500	2600
Waste disposed to official dumpsite	396	423	550	700	800	1000
Waste disposed to selected reclaim land and illegal dumps	51.3	98.1	103.8	200	250	275
Waste refuse recovered and recycled	34.2	65.4	69.2	100	150	180
Rate of collection and disposed	27%	27%	32%	42%	48%	56%

It is estimated that Dar es Salaam generates about 2000 tonnes of waste per day⁶⁹. The current status of the solid waste management shows 2600 tonnes are generated per day, solid waste recovered and recycled is 180 tonnes per day and the amount of solid waste disposed to official dumpsite is 1000 tonnes per day. In the table above it can be observed that, the level of solid waste collection has been improving from a low of 27% before privatisation to slightly above average (56%) after decentralisation. It should be noted however, that this trend has been progressing; 32% in 2000, 42% in 2001, 48% in 2002 and 56% in 2003. These figures show that solid waste management is improving. In spite of the little improvement on the amount of waste disposed in the dump sites, the trend implies that more efforts have to be made by the councils on environmental management activities

The improvement in solid waste management was attributed to the following factors: (a). Solid waste management services delivery coverage has increased from 24 wards to 44 out of 73 wards. 29 wards are rural where small solid waste generated is buried and burned on site. (b) Involvement of private contractors in collection of solid waste. In the central city business area eight wards are served by the private contractors without municipal council interventions. From interview with the head of waste management departments in the councils, it was pointed out that the solid waste management sector is also participating in poverty alleviation as it has already created about 1500 jobs for the women and youth. This includes road sweepers, and small waste collector groups.

4.5 Summary

The objective of this chapter was to discuss different environmental challenges and the approaches towards solving such problems. In particular the chapter focused on exploring the extent of implementation of environmental policies in the three municipalities of Ilala,

⁶⁹ <http://www.ilo.org/dyn/empent/docs>

Kinondoni and Temeke. I have indicated that there are many environmental problems which cut across the three municipalities; solid and liquid domestic and industrial refuse, unplanned settlements, illegal activities such as sand mining, use of illegal fishing methods dominate.

In analysing policy implementation activities in all three municipal councils, I have argued that, there has been an improvement in some activities that impact the environment. For example tree planting was discussed as one of the successful activities targeting improvement in the environment. I have argued that the creation of decentralised systems was to strengthen the autonomous character of the local authorities, and more so the financial autonomy. However, this has not been achieved because of the poor conditions of the people who fail to contribute significantly to the fees and levies meant to increase the financial base of municipalities.

The role of service producers have changed to the intermediary where by participation with the local community has increased, especially on waste management and community natural resource activities. In spite of the changes in the decentralisation there are still factors that influence or impede the implementation of NEP. These include poor compliance to environmental laws, limited human and financial resources at the municipality, and the low level of income amongst the population.

The findings show that as far as ensuring that NEP is implemented, a lot is still desired because little progress has been registered in managing and controlling the environment in Ilala, Temeke and Kinondoni municipalities.

CHAPTER FIVE
FACTORS THAT INFLUENCE THE IMPLEMENTATION OF NATIONAL
ENVIRONMENT POLICY AND CHALLENGES FACED BY THE MUNICIPAL
COUNCILS

5.0 Introduction

The purpose of this chapter is to discuss the factors that influence the implementation of NEP. The chapter intends to review the findings presented in chapter 4 in comparison with the theoretical framework developed in chapter 2. By drawing this comparison, the chapter intends to explore the important factors responsible for NEP implementation. In the chapter, I argue that while theoretical debates on implementation have provided general factors that influence implementation of every policy, the level of contribution of the factors depends on the context of individual environment country, and the nature of the policy being implemented.

It should be noted that there is no single factor that can be isolated as influencing the implementation of NEP in any single municipality. The three municipalities experience more or less similar environmental problems although in varying proportions. Similarly, they face the same challenges in implementing the NEP. Therefore, what I present in this chapter, are important specific factors which I found to be influencing the implementation of the NEP in the three municipalities of Kinondoni, Ilala and Temeke. It is also worth noting that such factors may only be specific for Dar- es -Salaam municipalities but may not apply in the whole of Tanzania since the rest of Tanzania, such as rural areas may be facing different environmental problems and implementation challenges.

5.1 Factors that influence implementation of NEP

Local councils employ a number of techniques and strategies to implement the National Environment Policy. In analysing factors that influence the implementation of policy, I consider the following most appropriate for my study;-a) Policy resources, b) implementation structure, c) policy instruments, d) enforcement mechanism and, e) inter-organisational relations. These factors are more dominant in influencing the policy implementation in Dare s Salaam context than the whole of Tanzanian. The discussions I present draws from the empirical finding presented in chapter 4, vis-à-vis these factors.

5.1.2. Policy resources

According to the Local Government Finance Act, No.9 of 1982, there are four sources of finance in the local governments in Tanzania;-a) local council owned revenues, b) shared revenues, (c) inter-governmental grants from the central government and, d) donor assistance. Most of the environmental programmes such as tree planting are donor funded. Increased dependence on donor funding has an impact of limiting the implementation of the programme especially when donors withdraw their support. In addition, heavy dependence on foreign funding limits the autonomy of local authorities in making decision on the type of projects to design and implement since donors may come with their programmes.

Lack of sufficient staff to conduct awareness campaigns in tree planting in all municipal areas affects the implementation of the NEP.⁷⁰ For example, the number of trees planted in Kinondoni municipality dropped from 569340 in 2000-2001 to 300000 in 2003-2004.

The natural resource officer in Kinondoni municipality, said that,

Lack of resources to implement the policy and poor monitoring of planted trees causes a decrease in survival of tree seedlings. Most people perceive that when a tree is planted it is not their responsibility to monitor them but it is the responsibility of the local government.

After interviewing some local staff and leaders, it was revealed that, before the reforms in the city council, lack of funds for implementing environmental activities led to the increase of uncollected solid waste dumped illegally in open spaces such as along streets and on market areas. The Heads of waste management departments in Ilala and Kinondoni municipalities, said that, after the reforms the municipal councils managed to mobilise financial resources for waste management activities. They performed this by delegating some of the municipal responsibilities to the private firms. Refuse collection charges were introduced and this facilitated environmental policy implementation on waste management activities by increasing the collection coverage. Earlier the coverage was small because the activities were conducted by the municipal councils free of charge. Currently there is a good number of contractors and community based organisations (CBOs) engaged in cleaning and collecting waste in various areas in the city in collaboration with the municipal councils.

According to Hardoy et al (2001:79), “it is generally the responsibility of the local city or municipal authority to provide a regular house-to-house waste collection service and to keep roads and public space clean, although many contract out some or all of the collection to

private enterprises”. Most of the respondents for this study also expressed similar sentiments. They argued that they pay taxes, and elect leaders in order for services to be delivered according to their expectations but to no avail. This is because such roles are the traditional reserve of municipal authorities. Such a phenomenon also indicates that new public management and decentralisation have not been well conditioned to meet local expectations.

However, the growth of population and the increase in squatter areas overburden the municipalities’ financial capacity in implementation of environmental policy. In some areas payment of refuse collection charges is very low.

As Chairman of Mchikichini sub-wards in Ilala notes,

It is very difficult to implement policy in some areas. For example in Mchikichini sub-ward, the community is very resistant to pay refuse collections fees. There are a lot petty traders in the area; their participation on paying fees and licenses is also very low.

The problem of unplanned settlements is not only a result of increased population but it is also related to lack of resources (technical, human and finance). For example, the planning officer noted that

Lack of resources like skilled manpower and funds on the part of the municipality make it fail to meet her peoples demand to plots. It has three (3) skilled surveyors and four (4) technicians. In the year 2000 the demand for surveyed plots was 2000 but only 400 plots were surveyed.

When discussing with agriculture field staff in Ilala and Temeke municipalities, it was revealed that there is lack of transport facilities due to lack of sufficient funds. An agriculture field officer in Ilala expressed his disappointment on the transport facility problem. He said that,

There are many farmers in Ilala ward I have to visit and advise on water pollution and land degradation on Msimbazi River but my motorcycle is very old and sometimes I do not get enough fuel to perform my duties on policy implementation. My salary is also very low; I can not afford fuel costs. Due to that I just implement the policy on what ever small resources I have and leave other farmers to work on the basis of little information they have.

Lack of policy resources like sufficient agriculture field staff is common in Temeke. The council can not reach most of its farmers during awareness training due to lack of sufficient staff. An Agricultural office noted:

⁷⁰ Field notes,2004

We are few we can not reach all municipal areas, we also lack transport facilities for extension services.

