

Street Vendors' Perception on the Status of Street Vending Legalization in Tanzania Before and After the 5th Government

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<https://doi.org/10.51137/ijarbm.2023.4.3.9>

Abstract – The paper determines the status of street vending activities in the country, based on street vendors' views, and compares the views before and after the 5th government. The paper uses a mixed methods research approach with a concurrent embedded design. Data were collected from September 2020 to February 2021 from 371 respondents from Dar es Salaam and Mwanza cities through proportionate Stratified sampling. Data were collected by a questionnaire and analyzed by computing descriptive statistics and running a Wilcoxon Signed Rank test. The findings indicated that street vendors perceived themselves illegal before the 5th government and legal "but based on political pronouncements" from the 5th government onwards. It is concluded that street vending is currently tolerated but not legal in Tanzania. Thus, the central and local governments should enact a street vending legalization policy to minimize future clashes between street vendors and para-military troops when political pronouncements are revoked.

Keywords – Street Vending, Legality, Illegality, Concurrent Embedded Design, Tanzania, Africa

Submitted: 2023-11-21. Revised: 2023-12-04. Accepted: 2023-12-08.

1 Introduction

Street vending forms a common, visible and vibrant economic activity in most countries around the world (George et al., 2023). It has been reported to be a source of employment to many people who have failed to be accommodated in the formal sector. It is a source of cheap and affordable products and a means through which urban dwellers live and support their relatives back in rural areas (Adimasu et al., 2016; Lyons et al., 2014; Song, 2020; Nurhayati, 2020). Despite the widespread of this economic activity, several contestations regarding the legitimacy of vendors in the urban settings have been recorded. While street vendors and organizations promoting their well-being fight for complete legal status and legalization of street vending marked by national wide policy, urban authorities are busy planning strategies of completely evacuating them from urban streets on the ground for the main reason that they operate in wrong places.

This contradicting situation between vendors and urban authorities regarding the legality of street vending in the urban settings has been recorded both in developing and developed countries. While in some countries street vending enjoys partial or complete legal status, it is condemned and suppressed in others. For instance, in China, Xue and Huang (2015) record that street vending was illegal because it obscures city authorities in maintaining the city image. Similar situations were also recorded in America and in other developed countries (Hanser, 2016; Devlin, 2019). In the European context, although some countries are considerate, in the UK street vending is regarded problematic and an unfair competitor to formal traders (Jones, 2003). In the same vein, Moffete (2018) reports that in some European countries, street vending bears unknown statuses. Moreover, He (2020) and Song (2020) report that although street vending was illegal, after the occurrence of COVID-19, it was partially legalized to cushion economic shocks experienced.

In Latin America, the status of street vending has mixed interpretations. In some cities, it is regarded legal and included in urban plans (Meneses-Reyes, 2018), but it is illegal in other cities, for instance in Bogota and Lima (Linares, 2018; Skinner et al., 2018). In Mexico City, although street vending is recognized by the constitution, it bears an illegal status based on urban authorities' interpretation (Roever, 2016). In India, one among the few countries in the world with a clear and written policy for street vending activities, the status of street vending is spelled out in the National Policy for Urban Street Vending of 2004, revised in 2009. In this regard, street vending is accorded a legal status by authorities. However, in some Indian states it is prohibited by stubborn city authorities (Baliyan & Srivastava, 2016). Different from India, in Bangladesh, the status of street vending is determined by the incumbent government (Etzold 2013, 2015; Rahman 2019). In Indonesia, on the other hand, authorities have positive perception about street vending and consider it legal, albeit with no formal document because it has been associated with employment creation and poverty reduction among various citizens.

In Africa, like in other parts of the world, the legal status of street vending varies from a country to another one. For instance, in South Africa, street

vending bears a legal status and is guided by the existing legal margins (Kalitanyi, 2021; Rogerson, 2016). However, studies report that in Nigeria (Onodugo et al., 2016), Ghana (Forkour et al., 2017), Zambia (Chileshe, 2020), Zimbabwe (Mazhambe, 2017; Hove et al., 2020), Kenya (Recaud et al. 2018), Uganda (Nakibuuka, 2016) and Egypt (Kafafy, 2017; Elsayed et al., 2022), to mention but a few, street vending is still regarded illegal according to existing laws. Moreover, depending on political periods, and most especially before and after general elections, street vending has different legal statuses and treatments as well.

In Tanzania, the legal status of street vending in urban settings has been a topic full of contradictions and contestations. Because the country has undergone different political governments since independence (the first to the sixth government under Samia Suluhu Hassan), street vending has experienced different changing treatments as well as legal statuses. However, the most notable experiences regarding the legality of street vending are from the fourth government under Jakaya Kikwete to the sixth government under Samia Suluhu Hassan preceded by John Pombe Magufuli on which this paper focuses. Despite the presence of urban by-laws and sectoral laws including Urban Planning Act, Business Licensing Act 2003, and Roads Act 2007 that do not directly illegalize street vending but their areas of operation, studies at different moments have given different legal statuses to street vending. For instance, studies conducted before 2015 (Shaidi, 1984; White, 1999; Mhanga & Nombo, 2010; Mramba et al., 2014) described street vending as undesirable and almost illegal. Their operations resulted in pervasive harassments by authorities, confiscation of property, beatings and fines, among others.

