Development of Cultural Heritage Registration in Post-Colonial Tanzania

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Abstract

Although Tanzania is endowed with a significant amount of nationally and internationally renowned cultural heritage resources that span about 3.6 million years to the present, very few of them feature in the national heritage register. The government has only proclaimed and registered fifty-five heritage assets deemed to be of national significance since independence, almost six decades ago. Most of the registered heritage resources are built heritage with colonial ties, at the expense of traditional African ones. Spatially, heritage properties in regions along the Indian Ocean coast dominate the proclaimed heritage properties. This paper investigates the reasons for these trends, by tracing the roots of the heritage registration system in the country to the colonial period and by uncovering the shortcomings in the creation and maintenance of the heritage register, and proposes solutions and strategies for addressing the challenges. The paper cites examples from African countries and beyond to illustrate how comprehensive heritage registers are created and maintained.

Key words: Register, heritage registration, Antiquities Department, Tanzania

1.0 Introduction

Tanzania has extensive cultural heritage resources that are nationally and internationally recognised, spanning the Plio-Pleistocene (circa 3.6 million years ago) and contemporary periods.[346] These include both immovable and movable sites and relics of

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[346] A. Mturi. "Whose cultural heritage? Conflicts and contradictions in the conservation of historic structures, towns and rock art in Tanzania," in P. Schmidt & R. McIntosh (eds.). *Plundering Africa's Past* (Indianapolis: Indiana University Press, 1996), pp. 170-190; B. Mapunda. "Cultural heritage and development in Tanzania," in B. Mapunda & P. Msemwa (eds.). *Salvaging Tanzania's Cultural Heritage* (Dar es Salaam: Dar es Salaam University Press, 2005), pp. 243-258.

palaeontological, archaeological, historic and cultural significance,[347] as well as the intangible heritage comprising belief systems, social customs, ethical values, religious ceremonies and traditional knowledge systems, all of which are important expressions of heritage.[348] Whereas some heritage resources enlighten our understanding of early life forms and humanity's bio-cultural evolution,[349] others provide evidence of global physical processes, such as palaeo-climatic changes and how humans adapted to them.[350] They also reveal the history of humans' use of natural resources and how this impacted the landscape.[351]

Despite the stated richness and significance of various cultural heritage resources found in Tanzania, a comprehensive register for them (also known as an 'inventory') is yet to be drawn up. [352] The lack of a comprehensive heritage register is probably contributing to the rapid demise of these resources - not only due to extensive vandalism by some local

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[347] A. Mabula and C. Magori. "Reflections on the archaeology curriculum at the University of Dar es Salaam," in *Salvaging Tanzania's Cultural Heritage*, pp. 25-35; A. Mturi. "State of rescue archaeology in Tanzania," in *Salvaging Tanzania's Cultural Heritage*, pp. 293-310.

[348] M. Mulokozi. "Management of intangible heritage in Tanzania," in *Salvaging Tanzania's Cultural Heritage,* pp. 279-292; E.B. Ichumbaki. "Monumental Ruins, Baobab Trees and Spirituality: Perceptions on Values and Uses of Built Heritage along the East African Coast" (University of Dar es Salaam: PhD diss., 2015).

[349] R. Blumenschine, *et. al.,* "Broad-scale landscape traces of Oldowan hominid land use at Olduvai Gorge and the Olduvai landscape palaeoanthropology project," in *Salvaging Tanzania's Cultural Heritage,* pp. 158-189; Mturi, 2005, *op.cit*.

[350] C. Musiba and C. Magori. "Laetoli paleoecology: predictive behavioral ecology model based on functional morphology and sediment proxy data," in *Salvaging Tanzania's Cultural Heritage*, pp. 137-157; E. Mjema. "Catastrophes and deaths along Tanzania's western Indian Ocean coast during the early Swahili period, AD 900–1100." *Azania: Archaeological Research in Africa* 53, no. 2 (2018): 135-155.

[351] P. Lane. "Developing landscape historical ecologies in eastern Africa: an outline of current research and potential future directions." *African Studies* 69, no. 2 (2010): 299-322; T. Biginagwa. "Historical archaeology of the nineteenth-century caravan trade in north-eastern Tanzania: a zooarchaeological perspective" (University of York: PhD diss, 2012); M. Heckmann. "Farmers, smelters and caravans: Two thousand years of land use and soil erosion in North Pare, NE Tanzania." *Catena* 113 (2014): 187-201; M. Heckmann, *et. al.* "Human-environment interactions in an agricultural landscape: a 1400-yr sediment and pollen record from North Pare, NE Tanzania." *Palaeogeography, Palaeoclimatology, Palaeoecology* 406 (2014): 49-61.

[352] Mturi, "State of rescue,"*op.cit*.; D. Kamamba. "Cultural heritage legislation in Tanzania," in *Legal Framework for the Framework for the Protection of Immovable Cultural Heritage in Africa* (ICCROM, 2009), p. 13-17.

community members,[353] but also to the damage that occurs when various developmental projects are being implemented, especially those involving significant modification of the land.[354] The latter is probably happening now in Tanzania, because a huge amount of infrastructural development is taking place, which includes the ongoing construction of a new 1,150 km Standard Gauge Railway line from Dar es Salaam to Mwanza,[355] the construction of a Stiegler's Gorge hydroelectric power station that extends 230 km² across River Rufiji in Selous Game Reserve,[356] and the laying of a pipeline for transporting crude oil from Ohima Region in Uganda to Tanga Region in Tanzania,[357] as well as ongoing civil engineering projects across the country triggered by the current government's

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[353] M. Leakey. "Africa's vanishing art: the rock paintings of Tanzania" (Doubleday Books, 1983); T. Biginagwa. "Assessment of public awareness to archaeology in Irangi Hills, Central Tanzania" (University of Dar es Salaam: BA diss., 2002); J. Kimaro. "Cultural heritage management in Kilwa: towards sustainable conservation and management of Kilwa Kisiwani and Songo Mnara World Heritage Site" (University of Dar es Salaam: MA diss., 2006); F. Masele. "Cultural heritage management in Tanzania: a case study of Kunduchi ruins site, Dar es Salaam" (University of Dar es Salaam: MA diss., 2007); E. Bwasiri. "The implications of the management of indigenous living heritage: the case study of the Mongomi wa Kolo rock paintings World Heritage Site, Central Tanzania." *The South African Archaeological Bulletin* (2011): 60-66.