These are examples of how street level bureaucrats work with regard to policy resources. The government formulates policy but a consideration on implementation resources is left to the implementers. The sources of funds in the municipalities include local taxes and levies. Local autonomy in the use of funds is very much influenced by the central government.

Levy on land, revenues from industries located in the council areas and fuel tax levies go directly to the central government (Ward Executive officer Ilala)

As added by one counsellor:-

The central government currently remove nuisance taxes without communication with the local councils. Where are we going to get money for implementing programmes and funding other services?

The municipalities are facing financial problems since the central government removed nuisance taxes. This has eliminated 60% of the funding raised in the municipalities through local taxes and the central government is responsible for the compensation of the gap in revenue but still it isn't recovered⁷¹. The Councillor of *Goba* Ward in Kinondoni pointed out that:

The council sources of funds include development levy and licenses but the central government act of removing development levy and some licences creates burden to municipality on implementation of deforestation campaigns. Cutting of trees for charcoal processing in Goba is increasing.

In addition, the planning and co-ordination staff of the municipalities pointed out that a lack of sufficient financial resources has been one of the factors for the increase of unplanned settlements. The municipalities have autonomy in the collection and use of their revenues as prescribed in the Local Government Finance Act No.9 of 1982, but they lack resources to survey plots. Also, poor implementation of existing urban planning and future plans incapacitated the municipalities to compensate people affected by the settlement plans or programs. Funds are also not sufficient to disseminate information to the residents on policies and regulations, like payment of staff conducting awareness campaigns. In addition to that, even shortage of surveyed plots was related to the councils' financial capacity to finance surveys.

⁷¹ City council reports

In Kinondoni municipality, ubungo, Manzese and Mabibo, wards have an estimated 19000 people. There are seven industries in these areas. The area has low-income residential houses and a high level of ground water table. The ubungo waste stabilisation pond system is not working for about five years. The embankment is broken and this causes untreated sewage to pass the nearby stream, which empties to the sea through Msimbazi river valley. Diseases like cholera are common in these areas, because the population uses water from Msimbazi for washing and cooking.

The lack of sufficient and well qualified human resources affects policy implementation. In all the municipalities studied, there is lack of sufficient technical staff who can visit farmers and train them on areas like dangers of illegal fishing, and other environmental awareness raising activities.

Second, lack sufficient staff for monitoring the implementation of policy in fishing activities at the municipal level contributes to the claims that people who use dynamite (illegal fishing) in Temeke Municipality are coming outside the municipality i.e. from Ilala or Kinondoni⁷²

As noted in the study, the implementation of NEP depends very much on donor funds. This donor support starts from the policy formulation stage to the implementation of various programmes. For example, solid waste management programmes in the Municipalities studied are implemented through collaboration between the councils, and the UNDP and the International Labour Organisation (ILO). Donor funded activities influence peoples attitude towards environmental activities. People are motivated by money and form many environmental groups, like road sweepers, and waste paper recycling groups. This is also observed in capacity building programmes, whereby activities related to waste management do not lack funds when compared to other environmental capacity building activities. The programmes are designed and implemented at the national level. Local governments' own revenues are not directed to cover cost for environmental programmes. The local councils participate in designing and implementing capacity building programmes that are relevant to environmental needs at the local level but lack the programme designers. This is because donor funds are not budgeted to recruit programme designers.

⁷² Temeke Municipal Council Environmental Profile (2001:11)

From the above discussion, I argue that, there is an increased burden to the municipalities in financing environmental activities. Decentralisation has shifted the burden from the central government to the local councils and in this case the municipalities. Therefore, this burden is not easily born by the municipalities in terms of financial capacity. This translates into low motivation for staff, poor equipment such as trucks for collecting solid and liquid waste. Therefore, the level of NEP implementation is strongly influenced by financial resources.

5.1.3 The structures and Agencies for Policy Implementation

Structural issue in the municipalities can be linked with Keating views in Judge, Stoker & Wolman (1998: 117). According to them, the scale of structure can raise four questions as follows: -

(a) Democracy; - what structure can best secure citizen control over government and proper accountability? For instance, decision making is done at the village level to the municipal. Applications for contracts on waste management collection and disposal are assessed and evaluated from the ward level.

(b) Distribution; which structure can achieve the most equitable distribution of services and tax burdens? The City council as a co-ordinator of activities in the Municipal council advises and supervises the disposal of waste in the dumpsites. In co-ordinating waste management and disposal in the city, it repaired and distributed eight trucks to the Municipalities which cost, US\$ 17,424 (19,200,000 Tanzanian Shillings) in 2002. The Ilala, Kinondoni and Temeke municipalities received two trucks each. Also 100 push-carts were distributed to the municipalities. The City council also liaised with donors and investors on the possibility of investing in the new and modern dumpsite at Kunduchi area. The improvement of roads and other construction activities on unplanned settlements areas is decentralised.

(c) The issues of development: what kind of structure is best equipped to promote economic growth? As pointed out, poor economic conditions influence policy implementation. The reform enables the municipalities to formulate their own implementation structure with relative autonomy. Each municipality has set up its own department related to environment, which in liaison with other departments implement the NEP programmes. However, it should be pointed out that, such structures have limited autonomy.

Temeke municipality has the size as big as the other two municipalities together. It is split by an arm of the ocean that ranges as far as 16 kilometres with no road crosses. People can only cross by car through ferry, on the centre. There are only two ferries at the time. Changing the role of the government, by effectively reducing its capacity through reduction at central level like in the decentralisation process, but not increasing personnel at the municipalities, erases benefits that could be gained from the central government. Some of the interviewee considers this as the source of lack of response to the local community needs and poor accountability of the local councils.

However, it is stated by various studies made that the current structure does not provide the required level of autonomy to the local councils. They do not have legal power to make important independent decisions. They act as agents of the central state⁷³. Weak decentralised institutions at the ward level of the councils may take long time to learn about tenders or to investigate contracting agencies before awarding tenders in addition to keeping track and monitoring activities of contractors who win solid waste management and other environmental management contracts.

The municipalities employ their own staff. However, councils lack the power to discipline them. In line with the above arguments one Councillor for Ilala said:

The council staff like Ward Executive officers are responsible to the Municipal directors, whatever instructions you give them it is up to them to decide whether to act on it or not. This is because the directors have control of financial resources. What ever they decide on the technical meetings we either approve or add some suggestions before approval by the council meetings, and nothing more. (One councillor from Ilala Municipality)

This indicates that Local Government Service Commission, which is responsible for appointing local staff, through the municipal directors, is not well connected to the local councils. If the full council is the final decision making body, but lack power to discipline its employees, it implies that it cannot properly coordinate its employees and therefore there is poor control and management of environmental decisions.

⁷³LEAT, November ,2001 pp(26)

5.1.4 Choice Applicability and Understanding of Policy Instruments (Ilala, Temeke and Kinondoni Municipalities)

The National Environment policy set policy standards and identified key policy instruments such as Environmental Impact Assessment to standardise maximisation of benefits of development while maintaining the natural resource base and for monitoring of air pollution (NEAP; 1994, 3).

The policy instruments are Environmental Impact Assessment, Policy standards and indicators, Economic instruments and Environmental legislation. It should be pointed out that the way the local community perceive these or understand the instruments influence implementation of NEP.

(a) Environmental Standards and Indicators

Establishment of environmental standards and indicators is provided in the policy as the key policy instruments to reduce stress in the environment. Successful application of standards and indicators require consensus between parties involved. “It may be clear that performance indicators will flourish in policy environments which are characterised by dialogue and reasoning between parties involved” (ibid: 159)

It is observed in the study that many implementers of policy are not aware of policy standards. According to the Local Government Act No.8 section 54(c) “the central government shall co-ordinate and monitor the performance of urban authorities for compliance with national policies, guidelines and standards”. The Municipalities are empowered to inspect all meat, fish, vegetables and all food staff and destroy all kinds of food staffs if found unfit for human consumption. Lack of monitoring resources make it difficult to apprehend the polluters, for example the army was asked by the Vice President (whose office supervises environmental issues) to assist in rooting out dynamite fishing. However, enforcement of this requirement has not been done.

Tanzania has no standards for the direct control of emissions to the environment. However, there are standards relating to air, water and soils. They are generalised and not easily

enforceable in courts of law⁷⁴. Most of Local community is not aware of these standards. Even most of the councillors lack knowledge on the policy standards. Therefore, it becomes difficult to implement NEP requirements.