However, the incoming of the 5th government under President John Pombe Magufuli in 2015 onwards changed the entire operations and the “overt” legal status of street vending business in the urban settings of Tanzania. Following the presidential pronouncement that restricted urban authorities to suppress, relocate and confiscate street vendors’ merchandise, street vending gained a ‘political based legal status’, and street vendors were free to operate anywhere. The situation marked the beginning of serious but ‘hidden’ friction between local government authorities who oversee the implementation of both national and local regulations and politicians regarding the legality of street vending activities in the urban settings. Based on this contradiction, studies conducted after 2015 (Steiler & Nyirenda, 2021; Kirumirah & Munishi 2022; George, 2023) report that street vending is ‘legal’; however, this legality was based on political pronouncements (Nyirenda & Msoka, 2019).

Moreover, despite street vendors having IDs (issued by the President), setting market places for them and recognizing their associations; there have been continuous silent and uninformed eviction, relocation and suppression of street vendors in urban settings (George, 2022), carried out by local government authorities (Kisembo, 2017). In the situation where existing regulations and actions as well as political pronouncements do not speak the same language on what is the legal status of street vending, it becomes difficult for one to draw a line on whether street vending has been legalized or not in the urban settings of Tanzania. While the available by-laws, policies and sectoral

laws restrict street vending to operate in their 'natural markets', politicians insist on allowing street vending to operate anywhere. Similarly, available scholarly findings make the subject inconclusive. It has been common for studies on this subject to come up with contradicting findings, making it difficult to understand whether street vending is legal or illegal (Steiler & Nyirenda, 2021). It is against this background that the study on which this paper emanated was undertaken to capture street vendors' perceptions on the legal status of street vending activities in Tanzania as well as their entire legalization. Specifically, the study intended to (i) determine street vendors' views on the general status of street vending in the urban settings, and (ii) compare street vendors' views on the status of street vending before and after 2015.

The results of this paper will help the government to know how street vendors regard themselves and will inform the government quantitatively on the extent to which it tried to improve the welfare of street vendors as advocated by the Sustainable Development Goals. In the same vein, while the government of Tanzania is trying hard to arrest the extent to which poverty is spreading, having a pool of vendors with satisfying working conditions and spelled by relevant regulatory frameworks will help in steering the fight against poverty among the youth, many of whom are street vendors.

1.1 Theoretical Linkage of Street Vending and Legalization

Although there have been a number of theories in which street vending has been explained, in this paper, two theories are used to explain the phenomenon. These theories complement each another and present both ideas of authorities when they restrict street vending and their ideas when they allow it. These theories are the Neo-liberal (Legalist) and the Reformist Theories. According to the Neo-liberal Theory, which was developed by the ILO and was supported by De Soto in the 1980s, street vending is a rational economic activity which emanates after throwing all burdensome economic hurdles that restrict them from doing business (Williams & Gurtoo, 2012). It further considers street vendors as heroes who have thrown away hurdles imposed by the state regarding business doing and acquisition of gentle licit economic activities (Bhowmik & Saha, 2012). According to this theory, authorities impose several legalization restrictions for everyone to adhere to. Whoever goes against them is regarded illegal and escapes from operating in the legal realm. Such hard to follow restrictions have, several times, been defied by street vendors and thus considered illegal.

The reformist theory was yet another school of thought developed by the ILO and the World Bank in 1972 and was later supported by Hart (1973). The theory states that street vending contributes to economic growth through alleviation of poverty and minimizing unemployment among urban citizenry (Jimu, 2004). On the same theory, Fepuhonda (1985) and UN (1996) add that the activity leads to job creation, provides on job training or development of entrepreneurship skills and promotes economic growth in general. Tanzanian authorities, after observing the importance of street vending to individual vendors and the economy at large, made some efforts to legalize the business through

building shopping malls for street vendors thereby creating markets and issuing special IDs to street vendors.

2 Methodology

2.1 Research Design

A mixed methods research approach with a concurrent embedded design was employed in the study on which this paper is based. The approach was used due to its potential of capitalizing on the strength of both methods while suppressing the weaknesses of each individual method. In this study, the qualitative data were embedded in the quantitative ones and were used for clarification and validation purposes.

2.2 Research context

The respondents were obtained from Dar es Salaam and Mwanza Cities in Dar es Salaam and Mwanza Regions, Tanzania, respectively. Although there is no established number of street vendors in each of the places, existing literature points to Dar es Salaam and Mwanza as having more concentrations of street vendors than other cities in Tanzania. For instance, Mramba et al. (2014) report that, in the two regions, the numbers of street vendors greatly increased in the 2010s from 700,000 reported by Lyon and Msoka (2007) to 1000,000 for Dar es Salaam alone.