[354] B. Mapunda. "The role of archaeology in development: the case of Tanzania." *Transafrican Journal of History* (1991): 19-34; S. McIntosh. "Archaeological heritage management and site inventory systems in Africa." *Journal of Field Archaeology 20, no. 4* (1993): 500-504; Mturi, 2005, *op. cit.*; H. Kiriama, *et.al.*, "Impact assessment in the conservation and management of African heritage: what next?" in H. Kiriama, *et. al.* (eds.). *Cultural Heritage Impact Assessment in Africa: an overview* (CHDA, 2010), p. 77-81; E. Ichumbaki and E. Mjema. "The impact of small-scale development projects on archaeological heritage in Africa: the Tanzanian experience." *Conservation and Management of Archaeological Sites* 20, no. 1 (2018): 18-34.

[355] United Republic of Tanzania (URT). "National Five-Year Development Plan 2016/17 – 2020/21." Ministry of Finance and Planning, 2016; United Republic of Tanzania (URT). "Standard Gauge Railway Line (SGR) Project, Dar es Salaam – Makutopora, Tanzania: Environmental Impact Assessment Draft Report." Available: https://yapimerkezi.com.tr/PdfDosyalari/a6dc104c-d2b1-4c96-9aa2-3b9d5ea15ed5.pdf). [Accessed March 24, 2019].

[356] B. Dye and J. Hartmann. "The true cost of power: the facts and risks of building Stiegler's Gorge Hydro-Electric Power Dam in Selous Game Reserve, Tanzania." *World Wildlife Fund International* (2017); R. Harvey. "Damned if you Dam: Tanzania's Energy Dilemmas." *South African Institute of International Affairs Occasional Paper 281* (2018).

[357] East African Crude Oil Pipeline (EACOP). "Social and resettlement service for the East African Crude Oil Pipeline, Tanzania Section: Resettlement Policy Framework." Available: *eacop.com/publication/view/eacop-resettlement-policy-framework-tz-full-report-english.* [Accessed: March 26, 2019].

implementation of industrialization policy,[358] and the construction of new residential and commercial buildings and roads, together with the opening of new mines.[359] Unquestionably, implementing these projects puts undocumented cultural heritage resources at risk, especially in the absence of a legally-enforced cultural resources impact assessment.[360]

It can be argued that in the current situation where most traditional heritage management systems in Africa have been deliberately paralysed since the colonial period (discussed below) in favour of state-based heritage management systems[361], the existence of a properly coordinated national inventory of cultural heritage resources would minimize the challenges pertaining to their sustainability.[362] The bottom line is, "we cannot manage what we do not know exists,"[363] and so making an inventory of the nation's cultural heritage resources would produce an official heritage register, comprising heritage assets considered important as regards the culture, history, archaeology, architecture and traditions of the country.[364]

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[358] URT, "National Five-Year Development Plan 2016/17 – 2020/21," *op. cit*.

[359] Ichumbaki and Mjema, 2018, *op.cit*.

[360] Mturi, 2005, *op.cit*.; G. Kaminyoge and E. Lyaya. "The effectiveness of cultural heritage impact assessment as part of environmental and social impact assessment in Tanzania." *Studies in the African Past* no. 13-14 (2018): 20-44; Ichumbaki and Mjema, 2018, *op.cit*.; see also Figure 1.

[361] A. P. Jopela. "Traditional Custodianship: a useful framework for heritage management in southern Africa?" *Conservation and Management of Archaeological Sites* 13, no. 2-3 (2011): 103-122; Webber Ndoro. "Heritage laws: whose heritage are we protecting?" *South African Archaeological Bulletin* 70, no. 202 (2015): 136.

[362] McIntosh, 1993, *op.cit*.; Mturi, 2005, *op.cit*.; A. Çayırezmez. "Cultural Heritage Inventory System of Turkey on the Web" in *CIPA XXI International Symposium* (2007): 207-209.

[363] McIntosh, 1993, *op.cit*.

[364] P. Parker and T. King. "Guidelines for the Evaluation and Documentation of Traditional Cultural Properties." *National Register Bulletin*, 38 (1998); Mturi, 2005, *op.cit*.

Figure 1: A section view of an early-second millennium archaeological site of Kimu in Pangani Bay massively destroyed by the construction of fish ponds. Photo courtesy of E. Ichumbaki and E. Mjema

The heritage register has been described as a national database and an essential planning tool for managing, protecting and conserving the country's heritage resources.[365] It fulfils these roles by entering relevant information on the heritage resources, such as type, location, size, significance, preservation status, legal ownership and strategies for managing them.[366] In Tanzania, all cultural heritage resources listed in the national

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[365] McIntosh, 1993, *op.cit*.; D. Myers, *et. al.,* "Arches: an open source GIS for the inventory and management of immovable cultural heritage," in Euro-Mediterranean Conference, Springer, Berlin, Heidelberg (2012): 817-824.; H.W. Cape. "Grading: purpose and management implications." *Heritage Western Cape*, no. 16 (2016).

[366] S. Lavelle. "Assessing Significances for Historical Archaeological Sites and relics." Heritage Branch, NSW Department of Planning, 2009; R. Letellier and R. Eppich. "Recording, documentation and

cultural heritage register are legally protected under the Antiquities Act No. 10 of 1964 and the amended Antiquities Act No. 22 of 1979. Accordingly, as explored below, the Antiquities Act requires the Director of Antiquities to identify, assess, gazette and register cultural heritage resources that merit recognition and protection as national cultural heritage.

As already stated, Tanzania's cultural heritage register is neither comprehensive nor regularly updated. For instance, since its establishment in 1937 (over 80 years ago) during British colonial rule, only 131 sites, monuments and protected objects have been registered. Unfortunately, scholars and heritage practitioners have not yet come up with a strategy for reviving and continually updating the heritage register to ensure that all heritage assets are sustainably protected.

This paper examines the way in which cultural heritage resources in Tanzania are registered to uncover major shortfalls in how this is done, and to propose strategies for addressing them. The paper is divided into six sections. Following this introduction is Section Two, which briefly explores the pre-colonial heritage management system in Africa, demonstrating its effectiveness before the introduction of western or state-based management systems. Section Three discusses the colonial system of heritage management, typically state-based, employing an institutional and legal framework in which 'heritage registration' featured. As revealed later, the major shortcomings of the current heritage register, the focus of this paper, can be traced to this period. Section Four analyses how heritage assets have been registered since independence to date. Some 'facts and figures' drawn from the current heritage register are presented and major loopholes pointed out. Section Five describes strategies for addressing the loopholes identified in the preceding section, using some examples from African countries and beyond to provide lessons on how comprehensive heritage registers are developed,

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information management for the conservation of heritage places" (Routledge, 2015); Cape, 2016, *ibid*.

maintained and regularly updated. Section Six, the final section, summarizes the key issues explored in the paper and draws a conclusion.