(b) Unclear Soil standards

A variety of chemicals both organic and inorganic compounds pollutes the soil. In the previous policy in Tanzania people were allowed to cultivate along the water sources like in *Msimbazi* area. This creates conflicts between the environmental committee in the local areas and the community engaged in cultivation on water sources. The councillors and the local people in these areas lack education on soil standards (Interview with the Ward Executive Officer for Ilala Ward).

(b) Environmental Impact Assessment

Environmental Impact Assessment (EIA) is NEP's instrument which acts as a decision making tool for precaution and preventive measures in achieving environmentally sound development. EIA is used to inform decision-makers whether the decisions taken are permitted by considering environmental implication on development projects or industries.

According to the Local Government Act No.8 (1982) section 116 (1),

The Local government Authorities shall ensure that industries located within their areas of jurisdiction provide adequate space and facilities for managing all solid waste generated from such industries before they are collected for disposal at designated places.

In analysing this aspect, I argue that, the implementation of this task depends very much on the knowledge of the instrument by implementers. However as will be discussed below, such knowledge is lacking.

The National Environment Management Council (NEMC) describes that, an EIA procedure involves: -

-Registering a project. -Screening the project,-Conducting EIA,-Reviewing EIA,-Issuing the relevant permits,-Decision making,-Monitoring project implementation,-Auditing the completed project, and Decommissioning the project upon its completion

⁷⁴ Quoted from UNEP/UNDP/DUTCH Joint Project on Environmental Law and Institutions in Africa. Report on the Development and Harmonisation of Environmental Standards in East Africa. The East African Sub-Regional Project. June 1999.Vol.2 <http://www.unep.org/padalia/publications/VOLUME2T11.htm>

It was observed from the study that, most of the local council staff does not understand even the meaning of environmental impact assessment. The councillors who are supposed to advise and monitor the environmental impacts in their areas through the environmental committees do not understand EIA reports. This does not mean that they must participate in the EIA studies but for the policy instrument to be effective, understanding of the instrument itself is important

It is a crucial instrument for avoiding mistakes that may occur after development decisions and plans are operated. The mistakes may create environmental problems as well as impact on social and economic activities of communities. According to the National Environment Management Council records, the cost for conducting EIA accounts to 0.1 of the total cost of the project to be undertaken. It has to be initiated in the first stages of designing and planning development projects.

According to some of the respondents in the interview schedule, it is not only local councillors who do not understand EIA as explained above, but also most of the municipal council staff and the communities.

It seems that, lack of participation of local representatives in EIA, minimises stakeholders' participation in environmental related decisions. This problem in my view is one of the sources of environmental conflicts related to land use and air pollution.

Poor applicability of policy is seen in the problems related to air quality and standards. The municipalities are responsible for the environmental protection in their area collection and deposit of refuse and control of air pollution. It becomes difficult for the councils to address the question of air pollution caused by waste disposals. For example as indicted in the previous discussion, Ilala Municipal Council and the city council were taken to court by the community for causing air pollution in *Vingunguti* dumping site though *civil case number 316 Of 2000*. Under such circumstances, it can be observed that the polluter is the implementer therefore; this affects the implementation of the policy.

(c) Economic instruments

In the beginning of 1990s Tanzania moved to free market economy. The private sector emerged as the partner in the provision of services with the local and central government. This era led to the urban population increase especially in Dares Salaam due to free trading activities. The government introduced licences and permits as one of economic instruments to control environmental problems. The ability of the local government councils to make agreements with the industries to abide with environmental regulations is important.

Regulatory instruments aim at normalising the behaviour of social actors. The issuing of licenses by the local authorities in controlling deforestation and other environmental management activities is a good example. The identification, choice and the local community compliance on the use of instruments are important. As Hans de Bruijn and Hans Hufen (ibid: 18) point, “Influencing people’s behaviour by using financial incentives is viewed as an alternative to influence regulation. Incentives are non-coercive in nature. They give targeted actors the choice of changing behaviour”. However, like other instruments, enforcement of economic instruments is poor. With few staff that is well trained about how these instruments should work, there is poor assessment of fees. In addition, few staff in the council makes these instruments difficult to follow and monitor. As discussed earlier, there is a substantial informal business sector. There is little contribution of revenue to the municipal revenue base from this sector in terms of fees and licences, because of poor enforcement. The low contribution of citizens towards the municipal revenue base results from poor sensitisation of the public about the benefits of their contribution towards the managing the environment. This supports, Larve cited in Dente (1995), who argue that, economic instruments need to be formalised in order to be implemented. This formalisation requires a minimum of support from institutional actors and from target groups

5.1.5 Lack of Enforcement Mechanisms

Local Government (Urban Authorities) Act No. 8 – 1982 section 16 (1) explains the functions of the ward Development committee. They include: -

- (a) To do all such lawful acts that is expedient for the implementation of decision and policies of the urban authority.
- (b) To formulate and submit to the urban authority proposals for the making of by-laws in relation to the services in the ward.

Lack of power to enforce implementation on the side of ward development committee is one factor. Ward tribunal has no power due to the fact that it has to forward the environmental related cases on to higher courts and this is time consuming. Some issues are too technical for the ward development committees to make follow-up like environmental standards. In areas where follow-up is possible, the municipalities find themselves with insufficient human resources.

The NEP requires that Environmental Impact Assessment be mandatory for major development project or industries. However, lack of skilled staff knowledgeable on Environmental Impact Assessment creates obstacles for councils to co-ordinate with the central government institutions on its enforcement.

5.1.6 Inter-Organisational Relationship and Co-ordination

In analysing inter organisational co-ordination; the municipal councils (Ilala, Temeke and Kinondoni) designs and initiates their restructuring process by following national reform programme. There are council reform teams in each municipality chaired by the council chairperson or mayor. Other members in these teams are councillors, senior staff and small number of stakeholders. Decisions made by the reform teams involve the issues on required number of staff and departments in the improvement of local government services in their areas of jurisdictions. These are later forwarded to the zonal reform team which acts as a professional resource and information flow channel between the Ministry of Regional administration and Local Government⁷⁵

Inter-governmental relationship is seen in various environmental policy networks. Policy networks occur when there is an exchange of information between groups and governments or between parts of the government with various interests in policy (Smith in Hill: 1997; 76).

In the networks local communities and organisations are connected to each other by resource dependencies In order to achieve NEP objectives resources from central governments and local governments are exchanged. The central governments have more financial resources than the local authorities. However, lack of co-ordination between different agencies has been found to be influencing the implementation of NEP.

Lack of proper co-ordination between the local authorities in Dar es Salaam and other institutions like NEMC influence the implementation. According to the Act no. 9 of the Parliament of 1983 the national environment management council is empowered by the parliament to formulate policy, also the Division of Environment is formulating policy as the central government department in the ministry of environment. These two institutions with Local authorities identified environmental problems in Dar es Salaam but conflict within the two-institution affect the implementation at the local level.

It is also observed from the study that, the Dar es Salaam City council, (Regulations of planting, Maintaining and protecting trees) by-law of 1990, is still in use. Section 5 of the Law stipulates that; the council may from time to time prescribe an area whose trees may be cut, except a hazard area but there is conflict between the Municipal council and the central government institution for the provision of Electrical services in Tanzania which cuts Municipal council trees for passing electrical wires without the consent of the councils.

Also in looking at the Interdependence between policy formulators' (central government) and policy implementers (Local authorities), the ability to mobilise resources plays an important role.

In terms of inter-organisational communication, most interviewees noted that the city council acts as a constraint to the successful implementation of the policy in decision making on environmental issues. Decisions of municipal councils on environmental issues require the approval of the city council. This is because it co-ordinates powers of the Municipalities (refer functions of the City council in chapter 3). In the Dar es Salaam local authorities, the relationship between the city council and the Municipalities is not hierarchical but interdependent.

Records from the municipalities show that there are conflicts over land and water use. Inadequate land and water use management, poor capacity of planning and management by the municipal council and lack of awareness among resource users.⁷⁶ Solutions for these problems involve decision by the city council in collaboration with the municipalities.

⁷⁵ Field notes,2004

⁷⁶ Planning Workshop Reports for Kinondoni Integrated Coastal Area Management Programme (KICAMP) of 2001, held at Ndege Beach, Mbweni Dar es Salaam.

It was noted from the study that lack of proper co-ordination and plans between the central government Ministry of Land which allocates land for dumping areas and the municipal council also contributed to this. The *Vingunguti* dumping area which caused conflicts between the Ilala municipal council and the community was not in the City Master Plan. For instance, residents of Tabata area in Ilala municipality have battles in two decades against Dar-es-Salaam city council over using their land as a garbage dumping site.