2.3 Sampling and Sample Size

Because street vendors were the subjects of the study and the researchers wanted to grasp their opinions regarding the status of street vending in the country, they were selected to participate in the study. The respondents were sampled based on Proportionate Stratified Sampling (PSS) Each independent street vendors' hotspot was regarded as a stratum. In Dar es Salaam, each stratum provided one respondent, but in Mwanza each stratum provided two to three respondents, mostly those who were vending since the 4th government. As a result, each stratum/hotspot provided between 9 and 20 respondents as businesses were not evenly distributed. Thus, the researchers, following this strategy as described by Burger and Silima (2006), recruited 371 street vendors, that is 171 (46.1%) in Dar es Salaam and 200 (53.9%) in Mwanza. The selected sample involved a mixture of participants with different gender, age, business ventures, and regions of their origin. The sampled participants in Dar es Salaam were selected from street vending hotspots of Chanika, Gongo la Mboto, Banana, Temeke, Mbagala, Kariakoo, Mnazi Mmoja, Akiba, Kivukoni, Ferry, Manzese, Buguruni, Kimara, Mbezi, Tegeta and Makumbusho. The sampled participants in Mwanza were selected from

hotspots of Nyakato, Sabasaba, Buhongwa, Makoroboi, Dampo, Igoma, Nyerere Road, Nyegezi, and Nyasaka (Mwanza). Key informants were obtained through purposive sampling.

2.4 Data Collection

In order to obtain quantitative data from the sampled groups, the researchers administered a questionnaire, with questions relating to street vendors' demographic characteristics and their opinions regarding the status of street vending during different times. The respondents were required to rank statements regarding legal status of street vending business from 2005 to 2015 and from the end of 2015 to 2021. The ranking ranged from 1 = Never been, 2 = Not true at all, 3 = Not true, 4 = Neither true nor false, 5 = A bit true, 6 = True, and 7 = Very true. There were 10 statements which the respondents were required to rank. These statements were organized in both negative and affirmative states. The same statements were used to rate the street vendors' views regarding the status of street vending from 2005 to mid-2015 and from the end of 2015 to 2021. Considering the reality that the respondents (street vendors) had limited time, the researchers, together with their trained research assistants, administered the questionnaire to the sampled respondents in the sampled hotspots. The questionnaire, on average, was administered within 20 minutes per respondent.

Qualitative data, on the other side, were collected through in-depth interviews with urban authority officials from both Dar es Salaam and Mwanza. These included Community Development Officers, Trade Officers, Town Planners, City Legal Officers, among others. Interviews with these officials were conducted in their offices and each lasted for about 30 minutes.

To obtain face validity, the researchers emulated procedures used by Mahdaviyad et al. (2018) and Mohammedsalehi et al. (2015). Thus, the researchers used an expert translator to translate the original version of the questionnaire from English into Kiswahili. This was necessary because most street vendors only understand Kiswahili, which is the national language in Tanzania; they hardly speak English. The Kiswahili translated version of the questionnaire was provided to another English translator who had not seen the original version of the questionnaire to translate it back into the English Language. This was done to ensure that the translation was standard and would help to yield what was intended. Then, 10 copies of the Kiswahili translated questionnaire were given to Kiswahili native speaking academicians to spot and polish any possible ambiguities and complexities that would have created problems in the data collection exercise.

2.5 Data Analysis

On this aspect, validity was given an upper hand. In order to obtain validity of items forming constructs (vendors' views on the status of vendors before and after 2015), the researchers conducted Exploratory Factor Analysis (EFA) with the Principal Component Analysis (PCA) to ascertain factor loadings of

the used items. It was pre-determined that, based on the rule of thumb, only items with factor loadings above 0.5 would be used for further analysis. While executing EFA, Varimax rotation was used as suggested by Lawshe (1975) and Tabachnick (2012). Because convergent and discriminant validity are of great importance in such analyses, Pearson's correlation coefficients were also computed as suggested by Williams et al. (2012). The researchers further employed Kaiser Meyer Olkin (KMO) to determine the adequacy of sampling. Moreover, the Kronuit Bartlett index was also computed as suggested by Mahdaviyazad et al. (2018). From the factor analysis results, only the extracted factors each with an eigenvalue above 1 were maintained. In this study, reliability of the questionnaire was checked by computing Cronbach's alpha values. After combining all 10 items on the basis of factor analysis to generate indices, as advocated by Campbell and Fiske (1959), the computation revealed scores of 0.927 (for items measuring views before 2015) and 0.906 (for items measuring views after 2015). These values were considered very reliable as they were greater than the cut-off point of 0.7 (Creswell, 2017). Based on this reality, all the ten items were included in the study for further analysis.

For further analysis, the researchers employed descriptive statistics. These enabled them to present and describe demographic characteristics of the respondents. In this study, mean scores, standard deviations (SD) and proportions (%) were computed. The researchers further calculated street vendors' views on the status of street vending business in the urban settings before 2015 and after the same year. Because the questionnaire used involved index summated scale items, the researchers added up the points that were scored on each item, and the extents of the respondents' views were calculated based on 100%. For further analysis, the Kolmogorov-Smirnov test was conducted to determine if the scores were normally distributed; if the test is non-significant ($p > 0.05$), then the distribution is not significantly different from that of a normal distribution, i.e. the distribution is normal (Field, 2018). The status of the normality test allowed the researchers to use paired samples t-test to compare the mean scores of views before 2015 and those after 2015. For qualitative data, the transcribed data were summarized, coded and important contents obtained from them. In this study, qualitative findings supported quantitative ones, and thus were reported in the form of quotations

3 Results and Discussion

3.1 Demographic Characteristic of The Respondents

To determine the nature of respondents that participated in the study and to predict the nature of their responses, it is important to collect information about their demographic characteristics. In this study, such information was collected on age, sex, education, marital status, regions of operation and the number of dependents as presented in Table.1.