2.0 Pre-Colonial Heritage Management Systems Africa

Pre-colonial African societies did not need any sort of 'formalized' inventory or registration system of their cultural heritage assets to manage them, not because they were unable to document them in writing at that time, but because local communities living in close proximity to places of cultural significance ensured their survival through traditional custodianship.[367] Albino Pereira de Jesus Jopela describes the traditional custodianship as encompassing "all mechanisms and actions guided by belief systems and customs, carried out by local communities, aimed at the continuous use and preservation of the place and the surrounding environment, including the preservation of its value and symbolic and cosmological significance."[368] Under these systems, the use of heritage assets was governed and regulated by customary laws enforced by traditional custodians.[369] In particular, kings and chiefs were responsible for organizing the use and safekeeping of each heritage resource, including enforcing rites and taboos and maintaining respect for places that were sacred and culturally significant to the community.[370]

Webber Ndoro[371] argues that because traditional custodianship originated from the day-to-day practices of local communities using heritage sites, there was a natural linkage between them. A good illustration of this is the integration of archaeological sites, for

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[367] Mulokozi, 2005, *op.cit.*; Ndoro, 2006, *op.cit.*; Jopela, 2011, *op.cit.*; Elgidius B. Ichumbaki. "A history of conservation of built heritage sites of the Swahili Coast in Tanzania." *African Historical Review* 48, no. 2 (2016): 43-67.

[368] Jopela, 2011, *op.cit.*

[369] F. Berkes, *et. al.*, "Rediscovery of Traditional Ecological Knowledge as Adaptive Management." *Ecological Applications*, 10, 5 (2000): 1251–62.

[370] E. Mantjoro. "'Traditional Management of Communal-Property Resources: The Practice of the Sasi System." *Ocean and Coastal Management*, 32, 1 (1996): 17–37; Berkes, *et.al.*, 2000, *op.cit.*; Mulokozi, 2005, *op.cit.*; Ichumbaki, 2016, *op.cit.*

[371] Ndoro, 2006, *op.cit.*

instance, some rock painting sites in central Tanzania, in the socio-economic dynamic of present-day communities, for example, through rain-control rituals,[372] which are important for ensuring good harvests, health and fortune, thereby minimizing risks to their lives. Thus, traditional custodianship protected the cultural and natural heritage through sustainable socio-economic and religious practices. However, with the onset of European colonialism this system collapsed.

3.0 Colonial Heritage Management Systems and the Dawn of Heritage Registration

The involvement of the British colonial government in cultural heritage management in Tanganyika was more elaborate than during the German colonial period. Similar to several other colonists in Africa, the British imposed heritage management systems informed by science, technology, and 'experts', and which was based on legislation enforced by the legal administrative framework[373]. This approach emanated from the Athens Charter of 1931. The charter was developed by fifteen European nations and its application extended to European colonies overseas, Africa being a part[374]. Among other things, the Athens Charter required each European country and its colony abroad to establish administrative procedures and legislative measures to protect monuments of *artistic, historic* and *scientific* interests. Consequently, in Tanganyika the *Monument Preservation Ordinance* (MPO) was enacted in 1937, specifically to protect such monuments. As detailed below, this law had a bearing on what was to be protected, with African traditional heritage resources being left out of protection programmes. Furthermore, the few cultural heritage sites that were identified for protection through legal administrative framework became government properties.

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[372] Biginagwa, 2002, *op.cit*.; Bwasiri, 2011, *op.cit.*

[373] A. Mauma. 'The Link between Traditional and Formal Legal Systems," in Webber Ndoro and Gilbert Pwiti (eds.). *Legal Frameworks for the Protection of Immovable Cultural Heritage in Africa* (Rome: ICCROM, 2005), pp. 22–24.

[374] C. Athens. "The Athens Charter for the restoration of historic monuments." in *1st International Congress of Architects and Technicians of Historic Monuments (Athens,* 1931); J. Jokilehto. "A history of Architectural Conservation: The Contribution of England, French, German and Italy Thought towards an International Approach to the Conservation of Cultural Property" (The University of York: PhD diss., 1986).

During the British colonial period, 76 properties were thus registered, accounting for 58% of the properties listed in the register to date. Guided by the MPO, the colonial focus was more on the 'built heritage', such as buildings (single or in a group), graves, tombs, towers, fortresses, historic gardens and so on. Accordingly, the built heritage constitutes 77.6% (n=59) of the properties listed during the colonial period, most of them (64.4%; n=38) with colonial ties, and only 30.5% (n=18) reflecting indigenous interests. At that time, fourteen archaeological sites (18.4%) were also registered, ten (71.4%) being rock painting sites in Kondoa district, Dodoma region. Furthermore, three geologically related heritage sites (3.9%) were also registered. These data show an obvious bias as regards registering the built heritage with colonial ties at the expense of traditional African heritage properties.

In terms of spatial distribution, all the properties registered during the colonial period are located in fourteen regions, although the majority (60.5%, n=46) are found in Tanga (22), Dar es Salaam (8), Coast (12) and Lindi (4) regions alongside the Indian Ocean. Inland, thirteen properties (17.1%) in Dodoma region were registered, with the 17 (22.3%) remaining properties scattered throughout nine regions. These statistics show that the colonial government focused on registering the built heritage located along the coast. Ichumbaki[375] remarks that one of the reasons for prioritising the coastline was the presence of mosques, which were better preserved than other sites, due to the fact that Islamic law forbids the destruction of mosques so that the stones can be reused to construct non-mosque buildings.

4.0 Heritage Registration in Post-Colonial Tanzania

Despite the rhetoric of liberation and independence, the governance of heritage in Tanzania has remained the same as during the colonial period. No meaningful changes have been made to the legal heritage instruments. As Webber Ndoro[376] observes, in most

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[375] Ichumbaki, 2016, p. 45.
[376] Ndoro, 2015, *op.cit*.

African countries either the legislation has not been revised since colonial times or only minor cosmetic changes have been made. As demonstrated below, Tanzania's heritage legislation belongs to the latter category, with the result that the colonial approach to heritage management continues to be used, such as what is to be protected and commemorated and what is not.