Inter organisational conflicts can further be exemplified by the conflicts between different implementing agencies as shown in the following examples

(a) Relationship between NEMC and Division of Environment

The Division of Environment and the National Environment Management Council are two institutions dealing with the environment at the national level. The relationship between these institutions is conflictual in nature. “As is well known in Tanzanian environment management circles, the issue of perceived conflict and or overlap in powers and functions and the ensuing power struggle between National Environment Management Council (NEMC) and the Division of Environment (DoE) under the Vice President’s Office has been the subject of great controversy ever since DoE was created in 1990. As opposed to NEMC which was created by a statute, DoE was created neither by statute nor by any presidential instrument. Rather it was created administratively as a department within the then Ministry of Tourism, Natural Resources and Environment (MTNRE), and later transferred to the Vice President’s Office”(LEAT; 1997).

Neither of the two institutions have legal mandate to enforce Environmental Impact assessment. There is institutional conflict between them because of lack of clear definitions and demarcation of their roles⁷⁷. The law, which established NEMC, did not specify where and which ministries will be responsible for it. NEMC was not given legal power to control or to regulate environmental management activities⁷⁸. Such conflict led to poor implementation of environmental activities. The Division of Environment is under the

⁷⁷ A report on the EIA Experts meeting Held at IUCN Eastern Africa Regional Office Nairobi Kenya.23rd to 24 March,2000

⁷⁸ At the time data was collected, a Bill was being debated in Parliament to give NEMC to oversee environmental activities.

Ministry of Environment but NEMC is an independent body not accountable to the ministry responsible for environment.⁷⁹

(b) Relationship between NEMC and the local Authorities

It is observed from the study that the Parliamentary Act No.19 of 1983, which established NEMC, does not show how it will be able to provide its environmental contribution close the local authorities. There are no clear procedures, which should be followed by the local councils when reporting environmental issues.

The most area where we see great challenge is that, there are no procedures to be followed by the councils at the moment when reporting on environmental issues to NEMC; they are not showing procedures to be followed or organisation structure (EIA Staff at the National Environment Management Council (NEMC))

NEMC is the main advisor on environmental issues in the country. This includes pollution control activities, waste management, natural resources and Environmental impact assessment. The Ilala Municipal council and the city council used Vingunguti area as a dump site. The area is surrounded by houses and trading activities. Lack of co-ordination between the councils, Division of Environment led the local community take the municipal council and the city council to court for causing air pollution in the dump site.

These conflicts therefore demonstrate that there is poor inter-organisations relationship between NEMC, local authorities and the Division of Environment. Unless this conflict is removed, and harmony prevails, is doubtful that environmental policies will be well implemented. More time is needed for these organisations to collaborate.

5.1.7 Community Participation

Community participation is perceived as one of the factors that influence the level of policy implementation (see 2.5.3). Data, gathered from different sources indicated that there are a number of programmes in the municipalities of Dar es Salaam, which are designed to involve communities. For example, in Temeke and Kinondoni municipalities, there are training programmes aimed at sensitising people into fisheries and marine management. However, such training programmes have to a less extent controlled illegal fishing. This is because such

⁷⁹ Minutes of the Minutes of the Seminar of The Environmental Committee of the Parliament held on 15-17th May 1997 at AICC Arusha ,Tanzania

programmes do not empower communities. The training programmes have not addressed the issue of poverty which is so prevalent in these municipalities. Such programmes have addressed the environmental problems without addressing the cause. As already noted, increased illegal fishing and other activities that affect the environment, such as tree harvesting are dependent on the income levels of the people. Therefore, increased training in such activities should go along with increasing alternative ways of income generation. This was not been done.

Another point to consider about community participation is the nature of programmes aimed at increasing people's involvement in managing the environment. Records indicate that a number of programmes and projects which are meant to involve people are foreign originated. For example, the Kinondoni Integrated Coastal Area Management Project (KICAMP), which aims at increasing the capacity of the people in protecting the environment is Swedish sponsored. There is limited indication that communities were involved in deciding on the nature of training that people should get. While people are trained in tree planting, people whom I interviewed indicted that the zeal to plant trees, was low. Most of the people felt that trees belonged to the city council and therefore, tree planting was looked at as a burden. Similarly, Community Infrastructure Urban Programme (CIUP) sponsored by United States of America, is considered as a burden by the majority of the people. People are required to contribute to the operational cost of the programme. However, such contribution is considered as a burden, especially given the low income level of the people. In an interview with one of the respondents from Kinondoni, he had this to say,

These programmes are designed from abroad, they are brought and we are required to pay for the maintenance of the programme. We do not have money to contribute. If they bring a programme why can't they bring the money to implement it?

From the study I found out that women participate more than men especially in policy implementation activities such as road sweeping and tree planting. Several arguments may be generated. In the first instance, women involvement in environmental management relates to their gender roles. Women interact with the environment more than men in Tanzania. They consider trees not as a source of income but as a basis of livelihood. A large number of women compared to men are employed as road sweepers. For example, women consider trees as sources of fuel wood and therefore sensitising them

The power of the local communities in implementing policy is influenced by social conditions of the community. Due to unemployment, people are engaged in activities that degrade the environment. The social condition of the communities in Kinondoni, Ilala, and Temeke Municipalities is one of the challenges to the implementation of NEP. This affects the implementation in two ways; the increased population and decrease in income.

These factors lead the community to engage in environmental degradation activities as a source of income like clearing of mangrove forests for salt mining in *Mjimwema Ward*, sand mining for selling gravel for construction, charcoal is used as a source of fuel, income and alternative employment. The social conditions affect the capacity of the Municipalities to change people's attitude towards the environment. "Implementation of policies is shaped not only by the policy instruments available to the state, but also by the organised support it receives from key societal groups" (Hill, 1997: 135).

It was noted that there is lack of political will to enforce environmental management activities during election periods. Most interviewees perceived that there is political resistance to serve the poor communities, under the umbrella of privatisation in service provision. This is because there are financial problems in rural areas in the municipalities; hence unreliable environmental management services.

Further more, from the study I found out that women participate more than men especially in policy implementation activities such as road sweeping and tree planting. Several arguments may be generated. In the first instance, women involvement in environmental management relates to their gender roles. Women interact with the environment more than men. They consider trees not as a source of income but as a basis of livelihood. Women participation also relates to the problem of gender imbalance, in which women are considered as low income earners and therefore can take low pay for the work they do. Most road sweepers employed in the municipality were found to be women. It should be noted that, this has an impact on the implementation of environmental policy in that environmental management lacks a comprehensive approach in which every one is involved. For successful policy implementation, men need to get involved in all environmental management activities. In order to involve men, there is a need to increase the awareness creation for men. Records show that waste management workers in Dar es Salaam constitute 68% of women and 30% men (city council records). However, the municipal councils women are paid less compared

to men employed to do related jobs. For example women are paid about US\$ 30, while men are paid US\$ 38.

The following table presents important factors that affect the implementation of the NEP in Dar-es-Salaam.

Table 11: Factors that influence implementation of the National Environmental Policy in Ilala, Temeke and Kinondoni

Independent Variable	Effect on implementation
Policy resources	<ul style="list-style-type: none"> • Lack of funds for survey activities increased unplanned settlements • Lack of sufficient municipal surveyors delays land upgrading activities • Lack of sufficient staffs hinders monitoring of plated trees and illegal fishing • Lack of proper technology leads to waste disposal problems • Increased tree planting is due to donor financial support in tree planting
Decentralisation	<ul style="list-style-type: none"> • Lack of financial autonomy hinders allocation of policy resources •
Choice applicability and understanding of policy instruments	<ul style="list-style-type: none"> • Lack of consensus on environmental standards creates problems to local councils on pollution and land degradation activities
Lack of enforcement mechanism	<ul style="list-style-type: none"> • Low revenue base, Delays Implementation.
Inter-organisational relationship and co-ordination	<ul style="list-style-type: none"> • Poor clarity of roles between NEMC and the Division of Environment delays policy decisions • Lack of clear procedures and mandates among implementation institutions e
Community participation	<ul style="list-style-type: none"> • During local elections local participation is low, leaders are reluctant to enforce policy implementation they may loose elections • Local participation is low due to poor economic and social conditions • Increased waste dumped in open spaces is due to poor community participation in unplanned settlements areas • Awareness raising campaigns increased community participation on policy implementation activities
Social and economic conditions of the community	<ul style="list-style-type: none"> • Poor communities engage in dynamite fishing • Poor communities are reluctant to pay refuse collection fees

Summary

The objectives of environmental protection can be achieved through various processes in which environmental plans can be effectively implemented. This chapter has discussed major factors influencing the implementation of NEP policy in Dar es Salaam. The chapter has

presented that lack of policy resources such as finance and human and environmental standards, is a major handicap to the implementation of the NEP. Setting of environmental standards is very important in Tanzania different terms are used to explain control like guidelines, objectives and standards. For effective implementation of Policy environmental laws have to be in place. It is also important to involve stakeholders in the setting of standards. The chapter has highlighted that there is limited community participation in environmental activities. I have discussed that there is lack of inter-organisational communication for enforcement of environmental activities. This is further compounded by limited local autonomy in designing and implementing certain programmes. The programs are foreign and central government designed.