Table 1: Distribution of participant demographic characteristics (n = 371)

| Variable | Frequency | Percent |
|-----------------------------|-----------|---------|
| Age | | |
| 15 - 25 | 54 | 15.3 |
| 26 - 35 | 176 | 50.3 |
| 36 - 45 | 91 | 25.9 |
| 46+ | 30 | 8.5 |
| Sex | | |
| Male | 224 | 60.4 |
| Female | 147 | 39.6 |
| Education | | |
| None | 33 | 9.1 |
| Primary | 129 | 35.6 |
| Secondary | 178 | 49.4 |
| Tertiary/university | 21 | 5.8 |
| Marital status | | |
| Single | 116 | 31.5 |
| Married | 232 | 63 |
| Widowed | 11 | 3 |
| Divorced | 9 | 2.4 |
| Region of business | | |
| Mwanza | 200 | 53.) |
| Dar es Salaam | 171 | 46.4 |
| Number of dependents | | |
| Below 15 years | 253 | |
| 15 – 60 years | 282 | |

The findings in Table.1 show various characteristics of the respondents. For instance, in terms of age, while the minimum age was 15 years, the maximum age was 80 years. The average age was 34.0 years. This implies that there were more young street vendors than old ones. With regard to sex, there were more male street vendors as compared to females; 224 (60.4%) were male, and 147 (39.6%) were female. Although male respondents were the majority, there was a great improvement in the number of women participating in street vending as earlier studies recorded fewer women vendors, for example a study by Mramba et al. (2014). Education level was also examined; the findings showed that a great segment of street vendors (85%) were primary school leavers. Despite this reality, street vending has attracted even graduates from tertiary education. This might be attributed to unemployment rate, which is increasing in Tanzania. The findings further show that married street vendors comprised a great segment of the respondents (65%). Moreover, unmarried vendors comprised 31.5% of the respondents. This was a group of young people looking for economic fortunes in this venture after failing either to proceed with further education or to get employment in the formal sector. These findings could imply that most of the respondents were earning not for

themselves but for their dependents. This was further confirmed by the number of dependents registered in the study. On average, each respondent had more than a dependent to feed and cater for in all aspects of life.

3.2 Street vendors' views on the status of street vending in urban settings in Tanzania

The first objective of this paper was to determine street vendors' views on the status of street vending activities in urban settings in Tanzania. To obtain data to meet this objective, the respondents were required to respond Never been (1 point), Not true at all (2 points), Not true (3 points), Neither true nor false (4 points), A bit true (5 points), True (6 points) or Very true 7 points) to items of a scale which was used to determine street vendors' views, as described in the Methodology Section.

3.2.1 Construct fitness for Exploratory Factor Analysis (EFA)

Before factor loading was executed, the researchers determined if the constructs and sample size were fit for further analyses, based on Exploratory Factor Analysis. With the Eigenvalue greater than one as proposed by Tabachnick (2012), the solution was not rotated as only one component was formed. All study constructs were found fit for exploratory factor analysis as the KMO and Bartlett's test had a significant correlation between items. The KMO was above the recommended value of 0.6, and the Bartlett's test was statistically significant at $p < 0.001$. The findings are presented in Table.2.

Table 2: Fitness of items for EFA in each study construct

| Construct | Determinant | KMO | Bartlett's Test |
|--|-------------|-------|----------------------|
| | | | Chi-square (p-value) |
| Vendors' views of the status before 2015 | 0.002 | 0.938 | 1831.014 (<0.001) |
| Vendors' views of the status after 2015 | 0.006 | 0.922 | 1546.733 (<0.001) |
| Vendors' views of the status before 2015 | 0.002 | 0.938 | 1831.014 (<0.001) |

3.2.2 Factor loadings for items forming views on the status of vendors before 2015 and after 2015

The researchers conducted Exploratory Factor Analysis to check whether all items qualified to be in the group. As a rule of thumb, only those items with a factor loading of 0.5 and above were allowed to be considered for further analysis (Field, 2018). As for items forming vendors' views on the status of vending operations before 2015, the findings depicted that each item had the factor loading above 0.5. Inclusion on social security had a maximum factor

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loading of 0.840 while continuous arresting of street vendors had a minimum factor loading of 0.7. The per cent of variance due to the extraction sum of squared loadings was 60.418.

As for items forming vendors' views on the status of street vending operations after 2015, all the items scored above 0.5. The item labelled 'Street vendors not arrested' had a maximum loading of 0.817, while the one named 'There are street vending committees' had a minimum factor loading of 0.604. The percentage of variance due to the extraction sum of squared loadings was 54.536. For both computations, the solutions were not rotated as only one component was formed. The findings are presented in Tables.3 and 4.