The Antiquities Act No. 10 of 1964 (amended in 1979) replaced the *Colonial Monuments Preservation Ordinance* promulgated in 1937, and became the basic legislation governing the protection and preservation of the country's movable and immovable cultural heritage.[377] The Act interprets the heritage it protects as follows: a *relic* (any movable object made, shaped, carved, inscribed or otherwise produced or modified by human agency before 1863); a *monument* (any building, structure, rock painting or carving, earthwork formed, built, painted, excavated or otherwise engineered by human agency before 1863); a *protected object* (any ethnographic object or any wooden door or doorframe carved before 1940 in an African or oriental style, or any objects declared by the minister responsible for antiquities; and an *ethnographic object* (any movable object made, shaped, painted, carved, inscribed or otherwise produced or modified by human agency in Tanganyika after 1863, for use in a social or cultural activity, whether or not it is still being used by any community in Tanganyika. The Act empowers the minister responsible for antiquities to declare an object or structure, which is of archaeological, historic, cultural or scientific significance, a protected object or monument, respectively.

Similar to the colonial legislation, the current Antiquities Act is narrow in terms of heritage variety, clearly focusing on monumental heritage, resulting in other types of heritage celebrated by Tanzanians being omitted from protection plans, for instance liberation heritage, cultural spaces in towns, indigenous architecture, intangible heritage and spiritual sites. Furthermore, the perception of heritage as being old or ancient

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[377] United Republic of Tanzania (URT). "Antiquities Act (No. 10 of 1964)." *Government Printer*, 1964; United Republic of Tanzania (URT). "Antiquities Amendment Act (No. 22 of 1979)." *Government Printer*, 1979.

imposes restrictions on its categorisation, because the Act states that for something to qualify as heritage needing protection it must be at least 100 years old, which is wrong. Webber Ndoro argues that in African societies time is considered cyclical, so that the materials and wisdom or knowledge they used to create heritage sites, including the associated rituals, practices and festivals, have a function in today's world.[378] As it stands, the Act fails to accommodate the dynamic vibrancy of Africa's heritage which, as mentioned above, has a bearing on the type of heritage properties that feature in the current national heritage register, as revealed in its scrutiny as follows.

5.0 Heritage Registration Trend: facts and figures

By Independence Day on December 9, 1961, 76 heritage properties had already been proclaimed and registered by the British colonial government as briefly described above. The independent government of Tanganyika (now Tanzania mainland), through the Antiquities Department (henceforth AD), adopted the register and continued to add more properties to it. However, for almost six decades the government has proclaimed and added only 55 properties to the heritage register (Table 1), equivalent to 41.2% of all the properties registered since the establishment of the register in 1937. This suggests that the British colonial government was more committed to registering heritage in the country than the independent government of Tanzania, despite the fact that the British colonial government had far fewer cultural heritage experts (less than three) than those currently employed in the AD (over 60).

The analysis of the register shows that the properties registered since independence to date are located in eight administrative regions (Table 1), which is only 30.7% of the regions of Tanzania mainland today. Dar es Salaam has the largest share, with 39 properties (70.9%) registered, followed by Dodoma with eight properties (14.5%). Arusha has two properties registered, while the other five regions have only one heritage property

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[378] Ndoro, 2015, p.236.

listed in the current heritage register. This spatial distribution denotes a significant bias, calling for a national survey to find out what needs to be proclaimed and registered, which is discussed in the next section.

Table 1: Distribution of registered heritage assets during colonial and post-colonial period

S/N	Region	Colonial period	Post-colonial period	Total	%
1	Dar es Salaam	8	39	47	35.8
2	Tanga	22		22	16.7
3	Dodoma	13	8	21	16
4	Coast	12	1	13	9.9
5	Arusha	3	2	5	3.8
6	Lindi	4		4	3.0
7	Tabora	4		4	3.0
8	Iringa	2		2	1.5
9	Mwanza	2		2	1.5
10	Kigoma	1	1	2	1.5
11	Singida	2		2	1.5
12	Kagera	1		1	0.7
13	Ruvuma	1		1	0.7
14	Shinyanga	1		1	0.7
15	Mara		1	1	0.7
16	Mbeya		1	1	0.7
17	Mtwara		1	1	0.7
18	Unknown*		1	1	0.7
	TOTAL	**76**	**55**	**131**	

* This entry in the register (S/N. 6.127) reads "Preservation of Archaeological Objects" without specifying the location.

The proclaimed and registered heritage assets are in three broad categories: *built heritage properties* (e.g. historic houses – either isolated or amalgamated, historic graves, towers, defensive walls, historic human-made objects, and historic gardens); *archaeological sites* (e.g. palaeontological, stone-tool, and rock painting sites); and *natural* heritage properties (e.g. dinosaur fossils, geological caves and a meteorite). Similar to properties registered during the colonial period, the category that dominates is that of the built heritage, with 42 properties (76.3 %), 38 of which (90.4%) have colonial ties, while the remaining four (9.5%) are not connected with colonialism. This is followed by 11 (20%) archaeological sites, while the two (3.6%) natural properties are a meteorite and a slave route.

Table 2: Categories of registered heritage assets during colonial and post-colonial Tanzania

S/N	Category	Colonial period	Post-colonial period	Total	%
1	Built heritage	59 (58.4%)	42 (41.5%)	101 (100%)	77
2	Archaeological sites	14 (56%)	11 (44%)	25 (100%)	19
3	Natural sites	3 (60%)	2 (40%)	5 (100%)	4
Total		**76 (58%)**	**55 (42%)**	**131 (100%)**	**100**

This clearly shows the narrow perception of the government and heritage practitioners of what constitutes cultural heritage in the African context, and Tanzania in particular. Therefore, it can rightfully be argued that heritage registration in post-colonial Tanzania has been driven and guided by the colonial/western perception of cultural heritage, which centres on 'monumentalism': *scale*, *visibility*, *permanence*, *centrality* and

ubiquity,[379] which might explain why the current register is mostly biased towards listing heritage assets built during the colonial period, as revealed in Table 2 below. Accordingly, it can be argued that properties with colonial ties have for many years enjoyed better protection than the 'typical African traditional heritage' such as sacred forests, which Tanzanians revere the most.[380]