CHAPTER SIX CHAPTER SIX

CONCLUSIONS

6.0 Introduction

The study aimed at exploring the implementation of the National Environment Policy (NEP), by the Local government councils in Tanzania. Three municipal councils in the Dar-es-Salaam City were used in the study, namely Ilala, Temeke and Kinondoni. Through the three municipal councils, the study explained why there are problems in the implementation of the environmental policy. It also analysed why there is an increase of environmental problems in spite of the measures adopted to address them by the local councils.

In studying the implementation of the NEP, the study has been largely guided by the model of implementation propounded by Van Horn and Van Meter (1975) and Keating's (1995) conception of benefits of decentralisation, i.e. size, efficiency and democracy. In analyzing implementation of policies, Van Meter and Van Horn identified six factors in their model that affect implementation. The factors are: (a) policy standards and objectives, (b) availability of resources, (c) inter-organisational communication and enforcement activities, (d) the characteristics of implementing agencies, (e) economic, social and political conditions and the (f) disposition of implementers. Even though the study did not employ all these variables, a number of them were used to explain the implementation of the NEP in the three municipal councils.

On the other hand, Keating argues that decentralisation may improve service delivery, citizen participation and government accountability, equitable distribution of services, and efficiency. Basing on these concepts, an analytical framework was developed to achieve the following aims of the study:-

- a) To understand environmental problems in Dar-es-Salaam and environmental management activities undertaken to solve the problems.
- b) To explore the experiences of the local authorities on decentralisation and its impact on environmental management
- c) To explore the factors influencing the implementation of NEP

6.1 Discussion and Interpretation of Findings

In examining the implementation of the NEP in the three municipal councils, it was realised that several factors facilitate or impede the achievement of policy objectives as stated in the NEP document. While it was clear that the implementation recorded success in some areas, the study found that generally, environmental problems are increasing. The major findings of the study include the following.

6.1.1 Factors influencing Implementation

Various factors affect the implementation of NEP in the three municipalities. However, the following were found to be more important to the case under investigation.

i) Decentralization

One of the objectives of the study was to explore the extent to which decentralisation in the Dar-es salaam municipalities of Ilala, Temeke and Kinondoni has influenced the successful implementation of the NEP policy.

The study found that decentralisation gives local authorities autonomy to plan environmental implementation activities. However, that autonomy is not accompanied by resources, and as such they continue to get influence from the central government. Secondly, decentralisation did not go along with improving the quality of human resource. The local councils have continued to depend on few qualified technical staff that possesses limited knowledge on environmental issues. This has rendered the implementation of NEP remain at the minimum level.

In spite of the above limitations of the decentralisation experience, there has been improved coordination of planning for certain activities. For example, in every municipality, there was provision of 20000 plots of land to the citizens in order to reduce unplanned settlements in the city. Because of a small number of surveyors, the three municipalities shared the costs of resources such as staff and technology.

ii) Policy Resources

One of the objectives of NEP is to use resources in a sustainable manner. The study found out that resource use has been improved although in varying degrees. It was discovered that

although the forest resources are on the decline along coastal areas, there has been a general improvement in tree planting. People have been sensitised and integrated in tree planting activities. I observed remarkable improvement in combating the problem of illegal fishing and mining by the concerned authorities. This improvement was attributed to the vigilant sensitisation on how to use and manage resources in a sustainable manner. By implication therefore, the population in the three municipalities have inter alia, come to understand that illegal fishing and mining are detrimental not only to the general environmental, but to their welfare as well. This itself may not mitigate environmental problems, but creates a basis upon which the successful implementation of environmental programmes may be embraced by the society.

iii) Community Participation (capability or willingness)

The study found that the role of local communities in the implementation of the National Environmental policy was important. Communities are supposed to take care of the environmental problem in their areas. Poverty sometimes, however, compels the community to engage in environmentally degrading activities, such as charcoal burning, sand mining, dynamite fishing and indiscriminate waste disposal.

Besides, the attitudes and behaviour of communities towards environmental issues underline the degree to which they accept to take part in the execution of the policy. However, the study found out that to get communities actively involved in the implementation process, the level of education of the communities about the environment is important as it increases their responsibility towards the environment. Against the above background, it was revealed that sensitisation programmes have been initiated to influence communities to participate in environmental management activities. For example, there was training of communities in tree planting and how to minimise illegal fishing and mining. The study however found that communities participate in only two activities; tree planting and waste management. The explanation for this is that, the two carry economic incentives such as competitive rewards on environmental day.

iv) Implementation structures.

In order to implement NEP, different environmental management structures were put in place. For example, environmental committees from village, ward to municipal level were established. These are involved in evaluating and approving tenders for waste management

contracts. They also make financial environmental decisions. In spite of such structures being in place, their influence is still low because most councillors have low levels of understanding of environmental policy issues. For example, it was found that the majority of councillors were lacking basic knowledge about environmental impact assessment. The local government staff were not able to translate the National Environment policy clearly to the local community without assistance from central government institutions responsible for policy formulation. Similarly, the study discovered that the law does not stipulate the boundaries of one structure from the other in terms of their role in NEP implementation. Therefore, conflicts about mandates of institutions have existed. For example there was a conflict between NEMC and Division of Environment over policy formulating roles and conducting environmental impact assessments (EIA).

These conflicts influence policy implementation negatively. First, it has been difficult for the local councils to ask for environmental advice from the central government institutions directly. The coordination role between the Division of Environment and the local councils is not well stated in the policy (NEP). Second, the two institutions, NEMC and the Division of Environment, conflict over which institution is responsible for the conducting of Environmental Impact Assessment (EIA). By the time this study was conducted, NEMC was conducting EIA studies for new projects, an activity that was being carried out by the Division of Environment at the same time. This clearly shows the absence of role differentiation and sharing, hence conflict. This and other such conflicts lead to delays in environmental decisions at the local level. For example, when I interviewed a local councillor for Kipawa ward in Ilala municipality, he said that there are contradictions on whether they have to report directly to NEMC or to the Division of Environment on matters concerning air pollution from oil industries. Third, awareness raising campaigns on issues like natural resource sustainability and pollution control in coastal areas is done by municipal staff in collaboration with central government institutions. However, it is difficult to evaluate the degree of implementation of awareness raising activities due to the overlapping of roles between NEMC the Division of Environment. Lack of proper co-ordination between the two institutions makes it difficult to plan and monitor policy implementation activities at the local government level.

Therefore there is a great need to have clear roles for the different environmental agencies well spelt out and distinguished. This will reduce inter agency rivalry, avoid duplication of

services, heighten optimal utilisation of human and technical resources and eventually enhance the successful implementation of NEP, not only in the three municipalities, but also to the nation at large. Thus collaboration and cooperation among concerned actors in the implementation of environmental policies should be initiated and supported.

6.3 Irrelevance of policy to local people

The study discovered that the policy is considered somehow irrelevant by the local people. These local communities degrade the environment so as to make a living. Any effort to preserve the environment means that they have to go hungry. Poverty and other social conditions, thus render the policy unable to realise the desired impact as intended by the policy makers. It came to light from the study that the economic conditions of the people highly influence the level of implementation of NEP. Most environmental problems result from poverty. For example people were found to be dependent on tree cutting for charcoal and fuel wood, illegal mining for income and illegal fishing for food and quick income. This therefore indicates that in order to have sustainable environmental policies, there is need for seeking alternative sources of livelihoods for the affected communities. Second, environmental management should not only be perceived in the narrow sense of conservation, but in a wider sense of sustainable and equitable utilisation of resources.

6.4 Waste Management

The study found that waste production in the three municipalities is predominant. It was found that increased waste in the city is largely a result of increased population. Although I found that there was improved solid waste management, generally, waste management has not reached the required levels. Some of the reasons identified as underpinning these include the ones listed here below:

- (a) Lack of resources: Increasingly, there has been poor contribution by the local communities towards waste control. For example, in Ilala, people refused to pay refuse collection fees. The municipalities depend on taxes collected from the communities for the implementation of policy and provision of other services. In Temeke, the study found that there is a problem of trucks to collect the waste. Van Meter and Van Horn (1975) identified policy resources as one of several variables affecting effective implementation of policies.
- (b) Poor urban settlements. Poor urban settlements not only facilitate increased solid waste but they also hamper waste collection. The study found out that there are

problems of road networks in some settlement areas of Temeke and Ilala. As a result, solid waste has increased. However, the problem of poor urban settlement is linked to the problem of lack of human resources. For example in Temeke the study found that there are only four qualified surveyors. This delays planning of the settlements.