Table 3: Factor loadings for items forming vendors' views before 2015

| Item | Factor Loading |
|---|----------------|
| Street vendors are not included in social security schemes | .840 |
| Street vendors are not included in the decision making | .827 |
| Street Vendors' associations are unrecognized | .824 |
| Street vendors are unrecognized by existing bylaws | .776 |
| There are no street vending committees | .770 |
| Youths' and Women's Loans do not recognize street vendors | .768 |
| Trading in open spaces is restricted | .763 |
| Street vendors are not recognized by financial Institutions | .752 |
| Street vendors are not licensed | .742 |
| Continuous arresting of street vendors | .700 |

Table 4: Factor loadings for items forming vendors' views after 2015

| Item | Factor Loading |
|---|----------------|
| Street vendors are not arrested at all | .817 |
| Trading in open spaces is not restricted | .797 |
| Street vendors are included in social security schemes | .779 |
| Street vendors are recognized by financial Institutions | .761 |
| Street vendors are recognized by existing bylaws | .750 |
| Street vendors are included in the decision making | .728 |
| Street Vendors' associations are recognized | .725 |
| Street vendors are licensed | .714 |
| Youth's and Women's Loans recognize street vendors | .685 |
| There are street vending committees | .604 |

3.3 Street vendors' views on the status of street vending before 2015

Following a successful computation of Exploratory Factor Analysis that determined the fitness of constructs and adequacy of the sample size, further

analysis was conducted to determine vendors' views on the status of street vending operations and legalization before 2015. This was done descriptively. The street vendors' views on the status of street vending were defined by 10 items. Each of these items had a minimum score of 1 and a maximum score of 7. The findings are presented region-wise as in Table 5.

Table 5: Sample table with caption

| Item | Mwazna | | | Dar es Salaam | | |
|--|--------|-----|-----------|---------------|-----|-----------|
| | Min | Max | Mode (SD) | Min | max | Mode (SD) |
| Not recognition by existing by-laws | 1 | 7 | 4(1.367) | 1 | 7 | 6(2.109) |
| Not recognition by financial Institutions | 1 | 7 | 4(1.396) | 1 | 7 | 6(1.752) |
| Restricted on trading in open spaces | 1 | 7 | 6(1.511) | 1 | 7 | 6(1.989) |
| Not included in decision making | 1 | 7 | 4(1.515) | 1 | 7 | 6(1.921) |
| Street vendors' associations not recognized | 1 | 7 | 5(1.533) | 1 | 7 | 6(1.942) |
| Vendors are unlicensed | 1 | 7 | 4(1.590) | 1 | 7 | 6(2.011) |
| There are no street vending committees | 1 | 7 | 5(1.646) | 1 | 7 | 6(1.995) |
| Inclusion in social security and health schemes is limited | 1 | 7 | 4(1.3471) | 1 | 7 | 6(2.1213) |
| Street vendors are arrested periodically | 1 | 7 | 5(1.408) | 1 | 7 | 6(1.551) |
| Not recognised by LGA Loans | 1 | 7 | 6(1.298) | 1 | 7 | 3(1.717) |

The findings presented in Table 5 show that, in Mwanza, the respondents were of the opinion that the rate at which street vending was legal before 2015 was questionable as most of the statements ranked between 4 = neutral to 6 = true. In Dar es Salaam, the respondents opined that street vending was illegal and authorities treated it so, and this was evidenced by most statements being ranked 6 = true. The findings in the two regions have some variations. Although there were not a lot of variations, but the existing ones were attributed to street vendors' understanding and the way urban administrations handled the vendors. While in Mwanza some vendors were tolerated especially those working from Makoroboi, it was not the case in Dar es Salaam. During an interview, an officer at Ilemela in Mwanza was quoted saying:

"I think Mwanza was the first region to employ a soft hand and think of strategies to tolerate street vendors. Even if serious operations were carried

out against vendors, those at Makoroboi and Buhongwa were spared" (MCDO, Ilemela).

Following this interpretation, it might be generalized that street vendors' views imply that, to a great extent, street vending operations were not legalised both in Mwanza and Dar es Salaam. However, Dar es Salaam was stricter on street vendors in comparison to Mwanza. This explains the existence of several clashes between street vendors and authorities. Moreover, restrictions to the use of open urban spaces, exclusion in decision making and economic leverages also were observed.

3.4 Street vendors' views on the status of street vending operations after 2015

Descriptive statistics of street vendors' views on the status of street vending operations after 2015 were determined. The construct was formed by 10 items. Each of these items had a minimum score of 1 and a maximum of 7. To determine variations and differences among regions pertinent findings are presented region-wise in Table 6.