Further scrutiny of the register reveals that a substantial amount of heritage assets (n=38) were listed in the early 1960s, focusing specifically on the 19th-century 'Defensive Walls' located in Tanga region, which emanated from an initiative by the British colonial AD in the late 1950s to document these monuments. Ichumbaki argues that because of the low number of practitioners, the British confined to document monuments in only a few places along the coast. The records show that a British archaeologist called Neville Chittick, who was the Curator of Antiquities from 1937-1963, pioneered the heritage registration system in the country.[381]

The register shows that not one single property was registered in the 1970s, and that only eight were registered in 1980s. However, during the 1990s, 35 assets were proclaimed, all being colonial built heritage located in Dar es Salaam, which Ichumbaki argues, was triggered by the ad-hoc government strategy for identifying, documenting and promoting the country's rich cultural heritage as a tourist attraction to promote the economy and the livelihoods of Tanzanian people.[382] The last twenty years witnessed the registration of six heritage properties only. This trend clearly shows that heritage registration work in

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[379] Ndoro, 2005, *op.cit*.; R. Harrison. "Heritage: critical approaches" (New York: Routledge, 2013); Elisabeth A. Hildebrand. "Is monumentality in the eye of the beholder? Lessons from constructed spaces in Africa." *Azania: Archaeological Research in Africa* 48, no. 2 (2013): 155-172; E. Ichumbaki. "Monumental ruins, baobab trees and spirituality: perceptions on values and uses of built heritage assets of the East African coast" (University of Dar es Salaam: PhD diss., 2015).

[380] Bwasiri, 2011, *op.cit*; Ichumbaki, 2015, *op.cit*.; F. Kimaro. "An ethnological study of traditional conservation practices of Vabena and Vakinga of Njombe region" (University of Dar es Salaam: PhD. Diss., 2018).

[381] United Republic of Tanzania (URT). "National Cultural Heritage Register." *Jamana Printers*, 2018.

[382] Ichumbaki, 2016, pp. 61-2.

post-colonial Tanzania was undertaken sporadically after the departure of the British. Nevertheless, the general trend needs to be reversed if the government is really determined to sustainably protect the cultural heritage resources as pledged in the cultural heritage policy of 2008.

Based on the foregoing analysis, it can be argued that the lack of commitment, clear guidelines, procedures and the criteria for nominating heritage assets are some of the major factors militating against their proclamation and registration. Moreover, the current register has no strategy for managing the listed resources, on the assumption that all the listed assets will be managed by the central government, which is an impossible task. Several other issues concerning rectification of the current situation are discussed in the following sections.
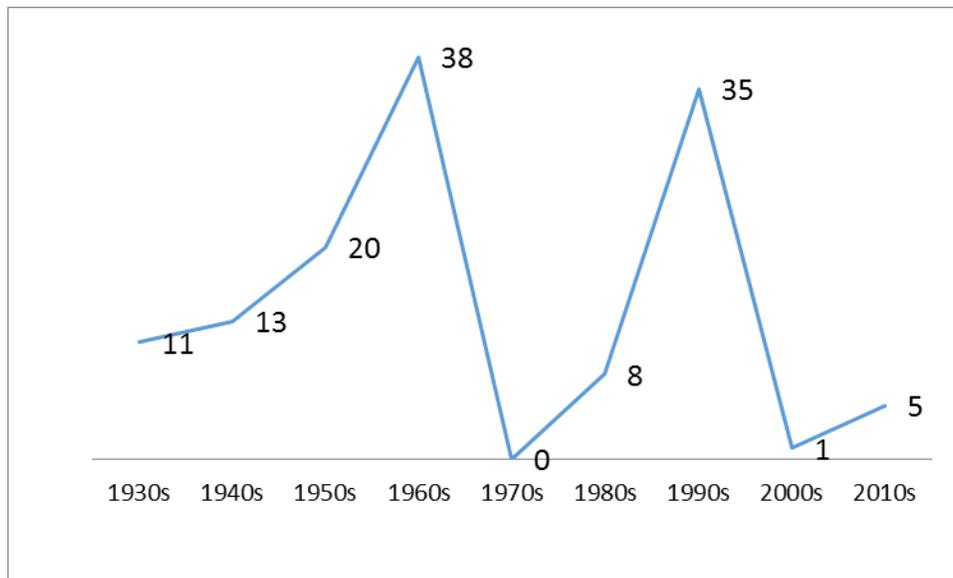

Figure 2: Heritage registration trend in pre-and post-independent Tanzania

6.0 Strategies for Improving Cultural Heritage Registration in Tanzania

The AD must collaborate with various stakeholders, both local and international, to design clear guidelines and procedures for identifying, assessing and ultimately

proclaiming heritage assets for protection. In what follows are the various strategies that could be employed.

First, the AD should spearhead the devising of *criteria* pertinent to the selection of heritage assets to be proclaimed for the register, in which a wide variety of stakeholders should participate so as to obtain their views on the types of heritage properties they would wish to see protected. As it stands, such criteria do not exist, which might explain why the post-independence registering of heritage properties continues to mimic that of the colonial period. In this regard the AD could consider the *significant criteria* proposed by Bhandari[383] to at least start accommodating a wide range of typical African cultural heritage that has been left out. These are: *historic* (significant in terms of the culture or history of the nation, or the range of associations with the context); *aesthetic* (having aesthetic characteristics highly valued by the community, or exhibiting creative or technical development); *social/religious* (significant to a community for social, cultural, religious or spiritual reasons); *scientific* (having research potential to contribute to our understanding of the natural and cultural history of the nation); *representative* (significant due to current interests) and '*other value*' (significant due to the value of the heritage to past, present or future generations, usually in addition to one or more of the above criteria).

This paper demonstrates that because traditional sacred sites (places that Tanzanians revere, or regard as important for their daily lives) do not feature at all in the current heritage register, the *socio-religious* significance criterion described above should be included to accommodate these forms of living heritage. Similarly, the *representative* criterion should also be included to accommodate, for instance, traditional buildings not linked to the colonial past, but which define current townships in various areas,[384]

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[383] B. Bhandari. "Management of national heritage areas." *Contributions to Nepalese Studies* 22, no. 2 (1995): 167-179.
[384] Ichumbaki, 2016, *op.cit*.

because, regrettably, houses in the historic towns such as Pangani, Bagamoyo, Kilwa, Mikindani and Ujiji have not been regarded as being of heritage significance.