- (c) The study found that in Ilala contracts are awarded on a two year basis, while in Temeke and Kinondoni contracts are awarded on a one year basis. This explains why the rate of waste collection in Ilala is better than Kinondoni.

6.5 Findings in Relation to other researches

In relation to other studies, this study holds some theoretical implications. Earlier researchers such as Elmore, (1978) saw implementation as conflict and bargaining where decision making in organizations consists essentially of bargaining within and among organizational units. According to Elmore (1978), the bargaining process does not require the parties to agree on a common goal or concur for implementation to proceed. It only requires that all parties agree to adjust mutually with the aim in mind of keeping the bargaining relationship as a means of allocating resources. This observation has been confirmed in the study. The Ilala Municipal Council and the City Council did not agree with the local community on where to dump municipal waste. The conflict was finally resolved by the court.

Conflict between central government institutions responsible for policy formulation in Tanzania, which are National Environment Management Council (NEMC) and the Division of Environment over the roles in the management of environment also affect implementation of the environmental policy at the local level. This conflict of roles between the central government institutions creates sectoral conflicts in management of environment in the local government councils. As pointed out by Shauri and Mniwasa, Each government department or ministry handles its own projects, including all environmental matters. These activities are not well coordinated with either the National Environmental Management Council or the division of environment. In fact, there is considerable overlap and, at times, even open conflict between and within government departments. As such, there is no single government source of environmental and natural resource information for the public. With no central repository for environmental information, the public must make requests to multiple sources to get all relevant information.

Another theoretical implication is that in implementation of policies, several factors come into play. The study found that the major factors enhancing implementation of the National Environmental Policy in the three Municipal Councils in the study are: policy resources, policy instruments, implementation structure, inter-organizational communication and enforcement activities. The combination of these factors is necessary if successful implementation is to be achieved. On this issue, Van Horn and Van Meter (1975) in their model observe that for effective and successful policy implementation, six factors are important. Gunn (1978) on the factors facilitating or hindering successful implementation also asserts that ten factors and their effective combination are indispensable. This study, thus agree with these earlier researchers that successful implementation depends on a multiplicity of factors as seen in the findings.

Nakamura and Smallwood (1980) identified economic factors, such as availability of money, as important for policy implementation. They added that these factors affect community participation. In the study these were identified in municipalities of Ilala, Kinondoni and Temeke. Most of the local communities in the study are poor. For example, in the unplanned settlement areas, is poor infrastructure such as roads, poor sanitation, and people live in poorly built houses. It was revealed that most people in the unplanned settlements depend on petty trading as a source of income. Others involve themselves in illegal sand mining and illegal method of fishing such as use of dynamite to kill fish. It is also stated in the National Environmental policy that, there is a relationship between poverty and environmental degradation (NEP, 1997:1). In low income areas, the issue of refuse collection fee remain an outstanding problem. Many contractors and community based organisations scramble for high income areas in waste collection activities because people are willing to pay refuse collection fees in high income areas.

The study found out that by-laws on environmental management need monitoring and further changes to make them more applicable to the current situation. This was highlighted in Shauri and Mniwasa (2001), that by-laws formulation process is weak and inefficient. This influence negatively, enforcement of policy instruments in the municipalities in the study.

It is discerned in the study that, the coordination between the central government institutions responsible for policy formulation and local government councils responsible for policy implementation is not clear in the local councils. This factor is also identified in the study conducted by Shauri and Mniwasa (2001:16).

6.6 Implications for future research

This study was limited in terms of time and focus. The study was limited to Dar- es- Salaam which is a city. The implication is that findings may not be applicable or the same if the study is replicated in the whole of Tanzania and in particular the rural areas. Future research should be extended to other areas of the country so as to explore whether findings may apply to other areas. In this respect a comparison between urban and rural areas may be made. Do the same factors influence implementation of the National Environmental Policy in rural areas the same way they apply in the city?

The study focussed on environmental policy implementation. Future research should focus on the process of policy formulation. Who were the actors, how did they act in the policy formulation process?

6.7 Implications for practice

It has been understood from this study that various efforts have been put in place at the national and local level to overcome environmental problems in Tanzania. However, my analysis indicates that most of the environmental policies are applied through what is termed as the top -bottom approach. Policies, and guidelines are determined at the centre and the local authorities are only given the mandate to make by laws which are consistent with the broad national guidelines. This may be good in itself, however, the absence of the community and the street level bureaucrats in policy initiation and formulation seems to lead to the poor implementation of environmental policies. This thesis therefore suggests that in order to have a better way of implementing environmental policies, its useful to involve the beneficiaries of the policies and the implementers at the level of agenda setting. This may broaden consensus on the broad objectives, acceptability, and alternative means of overcoming problems that compel people to destroy the environment. Subsequently, remarkable results may be obtained since the community feels it's bound by what it agreed to abide by. Further more, the involvement of communities in planning for and managing the environment creates a sense of ownership and responsibility towards the environment.

The other critical element identified concerns policy transfer. Following several international and regional declarations to improve on environmental management, several management styles have been adopted. In this particular case, we note that community participation was minimal in the policy design, which grossly affects implementation, and at the same time, the

document appears like a replica of ready made solutions sponsored by the World Bank and IMF to overcome policy problems in the developing world. Upon this backdrop, its imperative to note that there was no serious caution taken by the implementation agencies to avoid being trapped into either one or a combination of possible policy transfer failures, such as uninformed transfer, incomplete transfer or inappropriate transfer as classified by (Dolowitz & Marsh, 2000).

Policy transfer can also be observed in the different projects which are foreign funded, such as Kinondoni Coastal Area Management Project (KICAMP) and the Community Infrastructure Urban Programme (CIUP). Such projects are designed from abroad and transferred to the local areas in Tanzania; as such the involvement of local communities is minimal. People do not see a reason why they should contribute to such projects.

6.8 General Conclusion

This research was focussed on understanding environmental problems in Dar-es-Salaam with specific reference to the way in which Ilala, Kinondoni and Temeke municipalities manage programmes designed to solve environmental problems in a decentralised setting. Basing on a qualitative approach, the study employed comparative and case-oriented designs and explored experiences of the three local authorities, and the factors that influence the implementation of the National Environment Policy.

It was clear from the study that various efforts have been made by the three municipalities to manage environmental policies. However, the trio are hampered by inter organisational rivalry, lack of adequate policy resources (e.g. financial resources), inadequate human resources and technology, insufficient knowledge and skill by street level bureaucrats to execute policy instruments, inappropriate legal framework, a wanting implementation structure, and weak linkage between decentralised authorities and the national implementation apparatus of the National Environment Policy. Moreover, community participation was also done, but minimally. There is need to involve the population more in the different stages of the policy cycle, i.e. agenda setting, policy formulation, decision making, policy implementation and evaluation. Therefore, until specific measures are taken to address these issues, the implementation of the NEP will always fall far short of expectations

BIBLIOGRAPHY

Annual Evaluation Report, 1999, United Nations Environment Programme, Evaluation and Oversight Unit, August, 2000

Ak`habuhaya, J and Lodenius, M (1988) “Metal Pollution of River Msimbazi, Tanzania”, *Environment International*, Vol14 (6)

Bartelmus, P (1994) *Environment, Growth and Development: The Concepts And Strategies Of Sustainability*, London: Routledge

Chale, G (1996) “Towards a Shared Vision of Future Local Government System”. A paper presented at the National Conference on Local in Tanzania from 29TH - 31st May 1996
Tanzania.fes-international.de/doc/local.government-in-Tanzania.pdf 27th April, 2005

Citizen Participation Recommendations, in *Public Administration Review*, Vol.32, No.3 (May, 1972) pp 222-223

Creswell, W., John (2003). *Research Design, Qualitative, Quantitative and Mixed Methods Approaches*. London, Sage.