Table 6: Descriptive statistics on vendors views on the status of legalization after 2015

| Item | Mwazna | | | Dar es Salaam | | |
|---|--------|-----|-----------|---------------|-----|-----------|
| | Min | Max | Mode (SD) | Min | max | Mode (SD) |
| Street vendors are recognized by existing by-laws | 1 | 7 | 6(1.319) | 1 | 7 | 6(1.726) |
| Street vendors are recognized by financial institutions | 1 | 7 | 6(1.248) | 1 | 7 | 5(1.721) |
| Trading in open spaces is not restricted | 1 | 7 | 6(1.261) | 1 | 7 | 6(1.598) |
| Street vendors are included in decision making | 1 | 7 | 6(1.127) | 1 | 7 | 3(1.653) |
| Street vendors' associations are recognized | 1 | 7 | 7(1.340) | 1 | 7 | 5(1.660) |
| Street vendors are licensed | 1 | 7 | 7(1.291) | 1 | 7 | 6(1.704) |
| There are street vending committees | 1 | 7 | 6(1.106) | 1 | 7 | 6(1.594) |
| Street vendors are included in social security schemes | 1 | 7 | 6(1.106) | 1 | 7 | 3(1.580) |
| Street vendors are not arrested at all | 1 | 7 | 7(1.211) | 1 | 7 | 6(1.571) |

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| | | | | | | |
|---|---|---|----------|---|---|----------|
| Youths and women loans recognize street vendors | 1 | 7 | 6(1.324) | 1 | 7 | 7(1.666) |
|---|---|---|----------|---|---|----------|

The findings presented in Table.6 show that, in Mwanza, after 2015 street vending operations were regarded as legal. Respondents rated most of the statements with 6 = true and 7 = very true. In Dar es Salaam, after 2015, street vendors were of the view that street vending was legal, and vendors were free to trade from anywhere. Despite these findings, there was a great variation between Mwanza and Dar es Salaam regarding street vendors being included in decision making and inclusion in social security and health schemes. While street vendors in Mwanza were of the view that they were included in decision making and social and health schemes, it was not the case in Dar es Salaam. Moreover, looking at the reality, since 2016 after the President of the United Republic of Tanzania ordered authorities not to suppress street vendors, the street vendors' association ('Shirikisho la Umoja wa Wamachinga' [SHIUMA]) Tanzania was very active, and at different times it was involved in various decisions regarding street vendors. It also advocated inclusion of street vendors in health and social schemes. Because its head offices are in Mwanza, vendors in Mwanza were more informed about these than those in Dar es Salaam. During an interview, an officer from SHIUMA said:

"We normally tell our people everything that we do, what is about to happen and initiatives the government is taking to legalize our operations. It is easy for people in Mwanza to be informed than those in other regions" (SHIUMA leader, Mwanza).

Generally, according to street vendors, street vending activities from 2005 to 2015 had an illegal status as most indicators ranked so. This was attributed to on-and-off state of street vending operations. Moreover, considering the study period, there was no direct permission to street vendors to operate in urban settings; they were only tolerated, based on political and economic conditions the country was undergoing. These findings are in line with those by Etzold (2015) who revealed that, in Bangladesh, the status of street vending changes according to political seasons whereby during elections street vendors are allowed to vend but not after political tensions have cooled down. Moreover, the findings are a complement to various other results presented by different researchers. For instance, Rufaida (2018) reported that street vendors are a group of people conducting unlicensed businesses and thus are illegal. Moreover, Nurhayati (2020) argues that because authorities have always regarded street vending as obstacles to proper urban planning, they have thus been considered illegal. Similar findings were provided by Hue and Xu (2015). In Tanzania, several studies; for example, studies by Shaidi (1984), White (1999) and Mramba et al. (2014) report that since some years back street vending has been illegal and has never been allowed to operate freely as it is currently. This was further confirmed by George (2022) who argues that street vendors had always undertaken their businesses with no legal status. The illegal status ascribed to street vendors emanates from city authorities and the government in general, bearing a notion that street vendors

are hard to legalize because they more distract than maintain city infrastructure, and still they don't pay tax. These findings further confirm the contention extended by the legalist school of thought in which authorities consider vendors as a group of people who willingly defy the available rules. Thus, because authorities are maintained to see everyone adheres to the available rules (of which street vendors are not), that explains why authorities maintain that street vending is illegal.

With regard to street vendors' views on the status of street vending after 2015, street vending had a legal status based on political push, and vendors are allowed to operate in even the previously restricted areas. These findings are consistent with those given by some scholars including Munishi and Kirumirah (2020) and George et al. (2023) who reported that the decision of the Government of Tanzania to provide street vendors with special IDs and allow them to operate in urban settings without disturbance signifies the legality of street vending. However, because the legal status of vendors was mainly pushed by political statements, it might change at any time and at times might be violated by urban authority executives. Kisembo (2017) notes that even after the pronouncements, some local government officials continued to arrest and suppress vendors in some cities. In the same view, a study in China (He, 2020) reports that although the status of street vending is legal in China, this status changes from time to time. The same was reported by Rahman (2019) who reported that, in Bangladesh, the status of street vending is defined by the incumbent government.

3.5 Comparing street vendors' views on the status of street vending operations before and after 2015

The researchers tested whether there was statistical difference between street vendors' views on what was the status of street vending before and after 2015. To compare the views, paired sample t-test was used. The test was run after a normality test was done. The Kolmogorov-Smirnov test was employed to test the normality of the data because the sample was greater than 50 cases. The test is more powerful than any other normality test (Massey Jr., 1951). The researchers hypothesized that:

H₀₁: There is no normal distribution in the data for street vendors' views on the status of street vending business and legalization before and after 2015. The Kolmogorov-Smirnov results are presented in Table 7 and 8.