Furthermore, Tanzania could learn from Australia, where the *Australian Heritage Commission* (henceforth AHC) will list a property in the national heritage register if it is 'of outstanding value to the nation' because of its importance as regards any of the following aspects:

i.   It shows the course of Australia's natural or cultural history;

ii. It possesses uncommon, rare or endangered aspects of Australia's natural or cultural history;

iii. It yields information contributing to an understanding of Australia's natural or cultural history;

iv. It demonstrates the principal characteristics of either Australia's natural or cultural places and cultural environment;

v.   It exhibits particular aesthetic characteristics valued by a community or cultural group;

vi. It demonstrates a high degree of creative or technical achievement in a particular period;

vii. A particular community or cultural group has a strong association with it for social, cultural or spiritual reasons;

viii. A person or group of persons has a special association with it in terms of their life and work that is of importance to Australia's natural or cultural history; and

ix. Anything that upholds indigenous traditions.

Second, the AD should identify key stakeholders, who would be responsible for undertaking a national survey of the heritage to identify, assess and nominate properties for proclamation and ultimate registration. Accordingly, the AD should state which stakeholders would be responsible for conducting the survey, which personnel would be responsible for evaluating heritage properties, who would be responsible for preparing

and submitting to the authorities the 'nomination dossiers' of properties for inclusion in the register, who would form the committee responsible for evaluating and deciding on the submitted 'nomination dossiers', and who would form a committee with the authority to register and deregister properties, among several others. The guidelines and procedures for each of the identified activities must be made clear.

This paper once again considers the *Australian Guidelines for the Assessment of Places for the National Heritage List* (2009) a good example of best practice, as they guide the process of listing the heritage assets and describe the roles and responsibilities of various stakeholders. For instance, the Guidelines require the minister responsible for cultural heritage to determine the date for commencing assessment, to announce priority themes of the year, and to invite public nominations of possible cultural heritage assets within forty working days. The Minister is then required to submit the nominations to the AHC within thirty working days after the nomination period for review and recommendations. However, the Guidelines empower the minister to reject outright any nominations not made in good faith, or which do not abide by the regulations. The AHC then reviews the nominations and publishes its final assessment on the internet for the public to comment on. Thereafter, it submits the assessment, including comments by the public. The list of cultural heritage assets arrived at through this process becomes the basis for including the nominated properties in the National Heritage Register, which is done within ninety working days. Finally, the minister is obliged to publish the results in the government gazette and on the internet, showing both the properties accepted for inclusion in the list and those that were rejected.[385]

Third, it would be important to devise a system for *grading* heritage assets, whereby they would be managed by authorities at the national, regional, district or lower administrative level, depending on their 'significance'. Grading heritage resources would

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[385] Australian Heritage Council (AHC). "Guidelines for the assessment of places for the National Heritage List," Department of the Environment, Water Heritage and the Arts, Commonwealth of Australia (2009).

be important because the central government would not be able to manage all the properties in the national register.[386] Although grading criteria are country-specific, Tanzania could learn from South Africa, where the grading system and management strategies are clearly stipulated in the *South African Heritage Resources Act No. 25 of 1999.*

The *South African Heritage Resources Act* (SARA) stipulates a three-tier system for managing heritage resources, namely the national, provincial and local level.[387] Accordingly, the South African Heritage Resources Agency (SAHRA) handles 'Grade I' heritage resources, which are described as having the 'highest significance'. The 'Grade II' heritage resources ascribed 'exceptionally high significance' are handled by Provincial Heritage Resources Authorities (PHRAs). Finally, local municipalities deal with 'Grade III' sites of 'local significance.'[388] Ndlove[389] is of the view that this three-tier system promotes the management of cultural resources at local government level and enlists the participation of communities to increase their interest in heritage management.

Branch[390] recommends that the grading of archaeological and paleontological sites, where the materials are often buried, should be based on surface indications. The grading remains tentative until excavation, collection, analysis and dating have been done to provide a complete picture of the site's significance. Another invaluable lesson to point out is that grading is an iterative process and can change over time. In this regard, a heritage asset can be upgraded from a lower to a higher grade due to new information

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[386] N. Ndlove. "Legislation as an instrument in South African heritage management: is it effective?" *Conservation and Management of Archaeological Sites* 13, no. 1 (2011): 31-57; S. Chirikure. "Heritage conservation in Africa: The good, the bad, and the challenges." *South African Journal of Science* 109, no. 1-2 (2013): 1-3.

[387] J. Kotze and L. van Rensburg. "Legislative protection of cultural heritage resources: a South African perspective." *Queensland U. Tech. L. & Just.* J. 3 (2003): 121; C. Scheermeyer. "A changing and challenging landscape: heritage resources management in South Africa." *South African Archaeological Bulletin* 60, no. 182 (2005): 121–23; *Ndlove, 2011, op.cit.*

[388] Cape, 2016, *op.cit.*

[389] Ndlove, 2011, p. 36.

[390] H. Branch. "Assessing significance for historical archaeological sites and relics." *New South Wales, Australia Heritage Council.* Accessed January 30 (2009): 2013.

being obtained from a more detailed investigation.[391] Likewise, it can be downgraded and even removed from the heritage register. In Australia, for instance, the factors that determine re-evaluation of a heritage asset would be a change in the community's attitude to its social or aesthetic value, deterioration in its fabric, or new and important research casting doubt on previous knowledge that led to its prominence.[392]

In Australia, the *Environment Protection and Biodiversity Conservation Act* (EPBC, 1999) mandates the minister to re-grade or even remove a heritage property from the register. The Government of Zimbabwe follows the same *modus operandi* in updating its national heritage register, which is in accordance with the provisions of the National Museum and Monuments Act (Chap 25:11). In this regard, Dr. Happinos Marufu informs that some liberation heritage sites in Zimbabwe have been promoted to be of national significance to honour the freedom fighters' role, while some of those promoted during the colonial period to perpetuate imperialism were removed after independence in 1980.[393]

Fourth, it would be vital to build the technical capacity of local heritage practitioners, who would liaise with other stakeholders, particularly local community members countrywide, to determine, identify and properly record heritage resources and prepare heritage nomination dossiers to feed into the register. Several institutions could be involved in this exercise. Through the AD, the Ministry of Natural Resources and Tourism (MNRT) could collaborate with national universities, the National Museum of Tanzania and related institutions to provide specialised and technical training. The MNRT could also seek international support from, for instance, UNESCO World Heritage Centre, the International Council on Monuments and Sites (ICOMOS) and the International Centre for the Study of the Preservation and Restoration of Cultural Property (ICCROM), among others. It appears that a similar recommendation was made almost twenty-seven years ago by Susan McIntosh when she addressed the World Bank meeting in 1993:

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[391] Lavelle, 2009, *op.cit*.
[392] AHC, 2009, p. 13.
[393] Personal communication, 19th August 2019.