Dar Es Salaam City Commission by-laws 1982-1993, Dar Es Salaam City Commission

Dar Es Salaam City Commission by-laws 1997-1998 Dar Es Salaam City Commission

Dente, B. (1995) (ed) *Environmental Policy in Search of New Instruments*, Environmental Science and Society, Vo.3, Dordrecht: Kluwer Academic Publishers

Elmore, F.R. and McDonnell, M.L (1997). “Getting the Job Done: Alternative Policy Instruments”. In *Educational Evaluations and Policy Analysis*, Vol.9, No.2.pp133-152

Eriksen S.S., Naustdalslid J. and Schou A. (1999), *Decentralisation from above. A study of Local government in Botswana, Ghana, Tanzania and Zimbabwe*, NIBR`S PLUS SERIES 4-99

Fitz, J. (1994) *Implementation Research and Education Policy: Practise and Prospects*. British Journal of Educational Studies, Vol.42, No.1 Special Edition

Folz, D.H (1991) *Recycling Program Design, Management, and Participation: A National Survey of Municipal Experience*. Journal of Public Administration Review, Vol.51, No.3 May 1991. Society for Public Administration

Green, J and Thorogood, N (2004) *Qualitative methods for Health Research*, Sage Publications Ltd, 1 Olivers Yard, 55 City Road London EC1Y 1SP

Grindle, M.S and Thomas, J.W (1991), *Public choices and policy change: the political economy of reform in developing countries*, Baltimore, Md: Johns Hopkins University Press

Goggin, L.M (1986:3) The “Too Few Cases/Too Many Variables” Problem in Implementation Research. *The Western Political Quarterly*, Vol.39, No.2

Guy Peters, Frans K.M. Van Nispen(ed) (1998) *Public policy instruments: evaluating the tools of public administration*, Cheltenham : Edward Elgar

Hardoy, J.E, Mitlin, D and Satterthwaite, D (2001) *Environmental problems in urbanizing world: finding solutions for cities in Africa, Asia and Latin America*, London: Earthscan

Hill, M (1997) (ed), *The Policy Process, A Reader* (2nd Edition) Princeton Hall

Hill, M (1993) (ed) *New Agendas in the Study of the Policy Process*, Harvester wheatsheaf Campus 400, Maylands Avenue

Hogwood W. Brian and Gunn Lewis A. (1984) *Policy analysis for the real world* Oxford, Oxford University Press

Hosier, R.H (1993) “Charcoal production and environmental degradation: Environmental history, selective harvesting and post –harvest management (abstract)” in *Energy policy*, Vol.21

Howlett M, and Ramesh, M (1995), *Studying Public Policy: Policy Cycles and Policy Subsystems*. 2nd Edition. Oxford University Press

Ilala Municipal Council (2001), *Waste Collection and disposal By-laws Ilala Municipal Council*, Dar es Salaam

Jones, S (1996) Paper on Various Discourses on Land Degradation in the Uluguru Mountains in Tanzania, *Journal of Rural studies*, Vol.12, No.2 pp187-199.

Keating Michael (1995), "Size, Efficiency and Democracy: Consolidation, Fragmentation and Choice" In , Stoker,G., Judge, D, & Wolman H.(eds.)(1995) *Theories of Urban Politics*, Sage London, Thousand Oaks

King, D.S. and Pierre, J (1990) *Challenges to Local Government*, Vol.28, Sage Publishers

Kinondoni Municipal Council (2000), *Promoting Environmentally Sustainable Urban Development ...To Implement Local Agenda 21*, Environmental Profile Report, Sustainable Kinondoni Programme

Kinondoni Municipal Council (2001), *Waste Collection and disposal By-laws Kinondoni Municipal Council*, Dar es Salaam

Kjellberg F (1985), "The changing Values of Local Government" in *Annals of the American Academy of Political and Social Science*, Vol 540, 40-50.

Local Government Act, No.8 of 1982, United Republic of Tanzania

Mvano K (2001), "Waste Management in Kinondoni Municipality" Report on the Municipal Consultation Workshop on Environmental Issues, held on 9th –12th October, 2001 at Msimbazi Centre Dar Es Salaam, Tanzania

Maelezo Mafupi ya Mazingira ya Manispaa ya Temeke-2001, Programu ya Miji Endelevu Temeke

Matland, R.E (1995). *Synthesising the Implementation Literature: The Ambiguity –Conflict Model of Policy Implementation, Public Administration Research and Theory*, Oxford, Oxford University Press

Maxi, J.A.O (1991) *The Development of Local Government in Tanzania*, Dar es Salaam, Educational Publishers and Distributors LTD.

Mertens M. Donna (1998), *Research Methods in Education and Psychology: Integrating Diversity with Quantitative and Qualitative Approaches*, Thousand Oaks, Sage

Midgley et al.1986. *Community participation, Social Development and the State*. London. Methuen & Co.Ltd.

Ministry of Environment (1997), *National Environment Policy of Tanzania (1997)*, Dar es Salaam

Ministry of Natural resources and Tourism (2000), *The Fisheries Act, No.6 of 1970(Amended) Government Notice No.223*, Government Publishers, Dar es Salaam

Mlozi, M.R.S (1997:1). “Urban Agriculture: Ethnicity, Cattle Raising and Some Environmental Implications in the city of Dar –Es-Salaam, Tanzania”. In *African Studies Review*, Vol.40, No.3

Mniwasa, E, and Shauri, V. (2001) “Review of the Decentralization Process and Its Impact on Environmental and Natural Resources Management”. In *Tanzania, Lawyers’ Environmental Action Team (LEAT)*, Dar Es Salaam Tanzania.

Morse, J.M and Richards, L (2002), *Readme First: For a Users Guide to Qualitative Methods*. London, Sage Publications

Mpango wa Maendeleo wa mwaka 2002/03: Halmashauri ya Jiji la Dar Es Salaam, Halmashauri ya Jiji la Dar.es Salaam, Januari, 2002

Mpango wa Uboreshaji wa Mfumo wa Serikali za Mitaa.Mpango Mkakakati wa Uboreshaji wa Mfumo wa Utoaji Huduma katika Halmashauri ya Manispaa ya Kinondoni 2002-2005, Halmashauri ya Manispaa ya Kinondoni, July, 2002

Mtani,A.(2002) “Women’s Perspective: The case of Manzese, Dar es Salaam, Tanzania”. *Proceedings of the 1st Seminar on Women’s Safety*, Montreal, Canada

Muriisa, R. (2001). *NGOs and Rural Development in Uganda*. MPhil. Thesis, University of Bergen.

Mwandosya, M.J & Meena, H.E (1998) *Dar es Salaam Water Demand: An End-Use Perspective*, Dar es Salaam, CEEST (Centre for Energy, Environment Science and Technology)

Nakamura R.T and Smallwood F. (1980), *The Politics of Policy Implementation*. New York. St Martins Press

NEP (1997), *The National Environmental Policy*, Vice President Office, Dar es Salaam, Tanzania.

NEP (2004), *The National Environmental Management Act, 2004*, Dar es Salaam, Tanzania

Ngwilizi H (2002), *Local Government Reform Programme in Tanzania-Country Experience-* A paper delivered at the Commonwealth Advanced Seminar on Leadership and Change in the Public Sector held in Wellington,New Zealand from 25th February to 8th March 2002
www.vuw.ac.nz/commonwealthseminar/papers/2002/Tanzania%20case%20study.pdf

Offerdal A. and Larsen H.O (1992), “Towards a New Concept of Local Self-Government Political Implications of the New Norwegian Local Government Act,

Montjoy R and O`Toole, L (1984) Inter-organizational Policy Implementation: A theoretical Perspective, in *Public Administration Review*, Vol 44, no. 6 pp 491-503

Palumbo Dennis J. and Donald J. Calista (1990), *Implementation and the policy process opening up the black box*, New York, Greenwood Press

Palumbo, D.J and Harder, M.A(ed) (1981), *Implementing Public Policy*, Lexington, Mass: Lexington Books

Policy Paper on Local Government Reform. IDS Documentation Centre University of Dar es Salaam, Tanzania

Potter, D. (1994). "Assessing Japan`s Environmental Aid Policy", In *Pacific Affairs*.Vol.67, No.2 pp200-215

Proceedings of the National Conference on the National Conservation Strategy for Sustainable Development (NCSSD), February 28-March 4th, 1994, Arusha International Conference Center Arusha, Tanzania

Ragin, C., Charles (1987). *The Comparative Method: Moving Beyond Qualitative and Quantitative Strategies*. London, University of California Press.

Rondinelli D.A and Cheema G.S (Eds.), (1983) *Decentralisation and development: Policy Implementation in developing countries*. Beverly Hills, California, Sage

Rothchild, D. and Curry, R.L (1978), *Scarcity, Choice and Public Policy in Middle Africa*, University of California, Press

Schneider, A. and Ingram, H (1990). "Behavioural Assumptions of Policy Tools". In *The Journal of Politics*. Vol.52, No.2, pp.510-529.