H₀₂: There is no significant difference in the mean scores of street vendors' views on the status of street vending activities and legalization before and after 2015. The computed results are presented in Table .7.

Table 7: Normality test on street vendors' views on the status of street vending operations before 2015

| Item | Kolmogorov-Smirnov ^a | | | Shapiro-Wilk | | |
|------|---------------------------------|----|------|----------------|----|------|
| | Stat- tistic | df | Sig. | Sta- tistic | df | Sig. |
| | | | | | | |

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| | | | | | | |
|---|------|-----|------|------|-----|------|
| Unrecognized by laws | .181 | 367 | .000 | .915 | 367 | .000 |
| Unrecognized by financial institutions | .182 | 352 | .000 | .926 | 352 | .000 |
| Restricted to trade in open spaces | .214 | 363 | .000 | .901 | 363 | .000 |
| Not being included in decision making | .158 | 355 | .000 | .922 | 355 | .000 |
| Unrecognized and underpowered vendors associations | .188 | 362 | .000 | .908 | 362 | .000 |
| Unlicensed business | .167 | 362 | .000 | .923 | 362 | .000 |
| No existing vendors' committees in LGAs | .180 | 366 | .000 | .914 | 366 | .000 |
| Not included in social security and health insurance | .168 | 366 | .000 | .928 | 366 | .000 |
| Continuous arresting of street vendors | .170 | 356 | .000 | .928 | 356 | .000 |
| Not recognized by LGAs when giving loans to groups of youth and women | .220 | 363 | .000 | .881 | 363 | .000 |
| a. Lilliefors Significance Correction | | | | | | |

Table 8: Normality test on street vendors' views on the status of street vending operations after 2015

| Item | Kolmogorov-Smirnov ^a | | | Shapiro-Wilk | | |
|---|---------------------------------|-----|------|--------------|-----|------|
| | Statistic | df | Sig. | Statistic | df | Sig. |
| Street vendors are recognized by existing bylaws | .181 | 367 | .000 | .915 | 367 | .000 |
| Street vendors are recognized by financial Institutions | .182 | 352 | .000 | .926 | 352 | .000 |
| Trading in open spaces is not restricted | .214 | 363 | .000 | .901 | 363 | .000 |
| Street vendors are included in the decision making | .158 | 355 | .000 | .922 | 355 | .000 |
| Street Vendors' associations are recognized | .188 | 362 | .000 | .908 | 362 | .000 |
| Street vendors are licensed | .167 | 362 | .000 | .923 | 362 | .000 |
| There are street Vending Committees | .180 | 366 | .000 | .914 | 366 | .000 |
| Street vendors are included in social security schemes | .168 | 366 | .000 | .928 | 366 | .000 |
| Street vendors are not arrested at all | .170 | 356 | .000 | .928 | 356 | .000 |
| Youth and Women Loans recognize street vendors | .220 | 363 | .000 | .881 | 363 | .000 |

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a. Lilliefors Significance Correction

The findings, as depicted in both Tables 7 and 8, reveal that, considering the Kolmogorov-Smirnov test results, because the sample size was greater than 50, the scores were not normally distributed across. This was indicated by the scores, throughout all the items, having significant p-values ($p = .000$, i.e. $p < 0.001$). These findings, therefore, led the researchers to accept the null hypothesis that there was no normal distribution in the data set. Therefore, the findings allowed the researchers to use the nonparametric Wilcoxon signed Rank Test to compare the means of street vendors' views on the status of street vending activities before and after 2015 as recommended by Healey (2013) and Field (2018).

Table 9: Hypothesis Test Summary using Wilcoxon Signed Rank Test

| | Null Hypothesis | Test | Sig. | Decision |
|--|--|---|-------------|-----------------------------|
| | The median of differences between score_viewsbefore2015 and score_viewsAfter2015 equals 0. | Related-Samples Wilcoxon Signed Rank Test | .003 | Reject the null hypothesis. |

Asymptotic significances are displayed. The significance level is .05.

The findings on Wilcoxon Signed Rank Test presented in Table 9 show that street vendors' views regarding the status of street vending business and legalization before and after 2015 were different. The findings indicate that the p-value was .003 ($p < 0.05$). This implies that there was a significant difference between the street vendors' views on what was the status of street vending since 2005 to 2015 and from 2015 onwards. The researchers in that case had sufficient statistical backup to reject the null hypothesis and confirm the alternative one.

Those findings present two contradicting views of urban authorities. The first one is the legalist view, which is reflected in street vendors' views on the status of the business before 2015, that street vendors are law breakers, disrupt urban planning and escape from being legalized because they do not want to pay tax (Williams & Gurtoo, 2012). This explains why the business was illegal, and there were several confrontations that led to devastating effects as reported by White (1998), Lewinson (1999) and George (2022). On the other side of the coin, vendors' views on the status of vendors reveal a different reality; they reveal that, in the period from 2015 onwards, due to change in governments, perception and realities around the world, authorities borrowed the Reformist stance whereby street vending is regarded as a rational economic activity and contributes to economic prosperity of vendors and Tanzania in general if it is provided with supportive environment (Williams & Gurtoo, 2012; Bieler 2014). This stance partly explains why authorities allowed street vendors to operate freely, and this reflects the higher mean score of street vendors' views on the status of their business after 2015.