"...organizations such the World Bank should consider supporting training programs for Third World archaeologists, with internships at U.S. universities with appropriate expertise, and in areas where the World Bank has development projects, providing equipment which would be most efficient for archaeological survey and testing. Most particularly needed are intensive surveys in all African countries; one cannot 'manage' if one does not know what the resource base contains."[394]

Fifth, the AD should collaborate with heritage stakeholders to sustain the national heritage survey for the register. Several approaches could be employed to achieve this. Mturi[395] proposed that the AD should establish the conditions for granting research licences to researchers to conduct extensive surveys and document the cultural heritage resources in their study area. In this regard, Mturi proposed that the AD could prioritize granting licences for projects that include an extensive survey and documentation plan. This paper foresees another opportunity, whereby the AD could collaborate with the departments of Archaeology and History of the University of Dar es Salaam (UDSM) and other higher learning institutions offering similar heritage courses in the country with a view to using the practical fieldwork offered to students each year. This training, jointly supervised by qualified and experienced researchers from the universities and the AD, would reinforce students' heritage-related knowledge, which would feed into the heritage register by default rather than populating bookshelves with unused field reports.

Furthermore, the District Cultural Officers and 'Honorary Antiquities Wardens' could be used, if trained to do so, to identify heritage properties for the register. District cultural officers in almost all districts could perform this task without the need for antiquities officials. This would require the MNRT to negotiate with the President's Office, Regional Administration and Local Government that employs the district cultural officers to effect

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[394] McIntosh, 1993, p.500.
[395] Mturi, 2005, *op.cit.*

this collaboration. Indeed, this is legally supported by Tanzania's Antiquities Act (1964/1979), which empowers local government authorities to oversee cultural heritage resources in their area of jurisdiction, including handling accidental discoveries of them, and to pass and reinforce by-laws for protecting the resources. The AD could also use a provision in the same Act to appoint persons known as 'Honorary Antiquities Wardens' to assist in identifying, reporting and protecting the assets. Unfortunately, the AD has not taken advantage of this legal provision to appoint such persons, who could probably have been helpful.

Sixth, in order for the proposed strategies to work out smoothly and with an effective outcome, there is an urgent need to pass a new cultural heritage law since the current one is outdated. First and foremost, the proposed new heritage law must reflect the definition, perception and interpretation of cultural heritage of Africans, to ensure that what is essential from their perspective is protected and commemorated.[396] It should also promote what[397] is called an 'equal partnership' between the government and communities, clearly illustrating the way in which various stakeholders can participate in protecting the heritage as well as benefiting from it. Indeed, this idea features prominently in the current discussion on post-colonial practices in archaeology and heritage management in Africa under the so-called 'usable pasts'.[398]

The proposed new legislation should address the fundamental question of why the heritage is being protected and for whose benefit. There are several examples in Tanzania of the law protecting 'things' that communities do not necessarily regard as their heritage,

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[396] Ndoro, 2015, p. 136.

[397] Shadreck Chirikure, *et.al.*, "Community Involvement in Archaeology and Cultural Heritage Management: An Assessment from Case Studies in Southern Africa and Elsewhere." *Current Anthropology* 49, no. 3 (2008): 467-485.

[398] Chirikure, *et.al.*, 2008; Paul Lane. "Possibilities for a postcolonial archaeology in sub-Saharan Africa: indigenous and usable pasts." *World Archaeology* 43, no. 1 (2011): 7-25; D. Stump, *et.al.*, "On applied archaeology, indigenous knowledge, and the usable past." *Current Anthropology*, 54, 3 (2013).

or which are not worth commemorating. For example, Chiku Said[399] reports that at Chongoleani peninsular on the northern coast of Tanzania, the local community completely disregards the 'Defensive Wall' listed in the National Heritage Register in 1961 and protected under the Antiquities Act (Cap 333), but instead respects and pays attention to a sacred grove nearby, effectively protecting it as their heritage under customary law (Figure 3).

Figure 3: A 'Defensive Wall' (left) which is a national monument protected under the Antiquities Law, and a nearby 'sacred grove' (right) protected by the local community as their heritage.

Similarly, Bwasiri[400] argues that even the decision by the colonial and post-colonial governments to proclaim and register the rock painting sites in Kondoa district, Dodoma region, was not due to their cultural significance to neighbouring local communities, because they were eventually prevented from accessing these sites for ritual activities after they were proclaimed, triggering serious antagonism between them and the site managers.[401] The ruins at Kaole in Bagamoyo[402] and Kunduchi in Dar es Salaam[403] were dealt with in the same way.

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[399] Chiku Said. "Local people's perceptions and valorization of cultural heritage sites at Chongoleani peninsular, northern coast of Tanzania" (University of Dar es Salaam: MA dissertation, 2020).

[400] Bwasiri, 2011, *op.cit*.

[401] see also Leakey, 1983, *op.cit*.; United Republic of Tanzania (URT). "Nomination Dossier: Kondoa Rock Art Sites." Antiquities Division, 2004a; United Republic of Tanzania (URT). "Management Plan: Kondoa Rock Art Sites." Antiquities Division, 2004b.

Another area the proposed legislation must take on board is the need for a cultural heritage impact assessment (CHIA) to be carried out for two reasons. Firstly, it will reinforce the heritage resources on land that is going to be developed to ensure it is protected, and secondly, it will provide additional information on cultural heritage resources pertinent for feeding into the register.[404]

Finally, there is a need to consolidate the details of each registered property and create an online version of the register for easy access by the public.[405] The current nomination dossiers are in hard copy, making it not only difficult to update information about properties when the need arises, but also to access this information. This paper argues that a detailed version of the register posted on the AD's website would serve the interests of various stakeholders. For instance, land developers would be able to instantly access information about cultural heritage resources found at the sites they plan to develop, showing them that they would need to carry out a CHIA to ensure that those resources are protected. Educationists and students would equally benefit from this knowledge being made available online. In addition, the information would promote tourism by informing people about the valuable and unique heritage in Tanzania that would be worth visiting.

7.0 Summary and Conclusion

It is worth noting that a discussion on the contribution of the cultural heritage sector to attaining sustainable development has featured prominently in several national and international fora, which has led to various multinational strategies being formulated for

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[402] Ichumbaki, 2015, *op.cit*.

[403] Masele, 2007, *op.cit*.