Simmons, H.R, Sugar, D.D, Chapman, J.K., and Davis W.B (1974), "Policy Flow Analysis: A Conceptual Model for Comparative Public Policy Research". In *Western Political Quarterly*, Vol.27, No.3 pp457-468

Smith.B.C (1985) *Decentralisation: The Territorial Dimension of State*, Allen&Unwin Publishers.

Stoker G. (1996), "Introduction: Normative Theories Of Local Government and Democracy", In King, D and Stoker, G, (eds) (1996), *Rethinking Local Democracy, Government*, London, Macmillan Press

Stoker, G., Judge, D, & Wolman H.(ed.)(1995) *Theories of Urban Politics*, Sage London, Thousand Oaks

Strategy Document on Service Delivery for the periods 2003-2005, Kinondoni Municipal Council, November, 2002

Summary of the Environmental Profile Kinondoni Municipality, Sustainable Kinondoni Programme, June, 2001, Dar es Salaam

Thomas, J. W. and Grindle, M.S (1990), "After the Decision: Implementing Policy Reforms in Developing Countries", *World Development*, Vol.18, No.8

Temeke Municipal Council (2002), *Waste Collection and disposal By-laws Temeke Municipal Council*, Dar es Salaam

Van Meter, D.S. and Van Horn, C.E (1975), "The Policy Implementation Process: A Conceptual Framework". *Administration & Society*, Vol.16.No.4

Work, R. (2002). "Overview of Decentralisation World-wide: A stepping stone to improved Governance and Human Development". A paper presented at the 2nd *International Conference on Decentralisation*, Manila, Philippines.

Yin, R .K (2003). *Case Study Research: Design and Methods*, Third Edition, Applied Social Research Method Series Volume 5, Sage Publications, Inc.

Yhdego, M (1995), "Urban Solid Waste Management in Tanzania: Issues, Concepts and Challenges". In *Resources, Conservation and Recycling*, 14, 1-1

APPENDICES

Appendix 1 Members of the Dar es Salaam City Council

S/N	NAME	COUNCIL REPRESENTED	POLITICAL POSITION
1	Hon. Kleist A. Sykes	Ilala municipality	City Mayor
2	Hon. Anzuruni J. Mungula	Kinondoni Municipality	Deputy City Mayor
3	Hon. Abbuy H. Jumaa	Ilala municipality	Councillor
4	Hon. Mustafa Yakubu	Temeke municipality	Councillor
5	Hon. Salum Londa	Kinondoni municipality	Councillor
6	Hon. Peter Kabisa		Member of Parliament
7	Hon. Ritta Mlaki	Kinondoni	Member of Parliament (Minister)
8	Hon. Khadija Kusaga		Member of Parliament
9	Hon. Dr. Makongoro Mahanga	Ilala	Member of Parliament
10.	Hon. Iddi Simba		Member of Parliament
11	Hon. Charles N. Keenja		Member of Parliament (Minister)
12	Hon. Frank Maghoba		Member of Parliament
13	Hon. Jerome Bwanausi	Temeke	Councillor
14	Hon. Maagereti N. Kotta	Kinondoni	Councillor
15	Hon. Joseph Kessy	Ilala	Councillor
16	Hon. Mussa H. Azzan	Ilala	Councillor
17	Hon. Shabani Mchumira	Temeke	Councillor
18	Hon. Fatuma A. Sakara	Ilala	Councillor
19	Hon. Hawa K. Londa	Kinondoni	Councillor
20	Ho. Grace Kissie	Temeke	Councillor

Appendix 2 Temeke municipality population by Wards

			POPULATION			HOUSEHOLD	
S/N	WARD	TYPE	MALE	FEMALE	TOTAL	NUMBER	AVERAGE SIZE
1	Kigamboni	Urban	18,929	17,772	36,701	8858	4.1
2	Vijibweni	Rural	2,650	2,547	5,197	1,287	4.1
3	Kibada	Rural	1,567	1,708	3,305	863	3.8
4	Kisarawe 11	Rural	2,256	2,007	4,263	1,132	3.8
5	Somangira	Rural	5,559	5,200	10,799	2,725	4.0
6	Kimbiji	Rural	1,943	1,730	3,673	837	4.4
7	Mbagala	Urban	35,455	34,835	79,290	17,483	4.0
8	Chamazi	Mixed	4,110	4,203	8,313	2,198	3.8
9	Yombo Vituka	Urban	30,337	29,638	59,975	14,112	4.2
10	Charambe	Urban	40,997	42,404	83,401	19,849	4.2
11	Toangoma	Mixed	6,612	7,029	13,641	3,224	4.2
12	Miburani	Urban	20,761	20,415	41,176	9,176	4.5
13	Temeke	Urban	14,040	13,808	27,848	6,976	4.0
14	Mtoni	Urban	24,516	23,436	47,952	12,001	4.0
15	Keko	Urban	17,199	15,050	32,249	8,112	4.0
16	Kurasini	Urban	17,129	17,372	34,501	8,331	4.1
17	Azimio	Urban	30,693	30,489	61,182	15,692	3.9
18	Sandali	Urban	19,993	19,143	39,136	9,885	4.0
19	Chang'ombe	Urban	9,626	9,826	19,452	4,787	4.1
20	Tandika	Urban	21,219	20,795	42,014	10,585	4.0
21	Mbagala Kuu	Urban	35,051	34,772	69,823	16,340	4,3
22	Makangarawe	Urban	21,157	21,175	42,332	9,733	4.3
23	Pemba Mnazi	Rural	2,632	2,558	5,190	1,199	4.3
24	Mjimwema	Mixed	4,744	4,343	9,087	2,21	4.1
	TOTAL		339,245	382,255	771,500	187,609	

Source: Temeke Municipality Environmental Profile, 2001

Appendix 3

Interview Guide

Questions to the Local Government Staff

1. In your view, what are the main objectives of the National Environment Policy?
2. To what extent has the objectives been achieved in your municipality?
3. What are your roles in the implementation of the policy in the municipality?
4. How would you describe the availability of financial resources in the implementation of NEP?
5. How can you explain on the human resource capacity in the implementation of the policy?
6. How are the implementation process co-ordinated?
7. How do you describe the role of the central government in the implementation of the National Environment policy?
8. To what extent are the local communities involved in the implementation?
9. What are the policy instruments available in your municipality?
10. Who formulate policy instruments?
11. In your view how does the local community and local staff understand and apply policy instruments in your municipality?
12. What are the objectives of the local government reforms?
13. How would you describe the impact of decentralisation/reforms in implementation of the National Environment Policy?
14. What are the roles of the city council in the implementation of NEP?
15. What are the major challenges or obstacles you face in the implementation of the National Environment Policy?

Questions to the Local government Councillors

1. In your views, what are the objectives of the National Environment Policy?
2. What are your roles in the implementation of the National Environment Policy?
3. Who are the actors in the implementation of the policy in your area?
4. What are their roles?
5. Who define their roles in the implementation?
6. How do you co-ordinate and communicate with other implementers of NEP in the municipality?
7. In your view, how do you describe the relationship and communication between policy formulators and implementers?

8. Is there a committee or body in the municipality responsible for the implementation of the policy?
10. What is the composition and functions of the committee /body?
11. How do you explain the human resource capacity in the implementation of NEP in the municipality?
12. How do you understand by the policy instruments?
13. What are your comments on the applicability and understanding and acceptability of the environmental policy instruments?
14. How would you describe the role of the central government in the implementation of NEP?
15. What are your views on the autonomy of the local government in the management of environment?
16. To what extent are the local communities involved in the implementation of the policy?
17. What are the roles of the city council in the implementation of NEP?
18. Has this /those roles facilitated or impede the implementation of the policy?
19. What is the impact of the implementation structure/decentralisation on the performance of the policy?

Questions to the National Environment Management Council and the Division of Environment Staff

1. Who formulates the National Environment Policy?
2. What are the main objectives of the policy?
3. What are the functions of your institution in the implementation of the policy?
4. Who formulate policy instruments?
5. In your view, how do you explain the applicability and acceptability of the instruments in the local government councils?
6. How do you explain the relationship between the central government and the local government in the implementation of policy?
7. Which areas do you collaborate or contributes to the local government in the facilitation or se on implementation of NEP?
8. What are the major challenges/obstacles you face as far as the management of environment is concerned?

Questions for the community

1. What are the forms of community participation in environmental Policy implementation in the municipalities?
2. How does community participation impact the policy implementation?
3. What conditions promote or hinder the participation of communities in policy implementation?
4. What is the relationship between local citizens and the implementing agencies?
5. To what extent are the communities sensitised on the policy issues?