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Moreover, these findings reflect a set of studies about street vendors' illegality (Mitullah 2004; Mramba et al., 2014; Njaya, 2014; Msoka & Ackson 2017; Steiler, 2018; Lyon & Msoka, 2007). In these studies, street vending business is regarded as illegal, and its illegal status began from the colonial moments when they were regarded a threat to the city order. Despite such facts, governments and facts changed. Currently, some city officials still hold the same stance created by colonial masters. This explains why street vending until 2015 in Tanzania was considered legal but operated in illegal areas. Thus, all street vendors operating in towns were arrested, their merchandise confiscated, fined and sometimes imprisoned (Kirumirah, 2022). On the other side, some studies have reported elements of legalization of street vending activities from 2015 onwards. For instance, Munishi & Casmir (2019), Munishi & Kirumirah (2020) and George et al. (2023) reported about serious efforts made by the Government of Tanzania to improve the operations of street vendors and that signify elements of legalization. The efforts included building Machinga (Street vendors) Complex, Sabasaba market in Mwanza, street vendors' stalls in Dodoma, issuance of street vendors' special identity cards and banning of arbitrary arrests and suppression of street vendors; these efforts signify elements of legalization of street vending in Tanzania.

However, with serious contradictions in literature today, and with reserved street vendors' opinions; legal status did not score a mean score of close to 100. Therefore, there are some questions whose answers are yet to be provided. For instance, do the issuance of IDs to street vendors and political pronouncements, among other things, mean complete legalization of street vending? Even though IDs were provided, some street vendors faced eviction. For instance, Kitembo (2017) reported that, even after the political pronouncement by the President, vendors in Mwanza City were suppressed, beaten and their commodities confiscated by city authorities. But still the street vendors' IDs were renewable on an annual basis, but the renewing exercise was partially done in 2018, and no more IDs were issued. Moreover, in the absence of a written and vetted national-wide policy and a complete regulatory framework, it becomes difficult for one to regard street vending as a legal business in Tanzania.

4 Conclusions and Recommendations

In this paper, the researchers assessed how street vendors regard the legality of their business. In order to obtain sufficient comparative data that would lead the researchers to arrive at a comparative conclusion of what was and what is, the researchers collected data on street vendors' views regarding the status of street vending business since 2005 onwards. The findings obtained reveal that, in the eyes of street vendors, their business was not legal up to 2015. However, their status changed from 2015 onwards. However, the nature of legality is based on mere political pronouncements. This explains the reason as to why some scholars have expressed their worry if the situation will remain the way it is, in case there is a change in government leadership. Moreover, based on the findings obtained from street vendors themselves,

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despite the reality that they marked themselves 'legal' from 2015 onwards by 69 per cent scores, they reserved the rest of scores for they did not know what awaited them in the near future. These findings have a number of implications.

The legality of street vendors is not well spelled in the regulations of Tanzania. Thus, it is high time the policy makers, upon realizing the importance of street vendors, came up with a clear policy guiding the legality and operations of street vending across the country. This could be a framework that allows Local Government Authorities to customize it, based on the prevailing environment and situations in their jurisdictions.

The subject of street vending legislation has widely been advocated by many local and international scholars and organizations. However, despite some efforts made to improve the operations of street vendors, street vendors will not consider themselves legal if there is no regulatory framework directing the legality and operations of the business.

Although there have been some contradicting realities on whether street vending is legal or not, it is evident that there is great improvement on the operations of street vending across the country. To promote the sustainability of the situation, authorities need to recognize the importance street vending has to the urban and rural societies. Moreover, authorities need to understand that the reasons behind the suppression and evictions of street vendors are outdated. They further need to know that, in this current wave of excessive unemployment and a weak industrial sector, street vending is a mainstream economic activity to most urban dwellers in Tanzania today and needs to be legalized with formal regulatory documents and not with political pronouncements.

The study contributes not only to the body of knowledge but also to authorities' need of creating realistic rules and policies governing general operations of street vendors. In the first instance, the study acts as a form of feedback from street vendors to authorities that, even if they have not attained complete legality, they appreciate the efforts made by authorities to improve the status of their operations. In this sense the study captures street vendors' voices and opinions on how they were and how they currently are. Following a number of efforts made by the Government of Tanzania to improve street vendors' working conditions, another study is proposed to assess the sustainability of such efforts and who monitors their effectiveness.

4.1 Limitations of the Study

In this study, the researchers encountered some limitations. In the first instance, the sampling technique made it difficult for the researcher to create sampling frames from which to choose respondents. This is because not all street vendors were willing to be included in the study. In order to obtain the required sample, the researchers convinced street vendors to participate in the study and informed them that the findings of the study would be used as a base towards creating of street vending national wide policy that would regulate street vending operations. Data for the study were collected at the same time when the COVID-19 pandemic was at its peak with the second wave

popping in. Because of fear of contracting the disease, it was difficult for the researchers to collect data smoothly. However, hygiene protocols as established by WHO and the Ministry of Health of Tanzania were adhered to by researchers.

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