[404] Mturi, 2005, *op.cit*.
[405] Myers, 2012, *op.cit*.

achieving socio-cultural and economic development. In particular, the *United Nations Sustainable Development Goals* (UN-SDGs 2015-2030)[406] require all nations to "strengthen efforts to protect and safeguard the world's cultural and natural heritage" (*Target 4*) in order to "make cities and human settlements inclusive, resilient and sustainable" (*Goal 11*). Likewise, *Aspiration 5* of the African Union's '*Agenda 2063: The Africa We Want*' calls for member states to utilize cultural heritage to "learn from the past, build on the progress now underway and strategically exploit all possible opportunities available so as to ensure positive socio-economic transformation within the next 50 years" (African Union, 2015).[407] This paper posits that these positive aspirations will only be realized if the cultural heritage resources of this country are properly identified, systematically registered, and well conserved.

It is inconceivable that Tanzania, a country spanning an area of 945,087 km² with a multi-cultural society of over 120 ethnic groups and an unbroken record of human bio-cultural evolution dating back 3.6 million years, has only 131 registered heritage assets of national significance. This number is much lower than that of other countries, for instance, the United States, which has more than 93,000 listed properties representing 1.8 million resources,[408] or South Africa, which has over 3,718 sites.[409] This reveals that the government agency responsible for conserving the heritage in Tanzania has not done enough.[410]

This paper is aware of several important heritage sites in Tanzania that are not registered despite having been extensively researched and reported. Three examples are the *Nasera Rock Shelter* - a site renowned for well-stratified and continuous evidence of human bio-

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[406] United Nations General Assembly. "Transforming our world: The 2030 agenda for sustainable development" (2015). Retrieved from undocs.org/A/RES/70/1.

[407] African Union. "Agenda 2063 Vision and Priorities" (2013). Retrieved from http://agenda2063.au.int/en//vision.

[408] https://www.nps.gov/subjects/national-register.html

[409] https://sahris.sahra.org.za/declaredsites

[410] P. Schmidt and E. Ichumbaki. "Is there hope for heritage in former British colonies in Eastern Africa? A view from Tanzania." *Journal of African Cultural Heritage* 3, no. 1 (2020): 26-51.

cultural evolution from the Middle Stone Age, circa 30,000 BP to the Iron Age,[411] *Rugomora Mahe/Katuruka* - one of the oldest-known evidence of complex iron-smelting technology in sub-Saharan Africa, dating to 500 BC[412]; *Kimu* - a site showing unique evidence of palaeocatastrophe along the Swahili Coast, circa AD 900 – 1100, attested to by dozens of human remains.[413] The list can be extended to cause someone to ask why, for instance, the famous pre-colonial 'underground bolt holes' that were used as refuges by the Chagga of Kilimanjaro during pre-colonial inter- and intra-ethnic conflicts have not found space in the heritage register but the grave of 'unknown' German soldier somewhere in Lindi region has.

This paper is a reminder that because the creation and maintenance of the heritage register in Tanzania is a legal requirement, failure to do so is a breach of law and it allows the country's cultural heritage resources to disintegrate due to natural and anthropogenic factors. Their disappearance denies present and future generations knowledge of their past, thereby contributing to the erosion of national identity, pride, social cohesion, peace and economic gain that are connected to heritage resources, as envisioned and well-articulated in the constitution of the United Republic of Tanzania, *United Nations Sustainable Development Goals* 2015-2030, and *African Union Agenda* 2063: *The Africa We Want*. This paper has therefore proposed some solutions to the problem of the national heritage register not having been upgraded. What is most important is that the AD, in collaboration with other stakeholders, must develop detailed guidelines and procedures for servicing the register.

The AD should be proactive in facilitating a country-wide heritage survey to update the national register, otherwise important examples of heritage resources will continue to be

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[411] M. Mehlman. "Excavations at Nasera Rock, Tanzania." *Azania: Journal of the British Institute in Eastern Africa* 12, no. 1 (1977): 111-118.

[412] P. Schmidt and D. Avery. "Complex iron smelting and prehistoric culture in Tanzania." *Science* 201, no. 4361 (1978): 1085-1089.

[413] Mjema, 2018, *op.cit*.

omitted. To illustrate the current negligence of the AD, two significant assets, namely the Nkrumah Hall at UDSM (2015) and Mikindani Historic Town (2017), were registered recently purely due to the initiative and struggle of their owners, without any influence and assistance from the AD. For instance, UDSM took the initiative to have the Nkrumah Hall registered as a national monument as part of marking its 50th Anniversary. Similarly, *Trade Aid* (the UK-based Foundation) took the initiative to have Mikindani Historic Town registered and protected under the Antiquities Law after renovating several buildings and turned one of them into a luxury tourist hotel (the Old Boma) and a vocational training centre, among other investments. Thus, their motive for registering the entire historic town was to ensure the renovated buildings get legal protection from any kind of encroachment that would jeopardise the investments.

It is vital for the central government to commit sufficient funds for the development and maintenance of the register. Capacity building should be given a priority, and collaboration between heritage institutions in the country and beyond should be prioritized to facilitate the sharing of resources and expertise. Tanzania's cultural heritage legislation should be revisited to address several issues relating to heritage management, with the examples from South Africa and Australia being used as a guide. One major lesson is the grading of heritage resources based on their perceived significance and value, which helps assign resources to the appropriate level for their management and administration. Heritage resources could also be registered and managed at different levels involving various parties. Tanzania could opt to have a national register exclusively for heritage resources of 'outstanding national value', a register of assets of 'outstanding regional value', and those of outstanding value at district level. Each of these could be administered in accordance with their perceived significance and value. Alternatively, the government could opt to have one comprehensive register of all heritage assets countrywide, but each asset assigned its own caretaker – whether the central government, regional or district authorities. Whichever option is decided on, the AD would need to

coordinate it and empower local communities and lower-level administrative units to implement it.

To conclude, Tanzania has a good chance of continuing to be a global example of cultural heritage resources if the government and other stakeholders were to resume their role of building a comprehensive heritage register and continuously updating it. In addition to protecting the nation's heritage resources, a well-maintained online register would project it as a leading tourist destination. Obviously, some of the measures proposed have substantial cost and technical input implications, which require long-term planning. However, some measures could be implemented immediately, such as devising criteria for assessing the significance of the heritage. In the face of increasing threats to the resources in this era of ongoing economic reforms, the government of Tanzania should act immediately on the proposed suggestions, using the personnel and resources currently available.